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**MAYOR AND COUNCIL
AGENDA
REGULAR MEETING
June 10, 2010**

Agenda Items are subject to change. If you have any questions regarding an agenda item please contact the Borough Clerk at 732 776-2999 Ext. 11

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OPEN PUBLIC MEETINGS ACT STATEMENT**
- 4. ROLL CALL**
- 5. DISCUSSION ITEMS**
 - a. An ordinance amendment to Amend Chapter 160-4 Certificate of Occupancy and Chapter 210 Fire Prevention and Section m. Fees
 - b. Investigation of towing permit suspension
 - c. Cops Grant
 - d. Kodak Foundation Greenway Grant
 - e. Borough letterhead and business cards
 - f. Fire permit waiver for special events
 - g. Special Parking Permits
 - h. Mayor Schueler's Dedication
 - i. Beach accessibility ramps
 - j. Beach badge sales
 - k. An update on Emergency Management Activities for the March storm
- 6. APPROVAL OF MINUTES – 2/27/10, March and April 2010**
- 7. PUBLIC COMMENTS ON AGENDA ITEMS – Public Session only on Agenda. We will continue to have a Public Session at the end of this meeting. There is a 5 minute limit on comments.**
- 8. ORDINANCES**

INTRODUCTION (possible)

 - a. AN ORDINANCE TO AMEND CHAPTER 160-4 CERTIFICATE OF OCCUPANCY AND CHAPTER 210 FIRE PREVENTION OF THE BOROUGH OF BRADLEY BEACH CODE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

9. COMMUNICATIONS

- A. Café Licenses
Pizza on Main 812 ½ Main Street
- B. Bingo and/or Raffle Licenses
Congregation Agudath Achim RL 8-10 & BL 1-10
Sisterhood, CAA BL 2-10
Senior Club, CAA BL 3-10
Neptune Township Legion Post 346 BL 4-10
Bradley Beach PTO RL 9-10
- C. Bradley Beach Chamber of Commerce request for the Borough to waive Fire Inspection Fees for food vendors at the Chamber's Lobster Fest on Sunday, July 18th.
- D. Bradley Beach Public Library request to hold a musical performance on July 20, 2010 at 6:30pm on the Library's west side lawn (Hammond Avenue).

10. RESOLUTIONS

- A. Bill List
- B. Authorizes a refund of tax overpayment for Block 41 Lot 5 x
- C. Authorizes payment to lienholder(s)
- D. Authorizes the preparation of estimated 3rd Quarter Tax Bills
- E. Request approval from the DCA to establish a Dedicated Trust by Rider for Off-duty or outside employment of Police Officers
- F. Governing Body Certification of the 2009 Audit
- G. Appointment of Class II Special Police Officers
- H. Authorizes execution of a Shared Service Agreement with the County of Monmouth for 911 Communications Services 1/1/09 through 12/31/14
- I. Approval of Annual Renewal of ABC Licenses
- J. Approval of Annual Renewal of ABC License with stipulations
- K. Authorizes RFQ'S for Borough Attorney, Labor Attorney and Borough Engineer
- L. Approval of Special Parking Permits
- M. Authorization for a contract for Fireworks

11. ANNOUNCEMENTS

The Bradley Beach Tourism Committee is having a concert in Riley Park on Main Street June 26, 2010 starting at 7pm featuring "The Jersey Sound"

12. MAYOR'S APPOINTMENTS

13. MAYOR AND COUNCIL REPORTS

14. PUBLIC COMMENTS- There is a 5 minute limit on comments

15. EXECUTIVE SESSION (Pursuant to N.J.S.A. 10:4-13 et seq. if necessary).

16. ADJOURNMENT



Chamber of Commerce

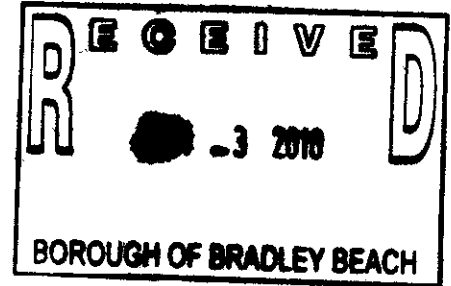
501 Main Street, Bradley Beach, NJ 07720

732-869-1020 – Voice Mail/Direct Line *** 732-455-3382 – Fax

bbcc@bradleybeachnj.org – Email *** www.bradleybeachnj.org – Website

6-10-10

June 3, 2010



Mayor Schreck and Members of Council

Please consider this letter a request to respectfully ask the Borough of Bradley Beach to waive Fire Inspection fees for food vendors who will be present at the Chamber's Lobster Fest on Sunday, July 18, 2010 on the beachfront. Our vendors are willing to be inspected by the Fire Marshall.

