

Table of Contents

Regular Meeting.....	2
April Is Autism Awareness Month.....	4
Bond Ord - 2010-2 Concession Trailer.....	5
Resolution Authorizing Pymt To Lnhldrs.....	13
Res Paris Application.....	14

**MAYOR AND COUNCIL
AGENDA
REGULAR MEETING
February 23, 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. **Budget Workshop meeting schedule**
 - B. **Energy cost update**
6. **PROCLAMATION**

Proclaims April 2010 as Autism Awareness Month
7. **APPROVAL OF MINUTES**
8. **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.
9. **ORDINANCES**

FINAL READING AND ADOPTION

 - A. **BOND ORDINANCE 2010-2
A BOND ORDINANCE FOR THE PURCHASE OF A CONCESSION
TRAILER**

INTRODUCTION (None at present)
10. **COMMUNICATIONS (none at present)**

11. RESOLUTIONS

A. Bill List

B. Authorizes payment to Lienholder(s)

C. Authorizes participation in the PARIS Grant Program with Monmouth County

12. ANNOUNCEMENTS

13. MAYOR'S APPOINTMENTS

14. MAYOR AND COUNCIL REPORTS

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

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

17. ADJOURNMENT

PROCLAIMS APRIL AUTISM AWARENESS MONTH

WHEREAS, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

WHEREAS, autism was once thought to be a relatively rare disorder affecting only 1 in 1,000 people; and

WHEREAS, more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 150 children nationally and 1 in 94 in New Jersey; and

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment in their lives, it often is possible for those individuals to lead significantly improved lives; and

WHEREAS, the New Jersey Federation of Women's Clubs of GFWC and the Jersey Shore Women's Club join with women's Clubs throughout the State of New Jersey and with Autism New Jersey (formerly COSAC) to spearhead an awareness effort in order to educate parents, professionals and the general public about autism and its effect.

NOW THEREFORE BE IT RESOLVED, that we the Mayor and Council of Bradley Beach proclaim **APRIL AUTISM AWARENESS MONTH** and the Mayor and Council do hereby join the dedicated volunteers of the New Jersey State Federation of Women's Clubs of GFWC Jersey Shore Woman's Club and Autism New Jersey and urge all employees and residents to participate in Autism Awareness Month activities, in order to become educated on the subject of autism spectrum disorders.

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 February 23, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

**BOROUGH OF BRADLEY BEACH
BOND ORDINANCE NUMBER 2010-2**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION
AND INSTALLATION OF A CONCESSION TRAILER, BY
AND IN THE BOROUGH OF BRADLEY BEACH, IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY;
APPROPRIATING \$60,600 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$60,600 IN BONDS
OR NOTES TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF
THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE
OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively
concurring) **AS FOLLOWS:**

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a Beach Utility general improvement or purpose to be undertaken by the Borough of Bradley Beach, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$60,600 from the Beach Utility of the Borough, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as the Beach Utility of the Borough is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof, negotiable bonds of the Beach Utility of the Borough are hereby authorized to be issued in the principal amount of \$60,600 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said

improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$60,600 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition and installation of a concession trailer (a non-passenger vehicle) by and in the Borough and also including all engineering, design and inspection work and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$60,600.

(c) The estimated cost of said improvement or purpose is \$60,600.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using

funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Beach Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the Beach

Utility as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Borough may lawfully undertake as a general beach utility improvement or purpose, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$60,600 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$8,600 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds",

“pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$60,600. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: February 9, 2010

MARY ANN SOLINSKI,
Borough Clerk

ADOPTED ON SECOND READING
DATED: February 23, 2010

MARY ANN SOLINSKI,
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2010.

JULIE SCHRECK
Mayor

February 23, 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
Crusader Lien Services	#08-002/320 Newark Ave. Block 9, Lot 9	\$14,809.79

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:

**RESOLUTION 2010-
THE STATE OF NEW JERSEY
Department of State
Division of Archives and Records Management**

**PARIS Grants Program
Resolution-Borough of Bradley Beach for
Shared Services with County of Monmouth**

Mayor Schreck offered the following resolution and moved its adoption:

Be it resolved by the Mayor and Council of the Borough of Bradley Beach, THAT:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-2011 grant cycle, priority funding will be given to county projects that serve the records management needs of the municipalities in their county; and

WHEREAS, the Borough of Bradley Beach desires to collaborate with the County of Monmouth in the performance of OPRS-RIM Municipal Services Continuation- Shared Services Project; and

WHEREAS, the Borough of Bradley Beach is acknowledging that their eligible funding of \$40,000.00 will be leveraged with the County of Monmouth; and

WHEREAS, the Borough of Bradley Beach is acknowledging that the County of Monmouth would be the applicant, lead agency and project manager for such a proposal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bradley Beach, that the Borough of Bradley Beach does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

ADOPTED by the Mayor and Council of the Borough of Bradley Beach at a meeting held on February 23, 2010.

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

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

Certification

I, Mary Ann Solinski, Municipal Clerk of the Borough of Bradley Beach, of the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Council at its meeting of February 23, 2010.

Mary Ann Solinski, RMC, CMC
Municipal Clerk