

BOROUGH OF BRADLEY BEACH
REGULAR COUNCIL MEETING MINUTES

October 26, 2021 at 6:30 p.m.

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 Fox 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 in the Borough Office.

ROLL CALL 6:30 p.m.

Present: Council: Gubitosi, Sexsmith, Weber, Mayor Fox
Borough Administrator, Kimberly M. Humphrey
Municipal Clerk, Erica Kostyz
Borough Attorney Greg Cannon

Mayor Fox gave the following OEM statement:

Our Office of Emergency Management requests that everyone conform to the latest CDC guidelines for vaccinated/non-vaccinated persons, social distancing, and indoor meeting density.

ON MOTION by Fox/Sexsmith to approve the Workshop Meeting Minutes for October 12, 2021.

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

APPROVED

ON MOTION by Fox/Sexsmith to approve the Regular Council Meeting Minutes for October 12, 2021.

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

APPROVED

ON MOTION by Fox/Sexsmith to approve the Executive Session Minutes for October 12, 2021.

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

APPROVED

Public Comments/Questions on Agenda Items:

Thomas J. Coan, 612 Third Avenue, inquired if the sanitation truck being purchase is a used Vehicle and if it is a replacement or a secondary vehicle.

Councilman Sexsmith responded it is a replacement truck.

Mr. Coan inquired about Resolution 2021-265 pertaining to the Library Audit.

Mayor Fox responded to Mr. Coan's inquiries.

William Psiuk, 110 Fifth Avenue, inquired if the Borough is paying for the Library Audit.

Mayor Fox explained the cost for the Audit will be journalized from the Library Account.

Mr. Psiuk inquired about Resolution 2021-268 (Deputy Alternate Registrar) and if a salary increase is involved.

Municipal Clerk, Erica Kostyz responded there is no salary increase for the Deputy Alternate Registrar.

Nancy Meadow, 805 Beach Avenue, expressed concerned with the language Ordinance 2021-29 and feels it should also be bi-lingual and the sign should be placed in various locations at the beach.

Ordinance Introduction(s):

ORDINANCE 2021-31

AN ORDINANCE APPOINTING COLLEEN CASTRONOVA, C.T.C. AS MUNICIPAL TAX COLLECTOR EFFECTIVE JANUARY 1, 2021.

ON MOTION by Fox/Weber to introduce Ordinance 2021-31.

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

INTRODUCED

Ordinance Adoption(s):

ORDINANCE 2021-29

AN ORDINANCE AMENDING CHAPTER 123: “BEACHFRONT AREAS AND ADJACENT WATERS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO UPDATE CERTAIN WARNING SIGNAGE PERTAINING TO THE BOROUGH’S ROUGH SURF MANAGEMENT.

Councilman Gubitosi asked in response to Ms. Meadow’s inquires if additional language can be added to this ordinance above and beyond what the JIF is requiring.

Mr. Cannon explained the language is what is being required by the JIF as a best practice and there is no legal requirement to add language.

Police Chief Guida stated he feels adding language would be contrary on what the JIF is asking the Borough to do.

Councilman Gubitosi asked the Chief about bi-lingual language for the sign.

The Chief replied this would not be an issue.

Councilman Gubitosi asked the Chief about the location of the signs.

Chief Guida replied it is his understanding that Borough is only responsible for providing adequate locations for beach signage under the JIF.

Further conversation ensued regarding the placement of the signs and adding bi-lingual signs at various locations in the future.

ON MOTION by Fox/Weber to open the public hearing for Ordinance 2021-29.

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

Public Comments:

David Critelli, 212 Evergreen Avenue, expressed concerns with the placement of the beach signs in relation to inclement weather.

Chief Guida stated the Police are constantly patrolling the area and monitor the safety of the signs.

ON MOTION by Fox/Weber to close the public hearing and adopt Ordinance 2021-29.

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

ADOPTED

BOND ORDINANCE 2021-30

BOND ORDINANCE PROVIDING FOR THE SANITARY SEWER REHABILITATION PROJECT - PHASE II, APPROPRIATING \$4,650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,650,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

ON MOTION by Fox/Sexsmith to open the public hearing Bond Ordinance 2021-30.

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

Public Comments:

Thomas J. Coan, 612 Third Avenue, asked if the Borough is bonding 100% of the cost for this project.

Administrator Humphrey explained this is Bond Ordinance is to appropriate the expenditure, the bonding amount is done after the bid is completed.

ON MOTION by Fox/Sexsmith to close the public hearing and adopt Bond Ordinance 2021-30.

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

ADOPTED

Communications:

Memo for Raffle License 2021-3 (On Premise) – Bradley Beach Elementary School PTA, 515 Brinley Avenue on 12/6, 12/9 and 12/21 and request to waive the Municipal Raffle License Application Fee.

ON MOTION by Fox/Gubitosi to move the Raffle License request to the Consent Agenda.

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

CONSENT AGENDA:

Resolution 2021-260 Bill List for October 26, 2021.

Resolution 2021-261 Authorizing a Gazebo Rental Deposit Fee Refund for \$250.00 to Chris Bodecker.

Resolution 2021-262 Approving the Mayor’s Wellness Campaign Wellness Walk for Sunday, November 21st at 9:00 a.m. at the Beach Promenade.

Resolution 2021-263 Authorizing an On Premises Raffle License 2021-3 for Bradley Beach PTA December and to waive the \$20 Municipal Application Fee.

ON MOTION by Fox/Gubitosi to approve the Consent Agenda.

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

APPROVED

RESOLUTIONS:

2021-264 Authorizing the Appointments for Erick Cortes and Chaka Freeman as Probationary Firefighters for the Bradley Beach Fire Department.

ON MOTION by Fox/Sexsmith to authorize the Appointments for Erick Cortes and Chaka Freeman as Probationary Firefighters for the Bradley Beach Fire Department.

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

APPROVED

2021-265 Approving the Borough Auditor to perform the 2019 and 2020 Audit for the Bradley Beach Public Library

ON MOTION by Fox/Gubitosi to approve the Borough Auditor to perform the 2019 and 2020 Audit for the Bradley Beach Public Library.

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

APPROVED

2021-266 Authorizing the 2022 Agreement with the Associated Humane Societies for Animal Control Services within the Borough

ON MOTION by Fox/Gubitosi to Authorize the 2022 Agreement with the Associated Humane Societies for Animal Control Services within the Borough.

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

APPROVED

2021-267 Acknowledging the CY2021 Best Practices Inventory.

ON MOTION by Fox/Weber to Acknowledge the CY 2021 Best Practices Inventory.

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

APPROVED

2021-268 Appointing Nicole Acri as Alternate Deputy Registrar effective October 26, 2021 to December 31, 2021.

ON MOTION by Fox/Sexsmith to Appoint Nicole Acri as Alternate Deputy Registrar effective October 26, 2021 to December 31, 2021.

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

APPROVED

2021-269 Authorizing the Purchase of Vehicle for the Department of Public Works.

ON MOTION by Fox/to Authorize the Purchase of Vehicle for the Department of Public Works.

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

APPROVED

MAYOR AND COUNCIL REPORTS:

Mayor Fox reported the following:

I want to announce some Employee Resignations & New Hire information for the Zoning, Code and Construction Departments:

Ken Triano, Building Inspector and Construction Official, resigned effective 10/18/21.

Steve LoSacco will be a part-time Construction Official and will continue as Building Inspector and Subcode as of 10/18/21.

Michael Mulcahy, Borough Zoning Officer, has resigned effective 11/3/21.

The zoning officer to replace him is Ms. Donna Smith Barr.

Paul Murphy will be covering Fire Marshal and Code Enforcement duties as of 10/20/21.

Katie Muscillo resigned as the Technical Assistant to the Construction Official effective today October 26th.

Pamela Valentine has been hired as the full-time Technical Assistant to the Construction Official (TACO).

Because a few of these hires were made between last Friday and today, we didn't get this into the Communication portion of the agenda. I'll include a memo with details in today's minutes and our next meeting.

We thank Ken, Michael, and Katie for their service to the community and welcome Donna, Paul, Pamela, and Steve to their new roles in the Bradley Beach.

After a spectacular seven weeks of weather here in Bradley Beach since Labor Day, we are hitting a rough patch this week. Hopefully the Nor'easter subsides and the end of week forecast improves. Why? Because we are continuing to returning to some normalcy this Saturday with our Main Street Trick or Treat at our Businesses, followed by a Halloween Parade at Riley Park at 4:00PM. Details are on the website.

Our Fall Festival brought roughly 800-1000 people to Riley Park this past Saturday. Visitors enjoyed building scarecrows, talking with friends and vendors, and listening to music. It was a great day for the community. Dana Mikaitis of our DPW Team did a great job coordinating with Recreation in the building of 78 Scarecrows. Special Thanks to Ann Caruso and the Recreation Team, our extended DPW team, who also provided a truck for the Food Pantry donations, and our Fire and EMS Teams that brought is a few trucks for the kids. The Bradley Beach PTA had a wonderful bake sale and fun carnival games for the kids to play throughout the day. Thank you to Debbie Kreman for her hard work. And last to our Tourism lead, Amy Hall, for all of her coordination efforts. This was a great success and a total team effort!!

An important civic duty just got easier with the introduction of early in-person voting, which started this past Saturday and will continue until this Sunday, October 31st. The closest of the 10 sites is in Neptune at the Township Senior Center- 1607 Corlies Avenue- open until 8PM each night, and 6PM this Sunday. I encourage you to vote in this important upcoming election.

The recent "sold-out" Fire Department Fish Fry on October 15th was an overwhelming success that brought our community together! I hope we have another soon.

This past Saturday was our bi-annual Clean Ocean Action Beach Sweep! This effort is sponsored locally by the Environmental Commission.

We had 103 volunteers who cleaned 8,399 pieces of debris off the beach over the course of 3 1/2 hours. We had over 30 of our residents among the 103 volunteers. A few thanks are in order: Meredith DeMarco- Chair and lead. Also, Rona Parker, Liz Hernandez, and Ella Moser were incredible co-captains.

The next big event for the Environmental Committee is sponsoring the Bradley Beach Sunset Dune Planting. You can volunteer by meeting at Brinley Avenue and Ocean Avenue on November 1st at 5:00 pm.

I am excited that we adopted our "Phase II" Sewer Project, beginning in the Spring- encompassing Second Avenue through Fifth Avenue, and all north to south streets within this area. This, along with our other infrastructure projects – the replacement of the boardwalk and Gazebos between Ocean Park and Newark Avenues, the sump pump remediation project, and the Library building water remediation, are moving us forward.

Halloween Scavenger Hunt - Return your forms by 1 pm on October 30 to pick a prize from the prize box.

Halloween Decor Contest - email the library a picture of an outdoor Halloween decoration by October 30. The public will vote on their favorite and the winner will win a gift card to be picked up from the library.

This Thursday, October 28th at 6:30 pm, **When There Were Witches** - Join archivist and historian Mickey DiCamillo to learn about the Salem Witch Trials. The presentation will be via Zoom. Registration required.

Broadway Returns- Theater Enthusiast Brian Stoll will discuss all things Broadway- this virtual event is Nov. 4th ant 6 PM

Seven Do's and Don'ts for easy holiday prep-on-line Nov. 9th, 4:00 PM

Councilman Gubitosi reported the following:

- Mentioned the phenomenal turn-out for the Beach Sweep and the Fall Festival Saturday, October 23rd.
- Thanked Meredith DeMarco, Liz Hernandez, Rona Parker, and all members of the Environmental Committee that volunteered with the Beach Sweep.
- Commended Amy Hall and the Department of Public Works for their efforts and hard work with the Fall Festival.
- Acknowledged the Department of Public Works is busy all year round.
- Commended the Sylvan Lake Commission for doing a great job with plantings.
- Welcomed the two new Probationary Fire Fighters.
- Encouraged everyone to vote and for reminded residents to vote for the LOSAP referendum question on the election ballot.

Councilman Sexsmith reported the following:

POLICE DEPARTMENT:

Police arrested two individuals for possession of a controlled dangerous substance and three individuals on active contempt of court warrants.

FIRST AID:

For the operational period ending, October 26, 2021, the Squad responded to 13 Day calls 6 Night calls for a total of 19 calls 14 were for medical 5 for fire. There was one request for Mutual Aid to assist Neptune City First Aid, there were no COVID-19 cases. The Squad participated in the Fall Festival providing giveaway's and operating the Touch-a-Truck while providing medical coverage. The Squad fulfilled 100 % of their assignments for this operational period.

FIRE DEPARTMENT:

For the operational period ending October 26, 2021, the department had 5 requests for the department. The department participated in the Fall Festival providing giveaway's and operating the Touch-a-Truck. For the safety and education of the membership the department conducted a ladder and smoke evacuation drill.

Many thanks for the support of the Annual Fish Fry. Captain Scott brought in a great catch for all to enjoy. Look for our next one in April of 2022. Thanks again for the support in service to the community the woman and men of the Fire Department.

The department requested assistance from the Avon Fire Department fulfilling 99 % of their assignments for this operational period.

Welcomed the two new Probationary Fire Fighters.

We are still looking for volunteers for the Fire & First Aid both offer free training for qualified individuals. Anyone wishing to volunteer for the Fire Department or First Aid Squad, applications can be found on the Borough's website.

The cooperation that exists between the Fire Department and First Aid Squad is allowing both departments to keep answering the citizen's needs for medical care and fire protection.

The Department of Public Works has added an additional brush pick-up this year for December 6th.

Councilman Sexsmith requested possible revisions to the brush pick-up ordinance for next year to include additional days and times.

Councilman Weber reported the following:

- **Congratulated the two new Probationary Fire Fighters.**
- **Thanked DPW and Amy Hall for their hard work with the Fall Festival.**
- **Reported updates and activities for the Environmental Commission.**
- **Elementary School Students participated in a program called Grasses in classes and planted dune grass in the dunes.**
- **Thanked Administrator Humphrey for finding replacements for the resignations in the Code, Zoning and Construction Departments.**
- **Gave a Moment of Code report and mentioned grass in planting strips instead of rocks to avoid beach sweeper issues and healthy soil. Councilman Weber also stated parking on front lawns is**

prohibited.

In Person Public Comment:

Nancy Meadow, 805 Beach Avenue, mentioned the following:

- **Reading of public comment emails pertaining to the agenda item topics.**
- **Virtual meetings**
- **Electric cars**
- **Emergency shelters**
- **Placement of mandatory JIF beach sign**

Mayor Fox responded to and addressed Ms. Meadow's topics.

Thomas J. Coan, 612 Third Avenue mentioned the following:

- **Thanked the Governing Body for the extra brush pick-up date.**
- **Library water remediation**
- **Newark Avenue Pilot**

Rick Bartolomei, 116 Newark Avenue, inquired about the recent bid for Newark Avenue.

Mayor Fox addressed Mr. Bartolomei's inquiry.

Mr. Bartolomei mentioned the COVID-19 Booster program at the Firehouse on Friday, November 5th.

David Critelli, 212 Evergreen Avenue, inquired about the recent resignations in the Construction, Code and Zoning Departments.

Mr. Cannon addressed Mr. Critelli's inquiry and explained resignations are personnel matters and not public information.

Mr. Critelli stated information he requested at the last meeting regarding the merging of the Planning and Zoning Boards was not emailed to him as he was told.

Clerk Kostyz explained she had every intention to email the information, however he left before she was able to get his email address as she did not have it.

It was agreed Mr. Critelli would provide Ms. Kostyz with his email address after the meeting and she would send him the information he requested.

Mr. Critelli mentioned the purchase of 319 LaReine Avenue and not doing a lead paint inspection.

Conversation ensued between Mr. Critelli and the Council regarding the inspections that have been

done on the building and the costs.

Public Comment through Email:

Amy Hall, Tourism Director

“Our Fall Festival brought roughly 800-1000 people through Riley Park on Saturday, October 23rd. Visitors enjoyed building scarecrows, talking with friends, and listening to music. Vendors and visitors alike, made a day out of the festival, shopped our local stores, and ate at our fantastic restaurants. It was truly a great day for the community.

I want to express my gratitude to the Bradley Beach Department of Public Works for all of their help throughout the day. They went above and beyond to help me and our vendors setup, breakdown and I am very appreciative of their efforts not just at the festival but at any and all events. Public works aided in collecting a truck full of food for our food pantry as well.

Thank you to Bradley Beach Fire and First Aid for bringing the trucks for the kids to sit in and look through. We are grateful for your service to our community.

The Bradley Beach PTA had a wonderful bake sale and fun carnival games for the kids to play throughout the day. Thank you to Debbie Kreman for her hard work.

Final thank you to Ann Caruso and the volunteers from the Recreation Department. The scarecrow building during the festival was so much fun and the feedback from our visitors was positive and grateful. The scarecrows put up all around town either from the festival, the businesses themselves or the efforts of volunteers from Rec as well as the Alliance have made the town really look great for the Fall season.

When we all work together, wonderful things happen. Thanks again. “

Resolution 2021-270 Retire into Executive Session to discuss Litigation Matters.

ON MOTION by Fox/Sexsmith to Retire into Executive Session at 7:30 p.m.to discuss
Litigation Matters.

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

APPROVED

ON MOTION by Fox/Sexsmith to Return from Executive Session at 8:13 p.m.

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

Fox/Sexsmith moved to adjourn.

THE COUNCIL MEETING ADJOURNED AT 8:18 P.M.

Erica Kostyz

Erica Kostyz, RMC, CMR
Municipal Clerk