This event is being held on the boardwalk for the first time and the vendors are not sure of the expenses involved in this new venue. If things go well and this event is, hopefully profitable for the vendors, they will be more than willing, in the future, to pay the usual fees involved.

Thank you for your attention to this matter.

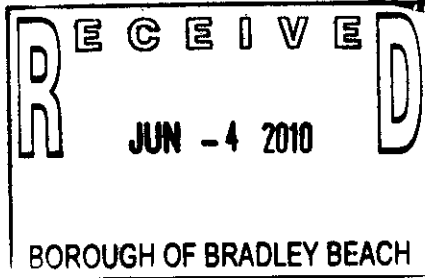
Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Richard Simonsen".

**Richard Simonsen
President**



6-10-10



June 1, 2010

To Whom It May Concern,

The Bradley Beach Public Library is intending to have a musical performance program by singer Billy Brown on Tuesday, July 20 at 6:30 pm. The program will last an hour. If the weather is nice, we would like to consider holding the program outside. The program would take place on the Library's west side lawn (on Hammond Avenue).

I wanted to put this request in to make sure a small outdoor performance would be okay. Mr. Brown would be using a microphone with speakers. We thank you in advance for your assistance.

Sincerely,

Susan O'Connor

Program Coordinator

June 10, 2010

RESOLUTION NO. 2010-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the property owner of property located at 305 LaReine Avenue, AKA Block 41, Lot 5 X, inadvertently overpaid the 2nd quarter, 2010 property taxes, creating a principle overpayment of \$318.47; and

WHEREAS, said property owner has requested a refund of the overpayment; and

WHEREAS, 3rd quarter, 2010, taxes have not yet been billed to offset the overpayment;

NOW, THEREFORE, BE IT RESOLVED, that the property owner listed below be issued a refund of 2010 property taxes in the amount of \$318.47 and \$7.15 in interest.

Seconded by Council Member _____ and adopted on roll call by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

June 10, 2010

RESOLUTION NO. 2010-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, N.J.S.A. 54:5 provides for the property owner or a party of interest to redeem a Tax Sale Certificate within a two year period; and

WHEREAS, the following Tax Sale Certificate has been satisfied, said redemption money having been deposited into the Miscellaneous Trust Fund Account; and

WHEREAS, the following lienholder is now due reimbursement for the redemption of the Tax Sale Certificate;

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the following lienholder for redemption of said certificates:

LIENHOLDER	CERT. #/PROPERTY LOCATION	REDEMPTION
U.S. Bank-Cust/ SASS Muni V Dtr.	#070007/407 Newark Ave. Block 17, Lot 7	\$10,507.11
	Premium Refund:	<u>7,800.00</u>
	TOTAL:	\$18,307.11

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the CFO, Assistant CFO and Borough Auditor.

Seconded by Council Member _____ and adopted on roll call by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

June 10, 2010

RESOLUTION #2010 –

A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED 2010 3RD
QUARTER TAX BILLING

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, notwithstanding any provisions of the laws, rules or regulations to the contrary, whenever a municipal governing body determines that the tax collector is unable to complete the mailing or delivery of the final tax billing; and

WHEREAS, the Borough of Bradley Beach has introduced but not yet adopted its 2010 municipal budget; and

WHEREAS, the Borough of Bradley Beach is presenting a Levy Cap Waiver request to the Local Finance Board for approval; and

WHEREAS, the 2010 municipal budget cannot be adopted until the Borough of Bradley Beach receives the decision of the Local Finance Board as to whether approval of the Levy Cap Waiver will be granted; and

WHEREAS, the Borough may, by resolution of the governing body, choose to send 3rd quarter estimated tax bills to assure adequate cash flow; and

