

BOROUGH OF BRADLEY BEACH
COUNCIL BUSINESS MEETING MINUTES

APRIL 12, 2022 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 was read.

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 AT 6:30 P.M.

Present at the April 12, 2022 Council Business Meeting:

Councilman Bonnell
Councilman Gubitosi
Councilman Sexsmith
Councilman Weber
Mayor Fox
Borough Administrator: Kimberly M. Humphrey
Municipal Clerk: Erica Kostyz
Borough Attorney: Greg Cannon

Mayor Fox:

We are excited to be heading into our Spring and Summer season. Besides all the work that has taken place to date, many of the plans we have been working on are finally underway. The number of projects to improve our community is impressive. I will review it later in the meeting.

WORKSHOP DISCUSSION(S):

2022 Daily/Weekly Beach Badges:

Mayor Fox began the discussion by recapping the Daily Badge prices for 2020 and 2021 and stated the Borough reached the badge revenue goal both years. Mayor Fox proposed keeping the Daily Badge price at twelve dollars for 2022 and in addition trying the sales of Weekly Badges at a rate of forty to forty-five dollars to make it more economical for weekly renters.

Councilman Bonnell agreed with the pricing for daily and weekly badges.

Councilman Gubitosi stated he is conflicted with keeping the daily badge rate at twelve dollars due to inflated appropriations in Beach Utility budget that will affect the Beach revenue for 2022.

Discussion ensued between Councilman Gubitosi and Administrator Humphrey regarding approximate fund amounts being transferred from surplus to appropriations for statutory and salary corrections.

Councilman Gubitosi recommended raising the daily badge rate to \$13.00 dollars for 2022 due to the possible loss in surplus needed for the corrections and an alternative weekly badge option for an amount between \$55.00-\$60.00 dollars.

Councilman Sexsmith stated he is in favor of selling the weekly badges on a trial basis for 2022 at the rate of \$40.00-\$45.00 dollars and comfortable keeping the daily amount at \$12.00 dollars.

Councilman Weber stated he is in favor of lowering the daily badge amount and selling the weekly badges for \$40.00-\$45.00 as a trial for 2022.

Mayor Fox stated while he understands Councilman Gubitosi's concerns, he is comfortable with keeping the daily price at \$12.00 dollars and trying the weekly price at \$45.00 dollars.

Councilman Gubitosi stated he remained favor of increasing the amount to \$13.00 dollars for 2022 due to the possible loss in surplus.

Recreation Fee Ordinance:

Councilman Sexsmith stated there were no fees in place previously for renting the Recreation Center and other Borough Facilities for private events and this ordinance is to put a structure and authority in place to specify fees, requirements and permissible uses for Borough facilities.

Councilman Weber inquired if the fees are for the Recreation Center rental only and inquired if the purpose for profit or to break even.

Administrator Humphrey responded the purpose is to break even and to list all the fees involving the Recreation Center and to cover the cost to run the facility. Also, the ordinance would give the Recreation Center the ability to deposit funds into a trust account versus a miscellaneous account to offset the program.

Councilman Gubitosi inquired how fees were established previously.

Ms. Humphrey responded she was not sure as she was not here.

Councilman Weber also responded the Recreation Center was not rented out for events previously.

PRESENTATIONS:

Mayor Fox read the following Proclamation in support of the Citizens of Ukraine

Borough of Bradley Beach

A Proclamation for the People of Ukraine

Whereas, Ukraine has been a sovereign and independent state since August 24, 1991, upon its withdraw from the collapsing former Soviet Union; and

Whereas, Ukraine is the second largest European state by land mass and is home to more than 41 million proud Ukrainian Citizens with their own national history and culture; and

Whereas, the United States and Ukraine share common values, including freedom, democracy and the rule of law; and

Whereas, on February 24, 2022, the leadership of Russia has engaged in a direct and intentional violation of human rights and should be held responsible for the loss of human life and the loss of property resulting from this truly reprehensible act; and

Whereas, the Borough of Bradley Beach joins the International Community in condemning this violence and the threats to innocent civilians in Ukraine and stands in support of the citizens of Ukraine and their sovereignty.

