

REGULAR MEETING MINUTES

August 27 at 6:30 pm

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 Engelstad 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 Marguerite Schaeffer
Municipal Clerk/Administrator Kelly Barrett
Chief Financial Officer Gail Krzyzyczuk
Deputy Municipal Clerk Erica Kostyz

CEREMONIAL – Jersey Shore Fitness Shop

Mayor Engelstad presented Greg Cooper and John Neidenstien owners of the Jersey Shore Fitness Shop with a Certificate of Appreciation for contributing to the enhancements of the borough and making a generous donation towards the "Welcome to Bradley Beach" mural.

WORKSHOP DISCUSSION –Recreation Events

Councilman Weber stated that the Recreation Board had questions regarding the money collected for events and programs. The board is requesting guidance from the Council in reference to the structure of the monies collected, should the board cover the cost of event/programs or make a profit. He continued, the monies collected go to the borough, however we must be careful not to increase fees where families without the means to participate would be excluded.

Mayor Engelstad stated the recreation department has a budget and if they are able to make a profit, the profit should go into their next year's budget.

Councilman Goldfarb stated that the recreation department is an important part of the town. He agreed with the Mayor, any profit should go into the recreation department's next year's budget.

Councilman Cotler stated that the recreation department did a great job. He agreed that he would like to see profits go into their next year's budget but would like it put into a capitol improvement line to avoid their regular budget being reduced.

Maryann Pasuit, 603 Burlington Avenue, she mentioned the great success of pickle ball and bocce. She stated that recreation provides services for the town and we may want to impose a fee to cover the cost of the events.

Dave Pearsall, 602 Burlington Avenue, thanked the DPW for maintaining the bocce courts. He stated, we may want to start charging a fee for use of the bocce courts to offset the cost of the maintenance. He commented that the recreation department has evolved, it used to be mainly for children and now more adults participate in the events.

ADMINISTRATOR UPDATE- Ms. Barrett provided the following:

- Beach Survey due by 8/28/19 and you may win a beach buggy, the winner will be announced at the 9/10/19 meeting
- Old Street signs are available for sale. \$10 each
- Sylvan Lake living shoreline project is close to completion, a water service has been installed for a sprinkler system to water the plantings and grassy area
- Open Space Grant resolution authorized engineering services for the Open Space Grant application. The grant requires letters of support for the project, an advertised public hearing held on 8/20 and the meeting is available to view on the borough website and rendering available
- SC Johnson Plastic Film promotion and education will begin in early September and the collection roll out will begin on November 1st
- Retired Utility Building, the Request for Proposal was authorized in 2018. The RFP was prepared by the borough attorney and reviewed by me, the QPA and Borough Engineer. A structural engineer inspection was conducted in June, 2019 to ensure the building was sound. The RFP was advertised on three different occasion in the three official borough newspapers, a copy of the RFP was available on the website and was listed under announcements. Two submissions were received, TM Foods and John Grillo. (John Naples, building contractor, inspected the pump station on behalf of Mr. Grillo). I along with the Mayor and Biagio Cofone reviewed and scored the submissions and the three of us scored the Grillo proposal higher. The submissions were missing requested information. I spoke with QPA and Boro Attorney regarding the missing information and they advised me that we may move forward and the missing information would be required to be submitted prior to resolution executing the contract.
- 501 Park Avenue, the property is under construction and the Code Officer sited many violations and has issued six summons
- Altice, discussions continue regarding the placement of the Fiber Cabinet
- A Councilman is renovating his garage, the file was sent to Avon for inspections and the appointment of a conflict zoning officer is on the agenda to review new plans due to discrepancies in construction
- Municipal Election will be held on November 5th and all petitions and paperwork must ne submitted by 9/3/19

ON MOTION by Engelstad/Cotler to approve the Regular Meeting
Minutes of August 13, 2019

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

APPROVED

Councilman Weber commented that he had requested edits/corrections to the 8-13-19 minutes to include statements made by him. Ms. Schaffer stated that the minutes are prepared in accordance with Roberts Rules of Order which do not require verbatim statements.

PUBLIC COMMENT

Eileen Shissas, 112 Fourth Avenue, requested the Council hold off on awarding the RFP for the retired utility building until they receive information from the beachfront strategic plan task force.

Mary Spillman, 902 Ocean Avenue, suggested the new RFP of the retired utility building to include the hours of operation, air space and cooking, etc.

TJ Coan, 612 Third Avenue, stated that a conflict zoning officer was not needed, the borough has a certified competent zoning officer and the tax payers should not be responsible for the added expense He expressed concerns regarding a council member not adhering to the approved building plans during construction.

Ms. Schaffer stated that the borough would not be paying for a conflict zoning officer, it would be the repsonbisibility of the applicant. She continued that being a council member does not give up your constitutional rights, they have the right for zoning permits. A conflict zoning officer would alleviate any potential conflict, my recommendation is to appoint a conflict zoning officer to review the plans

R.A. Janoff, 414 Monmouth Avenue, expressed concerns regarding a permanent concession at the retired utility building (as stated in RFP). He suggested the borough consider placing a mobile concession in that location. He stated that rising sea levels and weather may cost the borough more money in the long run.

Councilman Bonnell requested the appointment of the conflict zoning officer and the RFP be voted out separately from the consent agenda.

ON MOTION by Engelstad/Goldfarb to approve the Consent Agenda
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

2019-157 Authorized a Disability Tax Deduction in the amount of \$250. for David Nichols, 612 Evergreen Avenue (Block 71 Lot 24)

2019-158 BILL LIST

2019-159 Authorized the Borough Engineer to submit the Open Space Grant Application for replacement of the boardwalk decking located between Cliff and Newark Avenue(s)

APPROVED

ON MOTION by Engelstad/Goldfarb to appoint Joseph McGrath as Conflict Zoning Officer

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

Ms. Schaffer requested direction from the Mayor and Council on how to move forward with a conflict zoning officer.

A lengthy discussion ensued regarding the appointment of a conflict zoning officer. Councilman Bonnell had a problem appointing a conflict zoning officer, he suggested reciprocity with another town. He continued that larger cities appoint conflict officers. Councilman Weber expressed concerns regarding the appointment of a conflict zoning. He stated that in the past he had another town's code officer inspect his property for a Certificate Occupancy, why can't we have another town's zoning officer conduct the review? Mr. Waterman approved the original zoning plans, why is there a conflict now? We should be looking for another town's zoning officer to conduct the review rather than appoint a conflict zoning officer. Ms. Schafer responded that there is a conflict and the practice is that a sitting Councilmember's application be reviewed by another town's officer. She continued that a conflict zoning officer is essentially the same as another town's officer. Councilman Goldfarb stated that a Councilmember needs their applications reviewed by another town's official and that is exactly what we are doing, by appointing a conflict zoning officer, this is a matter of semantics.

ON MOTION by Engelstad/Weber to authorize the Mayor to select a conflict zoning if the Business Administrator is unable to find a neighboring zoning officer to review the Councilmember's application/plans.

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

Comments made regarding the Request for Proposal of the Renovation and Lease of the Retired Utility Building:

Councilman Weber stated that he had suggested the RFP be re-advertised at the last meeting and if was done we would be further along the process. Councilman Bonnell stated that the new RFP needs to be reviewed by the governing body and planning board. The borough should consider a "brand" at the location, that would prepare food elsewhere and ship it to the location.

ON MOTION by Engelstad/Goldfarb to reject the RFP's and advertise
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

2019-160 Authorized the rejection of the RFP's received for the Renovation and Lease of the Retired Utility Building on July 31, 2019 and amendments received on August 21, 2019 and re-advertise the Request for Proposals – amended (New RFP to be reviewed at first available council meeting prior to publication)

APPROVED

MAYOR AND COUNCIL REPORTS

501 Park Place Avenue was being addressed. He mentioned that the Environmental Commission is in the process of having Bradley Beach recertified as a Sustainable New Jersey town. He provided the Community Development second quarter report information.

Councilman Goldfarb reminded everyone of the Labor Day Lobster Festival on August 31st and September 1st.

Councilman Bonnell requested additional information from the Chief of Police regarding the shared service agreement with Neptune City.

Councilman Cotler stated that he has received requests from residents for a town wide bulk pick up and suggested it be considered during the next budget process.

Mayor Engelstad requested Biagio Cofone, DPW Superintendent provide an update on the use of organic fertilizer on borough properties.

Mr. Cofone stated that the borough has been treating their grassy areas with organic fertilizer since March. The treatment has not been very effective as the grass has been overrun with crab grass and nuts edge. The organics are three times the cost of non-organics and require additional applications. We do not use "Round Up" but at some point will need to use an alternative to the organic fertilizer. The grass has not looked this poorly in many years. We hire professionals to apply the alternates to the very large areas. We will continue to use the organics and it will take a long timer for the organics to build and become effective.

Mayor Engelstad announced the following:

- Beach lockers will remain on the beach (weather permitting) until September 22nd
- The anticipated beach revenue has been reached
- He thanked all borough staff and volunteers for making the summer season a success.
- The 22nd Annual 5K run will be held on August 17th
- Bradley Beach Elementary School opens on September 5th

PUBLIC COMMENT

Don Greenberg, 302 Park Place Avenue, expressed concerns regarding bicyclist riding in the wrong direction, which may cause accidents. He suggested additional police patrols along the Lake Terrace Bridge leading to Ocean Grove. He commented on 501 Park Place Avenue construction site being unsafe.

Ashley Foglia, Library Director stated that the Library may hold a program for bike safety.

Jim Byrnes, 401 Fifth Avenue, recommended the use of “Ocean Grow” an organic fertilizer.

Thomas Coan, 612 Third Avenue, commended the DPW on the great job with the garbage collection. He was pleased with the temporary sidewalk at Giamanno’s. He suggested a page be inserted in the borough brochure which addresses bike safety.

Henry Machos, 209 Third Avenue, thanked the Mayor for the boardwalk looking good. He mentioned that Ms. Barrett is doing a good job, the fountain and bocce courts look great. He stated that he feels safe in Bradley Beach and gives credit to the Chief of Police.

Mary Spillman 902 Ocean Avenue, thanked library for story time.

Engelstad/Goldfarb moved to adjourn

ADJOURN 7:50 pm

KELLY BARRETT RMC, CMR
Municipal Clerk/Administrator