WHEREAS, an estimated tax levy has been computed, at the rate of \$1.230 per \$100.00 of assessed valuation of the 2010 Tax Levy, in accordance with NJSA 54:4-66.3 and the Tax Collector and Chief Financial Officer has signed a certification showing the tax levy for the previous year; and

WHEREAS, pursuant to 54:4-66.3, the 3rd quarter estimated bills shall be due by August 10 which is inclusive of the 10 day grace period allowed; and

WHEREAS, any payment received after the 10th day of August, shall be subject to interest calculated from the original day that 3rd quarter taxes were due (August 1st), to the date of payment, in accordance with New Jersey State Statute N.J.S.A. 54:4-66.3.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bradley Beach to authorize the Tax Collector to prepare and deliver 2010 3rd quarter estimated tax bills.

Seconded by Council Member _____ and adopted on roll call by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

June 10, 2010

RESOLUTION NO. 2010-

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR OFF-DUTY OR OUTSIDE EMPLOYMENT OF POLICE OFFICERS.

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, approval of the Local Finance Board under blanket provision allows municipalities to receive amounts for costs incurred for off-duty or outside employment of police officers; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for off-duty or outside employment of police officers as per N.J.S.A. 40A:4-39.

2. The Municipal Clerk of the Borough of Bradley Beach is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Seconded by Council Member _____ and adopted on roll call by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010

RESOLUTION 2010-

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand

dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Bradley Beach, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Seconded by Council Member _____ and adopted on roll call by the following vote:

AYES NAYS ABSTAIN ABSENT

Mr. Cotler
Ms. Marchak
Mr. Engelstad
Mr. Galassetti
Mayor Schreck

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010

RESOLUTION 2010-

**APPOINTMENT OF CLASS TWO SPECIAL
POLICE OFFICERS**

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, in conformance with N.J.S.A. 40A: 14-146.10(e), the Chief of Police, has confirmed the eligibility and qualifications of the below listed individuals to serve as **Class Two Special Police Officers**.

NOW THEREFORE BE IT RESOLVED, that the following returning individuals are hereby appointed as Class Two Special Police Officers. Said individuals are appointed subject to the requirements of N.J.S.A. 40a:14-146.11 and qualify to be issued firearms in conformance with the provisions of said statute at a rate of \$10.00 per hour:

- Brian Bucossi
- David Garcia
- Anthony Marino
- Greg Panza
- Andrew Redmond

Seconded by Council Member _____ and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010

RESOLUTION NO 2010-

APPROVAL OF ANNUAL RENEWAL OF ALCOHOLIC BEVERAGE LIQUOR LICENSES EFFECTIVE JULY 1, 2010

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the following applications have been received for the renewal of Retail Alcoholic Beverage Licenses for the twelve month period beginning July 1, 2010:

LICENSE NO.	TYPE	APPLICANT	ADDRESS
1307-33-008-004	PRC	Vic's Bar & Restaurant, Inc.	60 Main Street
1307-33-007-010	PRC	Manno, Inc.	301 Main Street
1307-32-003-002	PRC	D'Arcy L.L.C..	310 Main Street
1307-33-001-009	PRC	MADCAP II, L.L.C.	416 Main Street
1307-32-005-003	PRC	Gladys & Carlotta, Inc.	618 Main Street
1307-33-004-008	PRC	UVA ON MAIN, LLC	800-808 Main Street
1307-44-002-003	PRD	Swami Charan Inc.	810 Main Street

WHEREAS, no objections have been made to the renewal thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to renew the above listed Retail Alcoholic Beverage Licenses effective July 1, 2010.

Seconded by Council Member _____ and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010

RESOLUTION NO 2010-

**APPROVAL OF ANNUAL RENEWAL OF ALCOHOLIC BEVERAGE LIQUOR
LICENSE 1307-33-006-005 TO BRADLEY BEACH RECREATION CENTERS,
INC. EFFECTIVE JULY 1, 2010**

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the following application has been received for the renewal of Retail Alcoholic Beverage License for the twelve month period beginning July 1, 2010:

LICENSE NO.	TYPE	APPLICANT	ADDRESS
1307-33-006-005	PRC	Bradley Beach Recreation Centers, Inc.	1217 Main Street

WHEREAS, objections and recommendations have been made to the renewal thereof; (See Attached)

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to renew the above listed Retail Alcoholic Beverage License effective July 1, 2010.

