

REGULAR MEETING MINUTES
November 21, 2017

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the Meeting Room, 701 Main Street, Bradley Beach, New Jersey on the above date.

CALL TO ORDER

Mayor Gary Englestad 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 the "Annual Notice", and posted on the official bulletin board.

ROLL CALL 6:30 pm

Present: Council: Weber, Goldfarb, Bonnell, Cotler
Mayor Engelstad
Borough Attorney Michael DuPont
Municipal Clerk/Administrator Kelly Barrett
Chief Financial Officer Gail Krzyzczuk

APPROVAL OF MINUTES

ON MOTION by Englestad/ Cotler to approve the Workshop Meeting Minutes of October 24, 2017

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

ON MOTION by Englestad/ Goldfarb to approve the Regular Meeting Minutes of October 24, 2017

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

DISCUSSION ITEMS:

Bulk Stickers

Ms. Barrett stated that an internal review was conducted of trash collection specifically relating to the collection of bulk trash. It was determined that the in house collection of trash including bulk items was running smoothly and efficiently. The opening of the Trash/Recycling Lot at the north end of Main Street was a great success and all feedback received was positive. She continued that after discussing the requirement of purchasing bulk stickers for bulk disposal with Mr. Cofone, DPW Superintendent, it is recommended that when residents dispose of bulk items at the Trash/Recycling

Let the requirement of bulk stickers be waived. The need for bulk stickers will continue for curbside pickup and for any form of disposal of electronics and appliances.

Possible Merger of Planning/Zoning Boards

Mayor Engelstad stated that the topic of merging the Planning and Zoning Boards was brought up during a debate prior to last year's election. He continued by reading an article from Bloustien School of Planning and Public Policy, which states that municipalities with a population of under 15,000 may merge the Planning and Zoning board into one Land Use Board. The Land Use board would consist of nine regular members and four alternate members. The article indicated that the towns mentioned and had merged the boards into a Land Use Board ran more efficiently and showed a savings in professional fees. He turned over the merger discussion to the council.

Councilman Bonnell referenced the Bloustien article and distributed handouts with information in favor of a merger of the boards. He stated that one board is beneficial to small towns, with a cost savings and the mergers have been successful. He continued, the borough needs to look to save money and reduce taxes. He had reviewed the board's applications and very few were complex in nature, a merger will allow for continuity. The merging of boards has been time tested and is not risky. He had spoken to residents and no one has a solid reason why merging of the boards is a bad idea. We need to focus on the Redevelopment of Main Street and the board merger will benefit future applicants to move their application along without delay.

Councilman Cotler stated that he had read the Bloustien article and questioned, why out of 400 towns who had the potential to merge only 12 actually merged? The cost savings is very minimal and it is important to have more people involved with different ideas. Merging the boards is not a good idea at this time for Bradley Beach.

Councilman Goldfarb stated that he agreed with Councilman Cotler, we are a small borough and only a handful of towns with the criteria to merge actually merged, which speaks volumes. I have spoken to residents and they want to be involved. Based on the size of the attendance this evening it shows that people want to be involved. With future redevelopment and additional applications being considered the borough needs a Planning and Zoning Board.

Councilman Weber stated that during interviews held for Borough Attorney last year, a question was raised to all of the attorneys, what was their opinion of merging the Planning and Zoning Boards? All of the attorneys responded that they did not see a problem with merging the boards. He continued that the cost savings was not the issue, the issue is a matter of efficiency and to avoid conflicts between the boards. I have been on the Planning Board the longest and we work on a Master Plan and approve the changes. Applicants then appear before the Zoning Board for variances, variances which contradict the Master Plan and they are granted by the Zoning Board. The borough has made changes to various boards in the past, such as the termination of the joint sub-committee and the shade tree commission. Residents are concerned about the development in town.

William Psiuk, 110 Fifth Avenue, stated that the comments made by Councilman Bonnell are incorrect, he commented that a one board would expedite applications, with a turn-around time of two weeks. It takes a long time for changes to be made to applications, which involve the architect and a review of the changes by the borough engineer. He continued, Councilman Bonnell was also incorrect when previously stating the cost to appear before a board would be \$1,500. and the money is returned to the applicant. It is very costly to appear before the boards for the application process, plans and professional fees, etc., and the cost exceeds \$1,500.

Harvey Rosenberg, 313 ½ Ocean Park, stated as the Chairman of the Zoning Board the discussion of merging of the boards is bothersome to volunteers. With two separate boards you gain the wisdom and point of view of a group of volunteers. He continued that if merging of the boards is so great, how come so few towns have merged their boards? In reference to the comment made by Councilman Weber, stating that the zoning board granting numerous variances, the zoning board will grant numerous variances when there are pre-existing conditions.

