

**BOROUGH OF BRADLEY BEACH**

**REGULAR MEETING MINUTES**

**November 24, 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.

Mayor Engelstad requested everyone to spread positive thoughts for keep family members, employees and residents due to the pandemic.

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  
Municipal Clerk Erica Kostyz

ON MOTION by Engelstad/Sexsmith to approve the Regular Council Meeting Minutes of October 27, 2020.

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

**APPROVED**

**Administrative Report:**

**Administrator Brown went over the following Agenda items:**

- **Ordinance 2020-22:Mr. Brown explained the duties of the Beach Manager and the Assistant Beach Manager. Mr. Brown continued after further discussion with the Governing body and the CFO it has been decided the minimum salary amount be \$2500.00 dollars and amend the maximum salary amount from \$30,000.00 to \$15,000.00 dollars.**

- **Ordinance 2020-20:** Mr. Brown explained the original ordinance introduced had to be amended due to the garbage disposal company not being able to comply with the allotted times originally introduced.
- **Mr. Brown announced Bradley beach has been selected to receive funding from the NJDOT for the 2021 Municipal Aid Program for Newark Avenue Phase II in the amount of \$185,000.00 dollars.**

**Chief Financial Officer, Sandra Rice, gave an explanation for the following:**

- **Ordinance 2020-21 and Resolutions 2020-266 and 2020-267**

**Ms. Rice stated a lot of guidance has been presented by the State as to how municipalities can handle potential budget situations and/or their revenue. Ms. Rice continued after discussions with the Borough Auditor, certain revenues have been identified that will fall short for the end of the year and rather than having to use the surplus and the budget for 2020 to cover those items the State has allowed the Borough to defer deficits and revenues over the next five years.**

- **Resolution 2020-268**

**Ms. Rice explained this resolution is to transfer funds from appropriations that have excess funds to appropriations that are short and need additional funds. Ms. Rice reminded everyone these transfers are already adopted money that has been adopted in the 2020 budget.**

**Councilman Gubitosi inquired if the request for authorization for Resolution 2020-266 for deferral of deficits related to COVID-19 over the next five years will only be done if it is necessary and it may not be necessary if there is additional unanticipated revenue that can off-set any deficits.**

**Ms. Rice confirmed that is correct and stated this is for the Current fund only.**

**Further conversation ensued between Councilman Gubitosi and Ms. Rice regarding the differences in deficits, revenues and the surplus in relation to the possible necessity for authorizing Resolution 2020-266.**

**Councilman Gubitosi inquired if the transfer of funds would limit other areas that may need funding in the future.**

**Ms. Rice explained these funds are for necessary purchases that are needed for the remainder of 2020. Ms. Rice continued if a budgetary line item is not in the adopted budget, it cannot be added to the budget through this process.**

**Councilman Gubitosi inquired why the Group Life Insurance line item is under appropriated.**

**Ms. Rice responded there is a two month delay that could have been caused by a missed payment from 2019 for the Group Life Insurance but normally funds are budgeted for 12 months.**

**Public Comment on Agenda items: None**

**Ordinance Introduction(s):**

**ORDINANCE 2020-19**

**AN ORDINANCE SUPPLEMENTING THE BOROUGH’S REVISED GENERAL ORDINANCES WITH NEW CHAPTER 63: “LENGTH OF SERVICE AWARDS PROGRAM” TO PROVIDE INCENTIVES FOR RECRUITING AND RETAINING VOLUNTEER FIREFIGHTERS WITHIN THE BOROUGH**

**Councilman Sexsmith stated the Length of Service Awards Program is an effective tool to recruit and maintain members of the Fire Department and First Aid Squad as it provides a financial incentive for members to participate in related functions such as training, responding to calls attending meetings, etc. Mr. Sexsmith continued while this ordinance is being introduced and adopted, it will still need to go before the 2021 General Election as a Referendum for public approval.**

**ON MOTION** by Engelstad/Sexsmith to introduce Ordinance 2020-19.  
**ROLL CALL** AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**INTRODUCED**

**ORDINANCE 2020-21**

**AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53**

**ON MOTION** by Engelstad/Bonnell to introduce Ordinance 2020-21.  
**ROLL CALL** AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**INTRODUCED**

**ORDINANCE 2020-22**

**AN ORDINANCE ESTABLISHING CERTAIN SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, AND THE STATE OF NEW JERSEY AND REPEALING ANY AND ALL OTHER ORDINANCES INCONSISTENT HEREWITH**

**Schedule A**

**Administration**

**Beach Manager**

**Minimum: \$5500.00                      Maximum: \$35,000.00**

**Assistant Beach Manager**

**Minimum: \$2500.00                      Maximum: \$15,000.00**

ON MOTION                      by Engelstad/Weber to introduce Ordinance 2020-22 with amendments to the minimum and maximum amounts for the Assistant Beach Manager.