Seconded by Council Member _____ and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 9, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

The Licensee has also agreed to the following special conditions as part of its license renewal as follows:

- A. Maintain adequate outdoor lighting;
- B. Employees must wear staff shirts identifying them as Licensee employees at all times while on duty;
- C. A security officer must be on duty three (3) nights per week from September 1st to May 15th from 7:00 p.m. to 2:00 a.m. with particular attention being paid to the vestibule and lot area of the Licensee, but the presence of the security officer shall be present on Friday and Saturday nights and one (1) other week night as recommended by the Chief of Police of the Borough of Bradley Beach including any special events throughout the year;
- D. Based on the recommendation of the Chief of Police of the Borough of Bradley Beach, the Licensee shall periodically pay the Borough of Bradley Beach to post a police officer on the premises;
- E. Based on the recommendation of the Chief of Police of the Borough of Bradley Beach, the Licensee shall cooperate with a “Cops-In-Shops” program and discuss with the Chief of Police of the Borough of Bradley Beach the payment of those police officers to the Borough of Bradley Beach as permitted by the Division of Alcoholic Beverage Control;
- F. Notify the Borough of Bradley Beach and the Borough of Bradley Beach Police Department of the current names, addresses, telephone and beeper numbers of all corporate officers, including the chief executive officer, and all facility managers as well as the on-site manager and the Regional Vice President.

June 10, 2010

RESOLUTION NO. 2010-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Service Agreement with the County of Monmouth for 911 Communication Services January 1, 2009 through December 31, 2014.

BE IT FURTHER RESOLVED, that a copy be forwarded to the Chief Financial Officer, Assistant Chief Financial Officer, Business Administrator and Borough Auditor.

Seconded by Council Member _____ and adopted on roll call by the following vote:

AYES NAYS ABSTAIN ABSENT

Mr. Cotler
Ms. Marchak
Mr. Engelstad
Mr. Galassetti
Mayor Schreck

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010

RESOLUTION 2010-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for RFQ'S on the Borough's website bradleybeachonline.com for the positions of Borough Attorney, Labor Attorney and Borough Engineer Services as soon as possible.

Seconded by Council Member _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and Council of the Borough of Bradley Beach at a meeting held on the 10th day of June, 2010.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 10th day of June, 2010.

Mary Ann Solinski, Municipal Clerk

June 10, 2010

RESOLUTION 2010-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the Borough Staff has reviewed applications submitted by individual residents on that attached list for designated handicapped parking spaces in front of their homes; and

WHEREAS, the Police Department has completed site reviews for the attached list.

BE IT RESOLVED, that handicapped parking spaces are granted by the Mayor and Council of the Borough of Bradley Beach effective June 10, 2010 through April 30, 2011.

Seconded by Council Member _____ and adopted by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010

RESOLUTION NO. 2010-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Mayor is hereby authorized and directed to execute a contract agreement with _____ for a Fireworks Display on _____.

Seconded by Council Member _____ and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the June 10, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

June 10, 2010
Resolution 2010-

Mayor Schreck announces the following appointments:

Environmental Commission

Jana Crawford
(Fills unexpired term)

Expires 12/31/2010

Recreation Committee

Michael Roth

Expires 12/31/2010

REGULAR MEETING
June 10, 2010

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the council chamber on the above date.

CALL TO ORDER

Mayor Julie Schreck opened the meeting with a salute to the flag.

Sunshine Law

The meeting has been noticed publicly according to the Open Public Meetings Act requirement for "Annual Notice", and posted on the official bulletin board.

Roll Call 6:33PM

Present: Council: Cotler, Marchak, Engelstad
Mayor Schreck
Business Administrator O'Reilly
Michael Affuso, Esq.
Absent: Council Galassetti
Secretary: Municipal Clerk Mary Ann Solinski

DISCUSSION ITEMS

Council reviewed a draft of an ordinance amending Chapter 160-4 Certificate of Occupancy fees and Chapter 210 Fire Prevention along with Section m. Fees as recommended by Ken Northrup and Attorney Diegnan.

