

BOROUGH OF BRADLEY BEACH

REGULAR MEETING MINUTES

October 27, 2020 at 6:30 pm

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held by means of communication equipment, N.J.S.A. 10:4-8(b), to include streaming services and other online meeting platforms and formal action will be taken on the above date.

CALL TO ORDER

Mayor 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: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
Borough Administrator David G. Brown II
Chief Financial Officer Sandra Rice
Borough Attorney Gregory Cannon
Borough Attorney Andrew Sobel
Municipal Clerk Erica Kostyz

ON MOTION by Engelstad/Gubitosi to approve the Regular Council Meeting Minutes of October 13, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

ON MOTION by Engelstad/Weber to approve the Executive Session Minutes of October 13, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Administrator Brown gave a report on the following:

The meeting will not be livestreamed this evening due to technical difficulties with YouTube this evening.

TRANSPORTATION ALTERNATIVE GRANT APPLICATION

The Borough is applying for a grant from NJDOT for Main Street Streetscape Improvements in the amount of \$1 million dollars and the Council is considering authorization this evening under Resolution 2020-251. There is no match required from the Borough on this grant. The scope of work is targeting four blocks from McCabe to Fourth Avenue on Main Street and coincides with the Walkable Community Workshop, which includes pavers, concrete curbs, ADA ramps, crosswalks, street furniture and lighting. Thanks to those community members and businesses that are assisting with the effort to write support letters.

Councilman Weber inquired why the Main Street Improvement Grant would only cover McCabe Avenue to Fourth Avenue.

Administrator Brown replied that is the scope designed by the Borough Engineer, however that is subject to change per the Governing Body. Mr. Brown continued the Borough has applied for one million dollars and the cost per block will be approximately \$200,000.00 to \$250,000.00 dollars.

Councilman Weber are the improvements on each block.

Administrator Brown replied new pavers, concrete curbs, ADA ramps, crosswalks, street furniture and lighting.

Councilman Gubitosi inquired if there would be any reasons that would restrict the Borough from applying for subsequent grants to expand the streetscape work being done with this grant.

Administrator Brown replied the Borough would be able to apply for subsequent grants for additional improvements.

Councilman Gubitosi inquires if one million dollars was the limit for this grant.

Administrator Brown replied the amount was based on previous grant awards.

Chief Financial Officer Sandra Rice expressed concern with the verbiage of the resolution authorizing the Mayor and the Clerk to sign the grant agreement. Ms. Rice continued in her experience once the grant is received a second resolution should be passed and that is when the Mayor and the Clerk should sign the agreement.

Borough Attorney Greg Cannon stated the resolution can be passed as amended.

COMMUNITY FORESTRY PROGRAM COMMUNITIES GRANT APPLICATION

The Borough is also applying for a grant from NJDEP for the Shade Tree Commission to complete the initial 5-year Community forestry Management Plan in the amount of \$3,000 with a match from the Borough for \$3,000 for a total of \$6,000 and the Council is considering authorization this evening under Resolution 2020-254. This will assist the Borough and Commission in hiring a Tree Expert to write the Plan and establish and maintain healthy, safe, and sustainable community trees. This is the first step toward compliance with the Shade Tree and Community Forestry Act. Compliance with the Act affords our community increased liability protection.

RECORDS MANAGEMENT

This evening under Resolution 2020-255, the Council is considering awarding File Bank, Inc., a Records Management contract for a grand total of \$8,591.03 for the Front office. This will allow the Borough to digitalize all of its records in this area and properly dispose of the paper documents, which will free up considerable space in Borough Hall and provide for a much more efficient way of locating documents when they are needed.

VOTING

The General Election on November 3, 2020 is being conducted primarily by mail as per NJ law P.L. 2020, c. 72. There are four (4) ways for you to return your ballot:

1. You can mail your ballot in the envelope provided. Mailed ballots must be postmarked by 8:00pm November 3rd.
2. You can deliver your ballot in person to the Monmouth County Board of Elections Office at 300 Mills Road I Freehold by 8:00pm on November 3rd.
3. You can place your completed ballot package in one of the secure Ballot Drop Boxes by 8:00pm on November 3rd.
4. You can deliver your ballot in person on Election Day, November 3rd to your polling place, the Firehouse, by 8:00pm.

If you have any questions, please contact the County Clerk's Office or the County Board of Elections.

Public Comment on Agenda items:

Thomas J. Coan, 612 Third Avenue, inquired if a payment of \$3112.00 for OPRA services to the Borough Attorney on the bill list was for the monthly fee.

Borough Attorney Greg Cannon replied the payment is for several adversarial matters that pertain to several OPRA requests. Mr. Cannon explained the differences in his billing process for adversarial matters and his monthly fee.

Mr. Coan confirmed the Borough Attorney's yearly salary and asked Ms. Rice if the previous Attorney's yearly salary was over \$100,000.00.