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

**INTRODUCED**

**Ordinance Adoption:**

**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/Gubitosi to open public hearing on Ordinance 2020-20

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

Public Hearing: None

ON MOTION by Engelstad/Weber to close the public hearing and adopt Ordinance 2020-20

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

**ADOPTED**

**Communications: N/A**

**CONSENT AGENDA:**

ON MOTION by Engelstad/Bonnell to approve the Consent Agenda

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

**2020-260 11-24-20 BILL LIST**

**2020-261 Authorizing a Sewer Tax Overpayment Refund for 107 Hammond Avenue.**

**2020-262 Authorizing a Sewer Tax Payment Refund for 206 Fourth Avenue.**

**2020-263 Authorizing a Sewer Tax Payment Refund for 517 Fourth Avenue.**

**2020-264 Authorizing a Vendor Refund for Danielle Reif for the Fall Festival.**

**2020-265 Authorizing a Street Opening Permit Deposit Refund for 105 Central Avenue.**

**APPROVED**

**RESOLUTIONS:**

**Resolution 2020-266 Authorizing the Application to the Division of Local Government Services for a COVID-19 Special Emergency.**

ON MOTION by Engelstad/Bonnell to Authorize the Application to the DLGS for a COVID-19 Special Emergency.

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

**APPROVED**

**Resolution 2020-267 Authorizing the Chief Financial Officer for COVID-19 Special Emergency Certification.**

ON MOTION by Engelstad/Gubitosi to Authorize the CFO for COVID-19 Special Emergency Certification.

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

**APPROVED**

**Resolution 2020-268 Authorizing a Transfer of Budget Appropriations N.J.S.A. 40A:4-58**

ON MOTION by Engelstad/Bonnell to Authorize a Transfer of Budget Appropriations N.J.S.A.40A:4-58.

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

**APPROVED**

**Resolution 2020-269 Authorizing an Hourly Wage Increase for Part-Time DPW Employees Michael Bruno and Abraham Heraz.**

ON MOTION by Engelstad/Bonnell to Authorize an Hourly Wage Increase for Part-Time DPW Employees Michael Bruno and Abraham Heraz.

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

**APPROVED**

**Resolution 2020-270 Authorizing the 2021 SCAT Agreement.**

**Councilman Weber inquired how often this service is utilized.**

**Mayor Engelstad replied this program is of no cost to Borough Residents.**

**Councilman Gubitosi inquired what the yearly cost for this agreement is.**

**Ms. Rice replied the cost is approximately \$5000.00 per year.**

**Councilman Gubitosi suggested promoting this program to better inform the disabled & senior residents.**

ON MOTION by Engelstad/Bonnell to Authorize the 2021 SCAT Agreement.

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

**APPROVED**

**Resolution 2020-271 Approving the 2021 Beachfront Locker Fees.**

**Mayor Engelstad confirmed with Administrator Brown there is not a price change from 2020 to 2021 for Beachfront Locker Fees.**

ON MOTION by Engelstad/Bonnell to Approve the 2021 Beachfront Locker Fees.

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

**APPROVED**

**Resolution 2020-272 Appointing Special Class II Police Officers for training at the Monmouth County Police Academy.**

ON MOTION by Engelstad/Sexsmith to Appoint Special Class II Officers for training at the Monmouth County Police Academy.

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

**APPROVED**

**Resolution 2020-273 Authorizing the Appointments for Richard Lowe and Christopher Schotttinger as Probationary Fire Fighters of the Bradley Beach Fire Department.**

ON MOTION by Engelstad/Sexsmith to Authorize the Appointments for Richard Lowe and Christopher Schotttinger as Probationary Fire Fighters of the Bradley Beach Fire Department.

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

**APPROVED**

**Resolution 2020-274 Approving Cathy Liput for Administrative Assistant and Receptionist for the Administrative and Finance Departments.**

ON MOTION by Engelstad/Weber to approve Cathy Liput for Administrative Assistant and Receptionist for the Administrative and Finance Departments.

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

**APPROVED**

**Resolution 2020-275 Approval to Extend Temporary Outdoor Dining Permits to March 31, 2021.**

ON MOTION by Engelstad/Webber to approve the Extension of Temporary Outdoor Dining Permits to March 31, 2021.