Chief Guida reported that his department has completed the investigation of towing permit suspension which resulted from complaints received after the snowstorms earlier this year. Although residents were given advance notice via media some vehicles remained and it became necessary to have them removed in order for snow plows to clear the streets. The complaints stemmed from fees charged by the tow service for removal and storage of their vehicles. Per ordinance tow truck operators are required to charge no more than \$125.00 for each car they tow. The February storm created conditions so bad that only one operator was willing to work with the police. Detective Murray discovered that there can be a charge of \$20.00 per half hour as a flat rate for any waiting time although the ordinance doesn't specify what the wait time is. The wait time includes the time taken to dig out each vehicle individually and tow the car from Bradley Beach to the storage lot which in this case was located in Wall which was a substantial ride in those road conditions. Police reviewed all of the invoices from the vehicles in question and found that the \$200 flat rate charged was

determined by the operator as he considered the cost to be fair market value for towing under the circumstance after consultations with other towing companies. Normally tow operators are utilized during summer months.

Mayor Schreck expressed concern that the operator had the right to determine his own fees. Chief Guida noted the fact that if he wasn't available that day no one would have been towed and the roads wouldn't have been cleared.

Mayor Schreck noted that the ordinance is outdated and that an adjustment will be made to the fees. The matter of the revocation was given to the Police Chief to handle.

Mayor Schreck noted that although an application for a Cops Grant funded by the Federal Government was not granted last year that the Borough is eligible again this year and that an application is under preparation for submission. The grant would provide funds for three years in order for the Borough to hire a new police officer.

The Environmental Commission is preparing an application for a Kodak Foundation Greenway Grant with a maximum funding of \$2,500.00 for a maritime forest park by Fletcher Lake. The Mayor asked Council to authorize a letter of support for the project.

Mayor Schreck announced that she will provide Council with sample Borough letterhead and business cards for consideration of approval at the next meeting.

The Bradley Beach Chamber of Commerce Fire requested that Council consider granting a waiver for fire permit fees noting that last year they paid for inspections which were never performed for their Lobster Fest. Council replied that the fee will remain in effect waiver for special events and that inspections will be conducted by the Borough.

Council reviewed applications for Special Parking Permits.

Councilwoman Marchak stated that the rock for Mayor Schueler's Dedication will be moved closer to the fountain. Administrator O'Reilly advised Council that updated prices are necessary due to the use of a different rock that the one originally selected and said that everything should be ready around July 1st for the dedication as funding is provided for this project.

Administrator O'Reilly told Council that the Borough would be able to purchase four mobi mats with the monies from public donations (\$870.00) and financing from the Monmouth County Improvement Authority (\$10,000.00) for the beach accessibility ramps. Council discussed possibly placing two mats at Second Avenue and two at Cliff Avenue and then build up the number in future years. Councilman Cotler expressed concern over the length of the mats and the distance to the water line. He suggested placing all four mats at one location and moving the existing boardwalk walkways to the other in order to expand the length on the beach. A discussion ensued over expediting delivery of the mats for this season.

The Administrator gave Council a report on beach badge sales.

The Administrator reported an update on Emergency Management Activities for the March storm during which the Borough's solar panels were damaged along with the Fifth Avenue Gazebo and the Borough's sewer plant located on Ocean Avenue. Chief Guida and members of the Office of Emergency Management have been working on submission of documents in hopes of receiving funds for the emergency work and repairs associated with the storm of March 12, 2010. Chief Guida cautioned Council that the Borough may not receive the monies from FEMA this current year.

Items added to the Agenda

On motion by Schreck/Engelstad:

- Special Event Committee Report on Memorial Day
- Engineers Capitol Project Status Report
- Neptune Soccer Association request
- Amendment to the bill list
- Support of an application for the Cops Grant

Harvey Rosenberg, Chairman of the Memorial Day Committee reported on the success of this year's Memorial Day festivities at the boardwalk and Riley Park. He thanked Mayor Schreck and members of the committee along with the Police and Public Works Department, Administrator O'Reilly and Michele Whille. Mr. Rosenberg welcomed any one interested to work with the Special Events Committee and the Bradley Beach Tourism Commission to make Bradley Beach the best beach town on the Jersey shore.

Mr. Rosenberg reported that this past weekend, the Recreation Department held their Annual Go Fish Day which was also a success and thanked Scott's Bait and Tackle along with all the volunteers who helped make the event a success.