Ms. Rice confirmed the amount budgeted last year was \$100,000.00 for the previous Borough Attorney.

Mr. Coan commended the Governing Body on hiring the current Borough Attorney and saving the Borough money.

Ordinance Introduction:

ORDINANCE 2020-20

AN ORDINANCE AMENDING SCHEDULE II ATTENDANT TO BOROUGH CODE SECTION 9.3.4 OF CHAPTER 9: "TRAFFIC" TO REVISE THE HOURS OF CERTAIN NO PARKING ZONES ON NEWARK AVENUE TO FURTHER ENHANCE SAFETY DURING GARBAGE COLLECTION.

ON MOTION by Engelstad/Weber to introduce Ordinance 2020-20.
ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

INTRODUCED

Communications:

- A request from Anne Bevere to resign as a Trustee of the Bradley Beach Library Board effective 12/31/20 and to remain on the Library Board as the Mayor's Alternate.
- A request for Anthony DiMaio to be appointed as a member of the Library Board.

CONSENT AGENDA:

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

2020-240 10-27-20 BILL LIST

2020-241 Authorizing Escrow Balance Refunds for 309 ½ McCabe Avenue and 503 ½ Monmouth Avenue.

2020-242 Authorizing a Tax Overpayment Refund for 115 Newark Avenue.

2020-243 Authorizing a Tax Title Lien Redemption in the amount of \$5770.13 for 415 Fifth Avenue (Block 55, Lot 1.01).

2020-244 Authorizing a Vendor Refund for Nancy J. Smith for the Summer Craft Fair.

2020-245 Authorizing Street Opening Deposit Refunds.

2020-246 Appointing Anthony DiMaio as a Trustee and Anne Bevere as the Mayor's Alternate for the Library Board.

APPROVED

RESOLUTIONS:

Resolution 2020-247 Establishing the Pricing and Sale Dates for 2021 Seasonal Beach Badges.

ON MOTION by Engelstad/Gubitosi to Establish the Pricing and Sale Dates for 2021 Seasonal Beach Badges.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-248 Approving Michael Mulcahy as the Full-Time Zoning Officer.

ON MOTION by Engelstad/Weber to Approve Michael Mulcahy as the Full-Time Zoning Officer.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-249 Appointing Summer Deaver as a Shade Tree Commission Member.

ON MOTION by Engelstad/Weber to Appoint Sumer Deaver as a Shade Tree Commission Member.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-250 Authorizing the 2021 Motorola Service Agreement Renewal for the Police Department Console.

ON MOTION by Engelstad/Sexsmith to Authorize the 2021 Motorola Service Agreement for the Police Department Console.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-251 Authorizing a Transportation Alternative Grant Agreement with the NJDOT for Main Street Streetscape Improvements.

ON MOTION by Engelstad/Gubitosi to Authorize a Transportation Alternative Grant Agreement with the NJDOT for Main Street Streetscape Improvements.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-252 Authorizing an Annual Stipend of \$2500.00 to John Reid for Parking Meter Maintenance.

Councilman Gubitosi inquired who has been doing this task previously.

Mayor Engelstad replied Mr. Reid has been doing this task previously without compensation.

ON MOTION by Engelstad/Gubitosi to Authorize a Stipend of \$2500.00 to John Reid for Parking Meter Maintenance.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-253 Awarding a Shared Services Agreement for the County of Monmouth to provide a Community Rating System.

Councilman Gubitosi inquired if this agreement is a mandatory requirement or an option to consider.

Administrator Brown responded this agreement is an option.

Councilman Gubitosi inquired what benefit this agreement is to the Borough.

Administrator Brown responded it will benefit management of records, project management software. Mr. Brown continued the first cost will be offset by the LEAP Grant the Borough is receiving from the State and may not be of any cost since the County is applying for the CARES Act Funding.

ON MOTION by Engelstad/Gubitosi to Award a Shared Service Agreement for the County of Monmouth to provide a Community Rating System.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-254 Authorizing a Community Forestry Program Communities Grant Application

ON MOTION by Engelstad/Weber to Authorize a Community Forestry Program Communities Grant Application.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-255 Awarding File Bank, Inc. the Enterprise Content Management Services Contract.

ON MOTION by Engelstad/Sexsmith to Award File Bank, Inc. Management Services Contract.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-256 Appointing a Community Center Task Force Public Member.

ON MOTION by Engelstad/Gubitosi to Appoint a Community Task Force Public Member.

ROLL CALL AYES: Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None

ABSENT: None
ABSTAIN: Bonnell

APPROVED

Resolution 2020-257 Authorizing the Adoption of the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan.

ON MOTION by Engelstad/Gubitosi to Authorize the Adoption of the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None

APPROVED

Resolution 2020-258 Abating Rent for Shipwreck Golf in Settlement of Potential Claims from COVID-19 Shutdown.

Administrator Brown explained the owner of the Golf Course requested a refund for the time the business has been closed due to the pandemic. Mr. Brown and Mr. Cannon discussed an amount that the Borough could reimburse for the amount of time the business was shut down due to the pandemic, but could have remained open.

ON MOTION by Engelstad/Gubitosi to Abate Rent for Shipwreck Golf in Settlement of Potential Claims from COVID-19 Shutdown.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-259 Waiving Interest on Property Tax for 607 McCabe Avenue Block 32, Lot 7.

ON MOTION by Engelstad/Gubitosi to Waive the Interest on Property Tax for 607 McCabe Avenue Block 32, Lot 7.

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

MAYOR AND COUNCIL REPORTS:

Councilman Weber reported the following:

- Commended Administrator Brown for explaining the various voting options and reminded residents they can also drop off their completed mail in ballots or vote provisionally by paper ballot at the Firehouse on Election Day.
- Thanked everyone involved with the music event Bradley Ramble and Fall Fest in Riley Park.
- Mr. Weber stated he is glad the Borough is hiring a Full-Time Zoning Officer.
- Mr. Weber acknowledged two new members for the Shade Tree Commission and stated the Commission is a huge time commitment.

Councilman Sexsmith reported the following:

- Gave the Police Department Call Report and reminded everyone to lock their car doors to prevent theft.
- Gave the Fire and First Aid Department Call Reports and stated the probationary members are doing well and will be starting Fire Fighter Two Classes in two weeks.
- All interior Fire Fighters have completed mandatory self-contained breathing apparatus recertification training as required by OSHA.
- Fire Department is re-starting their Cadet Program after being suspended due to COVID-19.
- Announced the Fire and First Aid Departments are looking for volunteers.

Councilman Gubitosi reported the following:

- Welcomed the new Shade Tree Commission member Summer Deaver.
- Mr. Gubitosi commended the Shade Tree Commission for their hard work and reported the Commission is reviewing applications while developing a permit application check list and creating processed flow charts to share with the public in the near future to easily explain the permit process moving forward.
- Announced the Shade Tree Commission is responsible for identifying the Green Communities Grant Application.
- Welcomed Mr. Bonnell as a new member to the Community Center Task Force and stated Mr. Paul Neshamkin will serve as the Chairperson the Committee. Mr. Gubitosi continued a new framework of assigned responsibilities and funding has been distributed and the Committee will meet once a month on a regular basis.
- The Zoning Review Committee completed an extensive review of Zoning Regulations particularly Chapter 450, Section 4 with the hopes to bring a revised ordinance to the Governing Body for review.
- Mr. Gubitosi mentioned the 2019 Audit is not completed as of yet, and is being actively worked on as per the CFO.
- The Finance Committee is reviewing the possibility of refinancing some of the Borough's long term debt.
- The Finance Committee will be reviewing proper funding options for the Borough's Trust established for Terminal Leave pay-outs.

Councilman Bonnell agreed with Mr. Gubitosi regarding the funding for Terminal Leave pay-

outs.

At the request of Mayor Engelstad, Lt. Terry Browning gave a report regarding the safety guidelines and requirements for Halloween.

Mayor Engelstad reported the following:

- Announced the Annual Halloween Parade will be held Friday, October 30th at 6:00 p.m. at Riley Park weather permitting.
- Mentioned the Borough has been assisting the owners of the Showroom Cinema with finding a potential buyer and thanked Paul Neshamkin for his assistance also.

Public Comment:

Nancy Meadow, stated all events in Riley Park need to be evaluated. Ms. Meadow complimented a borough employee she recently spoke to and stated she was extremely helpful so stated she had a pleasant experience recently with a Borough Employee regarding tax information.

Bill Psiuk, 110 Fifth Avenue, stated the Zoning definitions/terminology for Chapter 450 has been forwarded to the Borough Engineer for review.

Mayor Engelstad announced Mr. Psiuk will be the guest speaker at the Veteran's Day Ceremony to be held Wednesday, November 11th at Riley Park at 11:00 a.m.

MaryAnn Spilman, 902 Ocean Avenue, inquired where she can obtain a copy of the Multi-Jurisdictional Hazardous Mitigation Program.

Administrator Brown replied either the County or Office of Emergency Management.

Thomas J. Coan, 612 Third Avenue, congratulated the Borough on hiring a Full-Time Zoning Officer and stated the Borough expressed concern regarding funding for Terminal Leave pay-outs.

Mr. Coan asked Ms. Rice if the payment to the Sylvan Lake Commission on the Bill List is a matching payment to the Borough of Avon.

Ms. Rice replied the Borough of Bradley Beach and the Borough of Avon split the payment.

Mr. Coan stated he hopes to see the Showroom Cinema maintained and that the open market will determine future buyer.

Engelstad/Weber moved to adjourn.

Adjourned at 7:25 p.m.



Erica Kostyz, RMC, CMR
Municipal Clerk