George Bachar, Fletcher Lake Avenue, stated in response to the article by the Mayor, there was no study done in reference to towns that did not merge their boards. The pros and cons of board mergers was not included. He continued that he had sat on the Zoning Board for six years and there were no real conflicts between the boards.

John McLoughlin, Brinley Avenue, stated that he had sat on the Planning and Zoning Boards for over ten years and we sometimes were here late into the night to hear all of the applications. Joining of the boards sounds great but it may take an applicant over a year to get before a board. It is wise to have board members with different ideas and it is foolish to join the boards.

Paul Williams, 610 Main Street, stated that it was a privilege to be appointed to the Planning Board and he is happy to give back. He was not advocating for either side but wanted to be heard before the board is done away with.

Michael Conoscenti, Cliff Avenue, stated he has been on the Zoning Board for over twenty years and is flabbergasted to think of joining the two boards. The boards work together, we have never had a problem and both boards do a great job. I agree with Councilman Cotler, why so few towns have considered merging their boards. With rebuilding and renovating homes on smaller lots creates revenue.

Thomas Coan, 612 Third Avenue, stated that Manasquan and Spring Lake merged their board and it has been successful. He commented on an applicant that came before the Zoning Board requesting twelve variances and the board approved ten of the twelve variances. The applicant was unhappy with the outcome and turned around and sold the property. The new owner has built on the lot without the need of the variances. It is the board's job to protect the borough and one board will allow for continuity.

Mayor Engelstad stated that the governing body will continue to look at both sides of the issue. He continued that he appointed all members to both boards and had never turned away a resident who wanted to get involved.

Eileen Shissas, 112 Fourth Avenue, stated that she had lived in one of the communities mentioned in the article, they had merged the boards and it operated very well.

Councilman Weber commented that a he disagreed with a statement made previously by the Zoning Chair, “the board was there to help people”. He stated that the board’s purpose is to maintain continuity within the borough.

Thomas Coan, 612 Third Avenue, stated that one board would be easier and faster for developers to get before the board.

Peter Cavagnaro, 2 Main Street, stated that we are missing the point in talking about merging the boards, as it is basically consolidation of power. You allow for greater potential with a broader viewpoint. I think more is better, Bradley Beach is heading in the right direction. We should focus on the redevelopment of Main Street and continue with two boards until there is a reason to make a change. The residents are currently getting a fair shake when appearing before two separate boards.

Harvey Rosenberg, 313 ½ Ocean Park Avenue, stated Councilman Weber’s critique of his statement was taken out of context, we help the applicants by weighing the pros and cons of an application. If an applicant is requesting thirteen variances we may assist them with options to reduce the amount of variances needed. We do not operate with tunnel vision otherwise development would stop.

Thomas Coan, 612 Third Avenue, stated that applicants should show proofs and hardships before a variance is granted.

PUBLIC COMMENT

Mark Gilmartin of Surf time Camp, addressed the Council regarding the Bid Specifications for the 2018 Surf Camp Concession. He stated that his business had the Surf Camp concession of the last three years. He was requesting the Mayor and Council consider a longer term concession then the current three years when going out for bid for 2018. He continued that the camp had a bad season and attributed it to the weather and the poor visibility of the camp on Ocean Avenue situated by the Maritime Forest.

A conversation ensued regarding the poor visibility of the Surf camp and the amount of recreation camp participants receiving free lessons. The Mayor commented that the borough may be receptive to a longer concession term. The borough attorney stated that he would review the term and the permitted length of a term in accordance with Local Contract Law.

William Psiuk, 110 Fifth Avenue, questioned an item on the Consent Agenda relating to a line item transfers within the 2017 Current Fund. Ms. Krzyzczuk responded that the transfer was necessary relating to the Recreation Department. The Rec Director was going off a fiscal year versus a calendar year when requesting funds for his budget, therefore a transfer was required between his budget lines.

ORDINANCE 2017-28

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER FOUR HUNDRED FIFTY, ATTACHMENT 1:1

ON MOTION by Englestad/Cotler to introduce Ordinance 2017-28
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

COMMUNICATION

In reference to a letter received from Summertime Surf & Paddle Schools requesting the Borough allow for a longer term for the Surf Camp concession. The governing body will take the request into consideration when preparing the 2018 bid specs.

ON MOTION by Bonnell/Weber vote out separately the approval of Borough Planner to
 conduct study, prepare report and RFP's for Main Street Redevelopment
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

ON MOTION by Engelstad/Goldfarb to approve remaining items on the consent agenda
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

CONSENT AGENDA

- Resolution 216 Authorizing a sewer line cancellation at 5 Atlantic Avenue (Blk 84 Lot 11)
- Resolution 217 Authorizing a tax appeal refund at 402 Newark Avenue
- Resolution 218 Authorizing a tax title lien redemption
- Resolution 219 BILL LIST
- Resolution 220 Authorizing 2018 dates for Council meetings
- Resolution 221 Authorizing various line item transfers in the 2017 Current Fund
- Resolution 222 Authorizing the Planning Board to review and submit recommendations regarding a Redevelopment/Rehabilitation Plan of Main Street
- Resolution 224 Authorizing the Municipal Clerk to advertise for bids to lease a portion of the Lake Terrace Beach for a Summer Surf Camp
- Resolution 225 Authorizing the bulk sticker requirement be waived for Bulk Items disposed of at the Trash/Recycling Lot, 1011 Main Street, Bradley Beach (Bulk stickers will remain for curbside pick-up)

ADOPTED

ON MOTION by Engelstad/Goldfarb to approve the Borough Planner to conduct study, prepare report and RFP’s for Main Street Redevelopment

ROLL CALL
 AYES: Goldfarb, Cotler, Engelstad
 NAYS: Weber, Bonnell
 ABSENT: None
 ABSTAIN: None

Resolution 223 Authorizing Borough Planner, Jennifer Beahm of Leon S. Avakian, Inc., to conduct a study, prepare a report and RFP’s for a Main Street Redevelopment/Rehabilitation Plan in an amount not to exceed \$6,790.00

ADOPTED

COUNCIL REPORTS

Councilman Weber stated that the Veterans Day Ceremony was great with special thanks to Dr. Cotler, Erica for the vocals and the guest of honor John McLoughlin. He also commented on the Veterans Day ceremony held at the school. He announced that the 8th graders will be holding a selling pies as a fund raiser this Holiday Season to help support their class trip. He continued that the Environmental Commission will be applying for a grant for the borough’s recycling infrastructure and to promote recycling. He wished all a Happy Thanksgiving.

Councilman Goldfarb also commented on the Veterans Day ceremony and stated that Dr. Cotler did a great job, Erica knocked it out of the park with her voice and what a pleasure it was to have John McLoughlin as the speaker. He wished everyone a Happy Thanksgiving and reminded us all to enjoy spending time with our family and friends

Councilman Bonnell reminded everyone of the Bonfire on Friday the day after Thanksgiving. He continued that the fountain is getting closer to completion and it looks great.

Councilman Cotler thanked John McLoughlin for his inspiring words on Veterans Day and Erica for the vocals. He stated that he was thankful for all of us and appreciated our difference of opinions and speaking out.

Mayor Engelstad stated that he was unable to attend the Veterans Day Ceremony but he heard Dr. Cotler did a great job. He was pleased to announce that the Borough received an AAA credit rating for investments. He thanked DePonte's and Tuscany by the Sea for donating food for the Veterans Day Ceremony. He continued, the borough received a \$1,000.00 donation from JCP&L for our holiday celebration in the park. He reminded all to attend the Bonfire on Friday at the beachfront, Shop Small Business on Saturday and the tree lighting in Riley Park on Sunday. The Menorah Lighting is scheduled for December 12th in Riley Park. He wished all a Happy Thanksgiving.

PUBLIC COMMENT:

Julie Nutaitis, 605 Newark Avenue, stated that the borough needs redevelopment on Main Street, investors to come in and code enforcement to require residents to adhere to the ordinances. People must take care of their properties and we need to run a tighter ship and start holding people accountable. We need to be proactive not reactive to code enforcement problems.

Bryant Curry, Code Officer stated that he has just recently issued numerous code violation warnings and summons.

Kathy Martin, Bradley Blvd., commented that a property up the block from her was in very poor condition with various code violations. She stated, that she heard Alberta Lake was being dredged and was concerned as it flows into Sylvan Lake. She was pleased at how great the Second Avenue Park looked.

Henry Macho, 209 Third Avenue, stated that the new in house trash/recycling pick-up is great. He continued that he was concerned about redevelopment on Main Street because he thinks Main Street looks great with the different types of shops.

Mayor Engelstad stated that there are areas on Main Street that need help and the town is fully built out and we cannot ignore opportunities for an increase in ratables.

Doug Jung, 216 Ocean Park Avenue, stated that he has the privilege of being a member of the Planning Board and wished to continue being a member. He continued, listening this evening to everyone comments he came away with the pros and cons of merging of the boards. The town is not perfect but we do a lot of things right and asked the governing body to listen carefully to everyone before making a decision on merging the boards.

Thomas Coan, 612 Third Avenue, thanked the Police Department and First Aid Squad on behalf of himself and Jane DeNoble for their quick response to Jane's father when he had fallen.

ON MOTION by Engelstad/Cotler to adjourn.

ADJOURN 8:20 pm

KELLY BARRETT, RMC, CMR
Municipal Clerk