Engineer Koch read his report on the following Capital Projects:

- Improvements to Fourth Avenue- Phase II and Miscellaneous Improvements
- Municipal Building Solar Panel System
- Public Works Building Solar Electric Panel Installation
- Purchase of a Concession Trailer
- Public Works Building Addition
- Improvements to Fletcher Lake Avenue
- Improvements to Hammond Avenue

Councilwoman Marchak questioned the comment on page 150 of the 2009 Audit report concerning the dating of invoices before a purchase order is issued. The Administrator again said that the prior administration did not update the financial system under which the Borough operates and that a requisition system will be instituted by the Borough. She also stated that this item was omitted by the Auditor under the recommendations.

Mayor Schreck stated that the Fireworks Display sponsored by the Tourism Commission will be held on July 3rd with a rain date of July 4th. Chief Guida stated that his department was prepared to handle the display on July 4th as this is the date that has been advertised

throughout the Borough so far this year and that he may encounter difficulties with work schedules as this notification is within thirty days as part of the PBA contract. Councilman Cotler discussed the Liberty Mutual Contest which may provide funding for the event as the contest is to bring back the 4th and that the item with the most votes will win the money voting must be submitted by June 14th. The funds may help the Borough in providing the display on July 4th which has historically been the date in past years.

PUBLIC COMMENT

Marilyn Rosen thanked Council for authorizing the purchase of the mobi mats for Second Avenue. She also suggested that perhaps officials considering purchasing additional mats in coming years for the other beaches.

APPROVAL OF MINUTES

On Motion by Schreck / Engelstad accepted and filed the minutes for February 27, March and April.

ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

APPROVED MOTION

INTRODUCTION OF ORDINANCES

ORDINANCE 2010-4

AN ORDINANCE TO AMEND CHAPTER 160-4 CERTIFICATE OF OCCUPANCY AND CHAPTER 210 FIRE PREVENTION OF THE BOROUGH OF BRADLEY BEACH CODE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

PENDING ORDINANCE

COMMUNICATIONS

On Motion by Schreck / Marchak to grant the following Café Licenses
Pizza on Main 812 ½ Main Street

ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

APPROVED MOTION.

On Motion by Schreck / Marchak to grant the following Bingo and/or Raffle Licenses
Congregation Agudath Achim RL 8-10 & BL 1-10
Sisterhood, CAA BL 2-10
Senior Club, CAA BL 3-10
Neptune Township Legion Post 346 BL 4-10
Bradley Beach PTO RL 9-10

ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

APPROVED MOTION.

On Motion by Schreck / Engelstad to deny the Bradley Beach Chamber of Commerce
request to waive Fire Inspection Fees for food vendors at the Chamber's
Lobster Fest on Sunday, July 18th

ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

APPROVED MOTION.

On Motion by Schreck / Engelstad to grant permission to the Bradley Beach Public
Library to hold a musical performance on July 20, 2010 at 6:30pm on the
Library's west side lawn (Hammond Avenue).

ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

APPROVED MOTION.

RESOLUTIONS

Resolution 66 **AUTHORIZES VOUCHER WARRANTS ON THE TREASURY
FOR PAYMENT OF BILLS.**

ON MOTION by Schreck / Engelstad moved to adoption.

ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 67 **AUTHORIZES A REFUND OF TAX OVERPAYMENT FOR
BLOCK 41 LOT 5 X**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 68 **AUTHORIZES PAYMENT TO LIENHOLDER**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 69 **AUTHORIZES THE PREPARATION OF ESTIMATED 3RD
QUARTER TAX BILLS**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 70 **REQUEST APPROVAL FROM THE DCA TO ESTABLISH A
DEDICATED TRUST BY RIDER FOR OFF-DUTY OR
OUTSIDE EMPLOYMENT OF POLICE OFFICERS**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 71 **GOVERNING BODY CERTIFICATION OF THE 2009 AUDIT**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 72 **APPOINTMENT OF CLASS II SPECIAL POLICE OFFICERS**

