

July 24, 2024

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2024-163

**RESOLUTION AUTHORIZING THE PLACEMENT UPON THE NOVEMBER 5, 2024
GENERAL ELECTION BALLOT A QUESTION ASKING VOTERS WHETHER
OR NOT THEY WISH TO ESTABLISH A CHARTER COMMISSION TO STUDY
AND POSSIBLY RECOMMEND CHANGES TO THE BOROUGH'S
FORM OF GOVERNMENT.**

Mayor Fox offered the following Resolution and moved its adoption:

WHEREAS, the Borough of Bradley Beach (the "Borough") is presently governed by a charter which establishes a Small Municipality Plan form of government pursuant to the provisions of the Optional Municipal Charter Law, at N.J.S.A. 40:69A-115, *et seq.*; and

WHEREAS, the Optional Municipal Charter Law of 1950, also known as the Faulkner Act, N.J.S.A. 40:69A-1, *et seq.*, provides a procedure for adoption of optional charter plans; and

WHEREAS, the Borough's Mayor & Council believe that it is in the best interests of the Borough's residents to review the current charter of the Borough through the establishment of a five (5) member Charter Commission, which would be charged with the responsibility and be authorized to hold hearings and public forums, to take evidence and to make recommendations in order to determine whether or not, in comparison with other forms of government in this State, the current form of government is the most appropriate for the Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, that the following question be placed on the November 5, 2024 General Election ballot pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A-1, *et seq.*, regarding the creation and election of a Charter Commission for consideration by all of the eligible voters of the Borough of Bradley Beach:

Shall a charter commission be elected to study the charter of the Borough of Bradley Beach and to consider a new charter or improvements in the present charter and to make recommendations thereon?

BE IT FURTHER RESOLVED, by the Mayor & Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, that:

1. The Charter Commission members shall also be elected at the same time as the public question is submitted.
2. Each voter shall be instructed to vote on the question and, regardless of the manner of his or her vote on the question, to vote for five (5) members of a Charter Commission who shall serve if the question is approved.
3. The nomination and election process for the Charter Commission members shall be performed in accordance with N.J.S.A. 40:69A-2 through N.J.S.A. 40:69A-4.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward this Resolution to the Monmouth County Clerk for the above question be posed to all voters within the Borough at the November 5, 2024 General Election.

Seconded by Councilperson Gubitosi and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeNoble	X			
Mr. Gubitosi	X			
Ms. Mahoney	X			
Mr. Weber	X			
Mayor Fox	X			

CERTIFICATION

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the July 24, 2024 Council Business Meeting.


Erica Kostyz, RMC, CMR
Municipal Clerk