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

**APPROVED**

**MAYOR AND COUNCIL REPORTS:**

Councilman Weber reported the following:

- Mr. Weber congratulated Larry Fox for his win with the election and the Board of Education election winners.
- Mr. Weber gave a listing of locations within Monmouth County that provide COVID-19 testing.
- The Environmental Commission is working on a Sustainability Report for the Strategic Planning Committee.
- Mr. Weber commended The Shade Tree Commission volunteers for their hard work and stated a new Shade Tree Permit Application has been placed on the on the Borough website.
- Congratulated the new Firefighters and Police Specials.
- Mr. Weber commended the Mayor and Mr. Psiuk for a successful Veteran's Day Ceremony.
- Mr. Weber stated the town is doing the right thing by cancelling the bonfire given the pandemic.

Councilman Sexsmith reported the following:

- Mr. Sexsmith offered congratulations to Mayor Elect Fox and thanked Mr. Fox and Mr. Gubitosi for stepping up and running for Mayor.
- Gave the Police Department call report and reminded everyone to lock their vehicles



when not in use.

- Gave the Fire Department and First Aid Squad call reports.
- Mr. Sexsmith thanked the Mayor and DPW for arranging the Veteran's Day Ceremony and complimented Mr. Psiuk for his moving address.

Councilman Gubitosi reported the following:

- Mr. Gubitosi congratulated Mr. Fox on his election win and stated he looks forward to working together.
- Thanked Mr. Psiuk for his speaking at the Veteran's Day Ceremony and thanked the Mayor for organizing the ceremony.
- Reported NJDEP has drafted a plan for the Sylvan Lake Restoration Project.
- Reported the Sylvan Lake Commission has been working with Avon to redraft a Charter Agreement.
- Gave a report for the Maritime Forest.
- Mr. Gubitosi reported he has been working with Ms. Rice and the Bond Counsel to better understand the opportunities to refinance the Borough's current debt.
- Mr. Gubitosi stated he will be working with Ms. Rice to structure a plan for an estimated amount of 1.8 million dollars of unfunded leave liability.
- Stated the Borough is still waiting for the 2019 Audit and suggested stronger action be taken to address this delay.
- Wished everyone a safe and Happy Thanksgiving.

Mayor Engelstad suggested a possible workshop discussion at the next meeting regarding the 2019 Audit delay.

Councilman Bonnell reported the following:

- Thanked the Mayor for his service to the Borough.
- Congratulated Mr. Fox on his election win.
- Recommended Rite-Aid for fast & efficient COVID-19 testing.
- Thanked the DPW for cleaning the school property.

Mayor Engelstad reported the following:

- Congratulated Mr. Fox on his election win and stated Mr. Fox and Mr. Gubitosi both candidates ran campaigns they should be extremely proud of.
- Thanked the Borough Office and DPW for their assistance with organizing the Veteran's Day Ceremony and thanked Mr. Psiuk for his moving speaking.
- Announced the Library hours and program schedule and advised everyone to check the website for any changes.
- Thanked Vickie Johnson for her years of service with the Library.
- Thanked DPW for doing a great job with Riley Park decorations.
- Reminded everyone the Beach Badge Sales will be VIPLY only for the week of November 30<sup>th</sup> to December 6<sup>th</sup>. All in person sales will begin December 7<sup>th</sup> at the Biase Center.

#### **Public Comment:**

**Allen Rappaport, 512 Newark Avenue**

- **Congratulated Mr. Fox on his election win.**
- **Expressed concern over the \$1.8 million unfunded contingency liability and stated**

the public needs to be informed what this is.

- Expressed concern regarding the 2019 Audit delay.

Fire Chief, John Zech, thanked the Mayor and Council for recognizing the two new Fire Department members, Richard Lowe and Christopher Schottinger. Mr. Zech congratulated Mr. Schottinger for completing his Emergency Medical Responder Certification and congratulated Nicole Browning for receiving her Emergency Medical Responder re-certification. Mr. Zech complimented Mr. Psiuk for his moving speech at the Veteran's Day Ceremony.

Mayor Engelstad asked Chief Zech if there will be a Santa on the fire truck this year.

Chief Zech responded most likely not given the pandemic situation.

Bill Psiuk, 110 Fifth Avenue, thanked everyone for being acknowledged and thanked the Mayor for asking him to speak at the Veteran's Day Ceremony.

ON MOTION by Engelstad/Bonnell to go into an Executive Session to discuss Legal and Personnel Matters.

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

The Governing Body and The Administration went into Executive Session at 7:30 p.m. by means of Communication Equipment due to COVID-19 to discuss Legal and Personnel Matters.

The Governing Body and the Administration returned from Executive Session at 8:55 p.m.

ON MOTION by Engelstad/Weber to return from Executive Session.

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

Engelstad/Weber moved to adjourn.

Adjourned at 9:00 p.m.



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Erica Kostyz, RMC, CMR  
Municipal Clerk