ON MOTION by Schreck / Marchak moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 73 **AUTHORIZES EXECUTION OF A SHARED SERVICE
AGREEMENT WITH THE COUNTY OF MONMOUTH FOR
911 COMMUNICATIONS SERVICES 1/1/09 THROUGH
12/31/14**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 74 **APPROVAL OF ANNUAL RENEWAL OF ABC LICENSES
EFFECTIVE JULY 1, 2010**

ON MOTION by Schreck / Marchak moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 75 **APPROVAL OF ANNUAL RENEWAL OF ABC LICENSE
WITH STIPULATIONS EFFECTIVE JULY 1, 2010**

ON MOTION by Schreck / Marchak moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck

NAYS: None
ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 76 **AUTHORIZES ADVERTISEMENT OF RFQ'S FOR BOROUGH ATTORNEY, LABOR ATTORNEY AND BOROUGH ENGINEER**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 77 **APPROVAL OF SPECIAL PARKING PERMITS THROUGH APRIL 30, 2011**

ON MOTION by Schreck / Engelstad moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 78 **AUTHORIZATES THE MAYOR TO EXECUTE A CONTRACT FOR FIREWORKS ON JULY 3, 2010 WITH GARDEN STATE FIREWORKS**

ON MOTION by Schreck / Marchak moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 79 **SUPPORTS SUBMISSION OF AN APPLICATION FOR A COPS GRANT FROM THE FEDERAL GOVERNMENT**

ON MOTION by Schreck / Marchak moved to adoption.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Schreck
 NAYS: None
 ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 80

**AUTHORIZES THE PURCHASE OF FOUR MOBIMATS FOR
PLACEMENT ON THE SECOND AVENUE BEACH**

ON MOTION
ROLL CALL

by Schreck / Cotler moved to adoption.
AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 81

**AUTHORIZES DISCOUNTED BEACH BADGES AND GOLF
COURSE PRICES FOR THE NEPTUNE SOCCER
ASSOCIATION'S 36TH ANNUAL SUMMER KICK-OFF
TOURNAMENT PARTICIPANTS ON JUNE 26TH AND 27TH**

ON MOTION
ROLL CALL

by Schreck / Engelstad moved to adoption.
AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

ADOPTED RESOLUTION

MAYOR'S APPOINTMENTS

Resolution 82

Mayor Schreck announced the following appointments

Environmental Commission

Jana Crawford

(Fills unexpired term)

Expires 12/31/2010

Recreation Committee

Michael Roth

Expires 12/31/2010

ON MOTION
ROLL CALL

by Schreck / Engelstad moved to adoption.
AYES: Cotler, Marchak, Engelstad, Schreck
NAYS: None
ABSENT: Galassetti

ADOPTED RESOLUTION

ANNOUNCEMENTS

The Bradley Beach Tourism Committee is having a concert in Riley Park on Main Street
June 26, 2010 starting at 7pm featuring "The Jersey Sound"

REPORTS

Council thanked everyone for their work and volunteerism in making both the Memorial Day Weekend and Go Fish Tournament successful.

Councilman Cotler stated that the mobi mats will provide greater beach access for the public but that also he would like to see walkovers at the beachfront perhaps at Brinley Avenue. He thanked his daughter, Samantha Cotler for providing additional musical entertainment at the beachfront during the summer. Mr. Cotler noted that many of the performers are donating their time and talent. He announced that the Walking Club meets on Saturdays at the Fifth Avenue Gazebo at 5:30pm. Mr. Cotler announced that the Bradley Beach Bocce League sign-ups are being accepted.

Councilman Engelstad noting that he will not be able to attend the next meeting thanked Councilwoman Marchak for all her work as a member of Council during the past six years. He also announced that the school graduation is Wednesday, June 16th.

Mayor Schreck noted that the Youth Board, Shade Tree Commission and Recreation Board need members and that if anyone is interested to either contact her or Borough Hall.

PUBLIC COMMENT

Marilyn Rosen suggested that vendors are needed at the beachfront in order to bring in revenues for the Borough. She thanked Councilwoman Marchak for her years of service and devotion to the Borough. She also thanked Council for authorizing the purchase of the mobi mats.

Samantha Cotler read the entire line-up of musical entertainers she has secured for the summer season on Wednesdays, Thursdays and Sundays during 2010.

ADJOURNMENT

ON MOTION by Schreck / Engelstad the meeting was adjourned at 8:20 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk