

BOROUGH OF BRADLEY BEACH

REGULAR MEETING MINUTES

July 13, 2021 at 7:30 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.

ROLL CALL 7:30 pm

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

Mayor Fox acknowledged the new Borough Administrator Kimberly Humphrey.

Mayor Fox stated a team has been in the process of researching how to better organize meetings and asked for the public’s patience and assured the audience resident input is important and will continue during the Public Comment section of the meeting.

ON MOTION by Fox/Bonnell to approve the Regular Council Meeting Minutes of June 22, 2021.

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

APPROVED

Administrative Report:

Mayor Fox thanked Ms. Rice for filling in as Acting Borough Administrator until a replacement was found for former BA David Brown.

Borough Administrator Kimberly Humphrey stated she looks forward to working with the Governing Body, professionals, employees, and residents. Ms. Humphrey stated she has an open-door policy and encouraged the public to contact her with any questions or concerns.

Public Comments/Questions on Agenda Items:

Donald Greenberg, 302 Park Place Avenue, inquired about the NJDOT Grant Resolution on the Agenda and expressed concern regarding no public comment during Ordinance Introductions.

Mayor Fox answered Mr. Greenberg's inquiries.

Thomas J. Coan, 612 Third Avenue, inquired about various items on the Bill List and sited a typo on Ordinance 2021-18.

Mr. Cofone, Councilman Weber and Mayor Fox answered Mr. Coan's inquiries on the Bill List.

Nancy Meadow, 805 Beach Avenue, stated she is pleased about Ordinance Introduction 2021-21, expressed concern regarding public comment changes and stated she is against The Mayor's Wellness Campaign Resolution 2021-180 and feels it should include all mental and physical wellness.

Ordinance Introduction(s)

ORDINANCE 2021-18

AN ORDINANCE AMENDING SCHEDULE III: "PARKING TIME LIMITED ON CERTAIN STREETS" AND SCHEDULE VI: "THROUGH STREETS" ATTENDANT TO CHAPTER 9: "TRAFFIC" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO IMPLEMENT NEW REGULATIONS ON 2ND AVENUE AND 3RD AVENUE BETWEEN MAIN STREET AND HAMMOND AVENUE WITHIN THE BOROUGH

Councilman Gubitosi inquired about the traffic flow on Second and Third Avenue and which street the Loading Zone is technically located.

Councilman Weber also inquired.

Borough Attorney Greg Cannon answered both inquires

Councilman Gubitosi and Councilman Weber thanked the Governing Body and Professionals for making the necessary revisions to this Ordinance.

ON MOTION by Fox/Bonnell to introduce Ordinance 2021-18.

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

INTRODUCED

ORDINANCE 2021-20

AN ORDINANCE OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT ENERGY AGGREGATION PROGRAM.

Councilman Weber explained the purpose of this ordinance.

ON MOTION by Fox/Weber to introduce Ordinance 2021-20.

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

INTRODUCED

ORDINANCE 2021-21

AN ORDINANCE AMENDING SECTION 123-10: “STORAGE LOCKERS” OF CHAPTER 123: “BEACHFRONT AREAS AND ADJACENT WATERS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO EXTEND THE TIME PERIOD DURING WHICH STORAGE LOCKERS ARE AVAILABLE.

Councilman Sexsmith explained the purpose of this ordinance.

Councilman Gubitosi thanked Councilman Sexsmith for this ordinance.

ON MOTION by Fox/Sexsmith to introduce Ordinance 2021-21.

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

INTRODUCED

Ordinance Adoption(s): N/A for 7/13/21

Communications:

(A) Yearly and Seasonal Employee Memo

(B) A request from Rally Cap Sports to conduct Beach Volleyball for people with special needs on Wednesdays (7/28, 8/4, 8/11 and 8/18) at Cliff Avenue and Ocean Avenue Beach.

ON MOTION by Fox/Gubitosi to move Communication Item B to the Consent Agenda.

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

APPROVED

CONSENT AGENDA:

Resolution 2021-174 Bill List for July 13, 2021

**Resolution 2021-175 Authorizing a Refund for Property Tax Overpayment for
513 McCabe Avenue in the amount of \$2206.02.**

**Resolution 2021-176 Authorizing Rally Cap Sports to conduct Beach Volleyball for
Participants with special needs on Wednesdays at Cliff and Ocean
Avenue Beach from 6:30 p.m. to 7:30 p.m.**

**Resolution 2021-177 Authorizing a Refund for Summer Camp Registration in the amount
of \$450.**

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

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

APPROVED

RESOLUTIONS:

2021-178 Appointment of Kimberly M. Humphrey as Borough Administrator.

ON MOTION by Fox/Weber to Appoint Kimberly M. Humphrey as Borough Administrator.

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

APPROVED

2021-179 Authorizing the Appointment of Devin DeGraw as a Probationary Police Officer of the Bradley Beach Police Department.

ON MOTION by Fox/Bonnell to Authorize the Appointment of Devin DeGraw as a Probationary Police Officer of the Bradley Beach Police Department.

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

APPROVED

2021-180 A Resolution Supporting the Mayor's Wellness Campaign.

ON MOTION by Fox/Sexsmith to Support the Mayor's Wellness Campaign.

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

APPROVED

2021-181 Approving a Resolution of Concurrence with the NJDOT Recommendation for a Revision of all existing Bus Stops along NJ Route 71 (Main Street) within the Borough of Bradley Beach.

Councilman Weber inquired if this resolution is adding bus stops.

Police Chief Guida responded it is not and explained it is codifying the bus stops.

ON MOTION by Fox/Weber to Approve Concurrence with the NJDOT Recommendation for a Revision of all existing Bus Stops along NJ Route 71 (Main Street) within the Borough of Bradley Beach.

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

APPROVED

2021-182 Authorizing the NJDOT Transportation Trust Fund Municipal Aid Grant for Park Place Avenue Phase I.

ON MOTION by Fox/Sexsmith to Authorize the NJDOT Transportation Trust Fund Municipal Aid Grant for Park Place Avenue Phase I.

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

APPROVED

2021-183 Approving the Certification of the U.S. Equal Opportunity Employment Commission.

ON MOTION by Fox/Sexsmith to Approve the Certification of the U.S. Equal Opportunity Employment Commission.

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

APPROVED

2021-184 Requesting Approval of Items of Revenue and Appropriation N.J.S.A. 40A:4-87.

ON MOTION by Fox/Sexsmith to Approve Items of Revenue and Appropriation N.J.S.A. 40A:4-87.

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:

- **The 7/10 Fireworks display went well.**
- **The Mayor's Wellness Campaign will enable tools and strategy to improve healthy and active living.**
- **Congratulated Officer DeGraw on becoming a Probationary Police Officer.**
- **Gave an update on the upcoming street paving affected by water pipe line replacement and stated residents will be notified.**
- **Announced the new website is live and thanked all involved with helping to create it.**
- **Bradley Beach Community Alliance is sponsoring a Bradley Youth Community Club to serve as a mentoring club.**
- **The Bradley Beach Elementary School had a One Beach, One Read initiative and thanked all volunteers involved in this.**
- **The Friends of the Library Book Sale on 7/10 was a success.**
- **The Shakespeare on the Beach Production presented by the Arts Council will be held at**

the Fifth Avenue Gazebo on Friday 7/23 and Saturday 7/24 with a rain date of Sunday, 7/25.

- Mentioned a meeting with the County Commissioners on 6/28 regarding the Memorial Drive Project.

Councilman Bonnell reported the following:

- Suggested the outer lanes on Memorial Drive between Tenth Avenue and Evergreen Avenue become parking spaces.
- Welcomed Ms. Humphrey as Borough Administrator.
- Stated the Library Book Sale and the Fireworks Display went well.
- Community Development update.

Councilman Gubitosi reported the following:

- Welcomed Officer DeGraw and Administrator Ms. Humphrey.
- Sylvan Lake Commission update (Goose repellent).
- Thanked Shana Greenblatt-Janoff and Liz Hernandez for their recent work with a grant for the Shade Tree Commission.
- Gave an update on the new website.
- Confirmed with Mayor Fox the pay effect date and annual amount for the Communications Coordinator/Tourism Director.
- Stated the implementation for new meeting procedures done tonight were not fully approved by the Council and he does not endorse this.

Councilman Sexsmith reported the following:

- Fire, First Aid and Police Reports (attached).

Councilman Weber reported the following:

- Welcomed Ms. Humphrey as Borough Administrator.
- Stated when it comes to public comment, residential voters are at the top.
- Complimented the new website.
- Recreation Department update.
- Shade Tree Commission report.
- Dog Beach information update.

Public Comment :

Julie Nutaitis, 605 Newark Avenue:

- Feels the Council Meetings should be both virtual and in person.
- Requested Core Committee updates.
- Thanked DPW for the beautiful flowers planted at Fletcher Lake.

Donald Greenberg, 302 Park Place Avenue:

- Mentioned meetings not being posted on the website; to which Clerk Kostyz responded the Council Meetings are posted the exact same evening they occur.
- Inquired about the Aggregation program to which Councilman Weber responded.
- Inquired if any information can be given for 501 Park Place Avenue to which Mr.

Cannon replied it is an Executive Session matter and cannot be discussed at this time.

- **Agreed with Ms. Nutaitis regarding virtual and in person meetings.**
- **Commended Amy Hall and the new website.**

Nancy Meadow, 805 Beach Avenue:

- **Thanked DPW for the beach showers.**
- **Expressed concern regarding public comment.**
- **Expressed concern regarding the signage at the playground.**
- **Not happy with the new website and the Borough's payroll service.**

Joseph Konstantinou, 621 Fourth Avenue, thanked the Police Department the postponement of the fireworks display. Mr. Konstantinou continued with complaints regarding the alleyway between Third and Fourth Avenue. Mr. Konstantinou also provided photos of recent accident victims and asked Mr. Cannon several legal questions to which he answered.

Michelle Affrunti, 620 Third Avenue, expressed safety concerns with the alleyway between Third and Fourth Avenue.

Rick Bartolomei, 614 Newark Avenue, inquired about the status of stripping on Newark Avenue.

Mayor Fox responded he would follow up with the Borough Engineer and get back to Mr. Bartolomei.

Thomas J. Coan, 612 Third Avenue, inquired if the street paving scheduled is being paid for by New Jersey American Water.

Mayor Fox responded it will be.

Mr. Coan suggested a County Engineer do a presentation on the Memorial Drive project.

Mr. Coan requested the loading zone in Ordinance 2021-18 be changed to read Second Avenue.

Mr. Coan inquired if there will be clearer guidelines regarding public comments.

Mayor Fox responded he and Administration are trying to assess the best way to communicate effectively and with more organization.

Heidi Modjeski, 614 Newark Avenue, expressed concern regarding the density of Oxford Houses in town and speed limit issues on Newark Avenue.

William Psiuk, 110 Fifth Avenue, thanked the Police Department and DPW for doing an excellent job for the fireworks.

Jack Gentempo, 103 Fourth Avenue, agreed with Ms. Nutaitis and Mr. Greenberg regarding

virtual and in person meetings.

Mr. Gentempo inquired about the number of RFP applications were received for the Financial Advisor Appointment.

Mayor Fox responded he did not have the answer to Mr. Gentempo's question at this time.

Resolution 2021-185 Retire into Executive Session to discuss an Incident Report Investigation and the 501 Park Place Avenue Appeal.

ON MOTION by Fox/Bonnell to Retire into Executive Session at 9:00 p.m.to discuss an Incident Report Investigation and the 501 Park Place Avenue Appeal.

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

APPROVED

ON MOTION by Fox/Weber to Return from Executive Session at 9:45 p.m.

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

APPROVED

Fox/Weber moved to adjourn.

MEETING ADJOURNED AT 9:50 P.M.

Erica Kostyz

Erica Kostyz, RMC, CMR
Municipal Clerk