Now Therefore be it resolved, the Mayor and Council of the Borough of Bradley Beach stands with all who are experiencing very difficult situations because of this illegal action and join other local governments across the State of New Jersey and the United States of America in condemning Russia's aggression. Our thoughts are with Ukraine, its citizens and Ukrainian-Americans.

Council President Sexsmith announced the Student Council of the Bradley Beach Elementary School have started a project to assist Ukraine by collecting essential supplies and accepting financial support for the World Central Kitchen.

Mayor Fox read the following Proclamation in honor of George Bachar:

Borough of Bradley Beach

A Proclamation Honoring George Bachar

Whereas, George Bachar retired as a member of the Office of Emergency Management in the Borough of Bradley Beach of which he has been a member since February of 2013; and

Whereas, In the wake of Hurricane Sandy, Mr. Bachar was instrumental in assisting with the completion of Public Assistance Project Worksheets, used to secure Disaster Grants from FEMA for the Borough to rebuild the beachfront to what it is today; and

Whereas, Mr. Bachar was appointed as a Councilman for the Borough of Bradley Beach in 2008 and worked in other Borough Departments, including the Department of Public Works; and

Whereas, Mr. Bachar was sworn in as a Class One Special Officer for the Borough after completing a two week training program at the Monmouth County Police Academy in 2013, making him the oldest Special Police Officer in New Jersey and perhaps in the country. 2017 Mr. Bachar patrolled the beachfront during the **summer** seasons as a Class One Officer through 2017 with a focus on community policing while enforcing Borough Ordinances.

Whereas, Mr. Bachar was a member of the Bradley Beach Memorial Day Committee and assisted in organizing several of the town’s Memorial Day Parades while securing vendors for the celebration of the Holiday Weekend on the Beachfront.

Whereas, Mr. Bachar has displayed the highest example of character, ethics, morals and unselfish service and has served his community well; and

Now Therefore be it resolved, the Mayor and Council and all Employees of the Borough of Bradley Beach wish to express their deepest gratitude for his exemplary service to the community and best wishes for happiness in all of his future endeavors.

A Presentation on the First Aid Shared Service Agreement with Neptune Township:

Mayor Fox stated the First Aid Squad has done a great job for many years; the challenge that has emerged is how to provide the best level of service to the residents.

Administrator Humphrey acknowledged all the First Aid Squad and Fire Department members and thanked them for their service. Ms. Humphrey also acknowledged the required training involved over the last few decades has increased significantly.

Ms. Humphrey stated she was asked by both departments how she could help; after doing feasibility studies. Ms. Humphrey spoke with the Township of Neptune who offered an agreement to answer EMS calls seven days a week, twelve hours a day. Ms. Humphrey then spoke with the First Aid Squad Executives. The Executives asked for five days a week leaving weekends for the Volunteer Squad to keep the morale of the department.

Ms. Humphrey gave the breakdown of how the calls would be answered and explained how the volunteers can use the time when not answering calls to do training drills and member drives.

Councilman Gubitosi thanked Eric Hunter, the First Aid Squad President for his letter to the Governing Body. Councilman Gubitosi asked several questions based on Mr. Hunter’s letter about the agreement regarding insurance, the purpose for this agreement, the costs and savings involved and what hours would BBFA be covering.

Councilman Bonnell inquired the number of paid members Neptune Township has.

Ms. Humphrey, Councilman Sexsmith and Michael Bascom, CFO for Neptune Township addressed Councilman Gubitosi and Councilman Bonnell’s inquiries.

APPROVAL OF MINUTES:

ON MOTION by Fox/Sexsmith to approve the Council Business Meeting Minutes of March 22, 2022.

ROLL CALL:

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

APPROVED

Public Comments and Questions on Agenda Items:

Jim Byrne, 401 Fifth Avenue, inquired about co-pays and third-party billing regarding the EMS Agreement.

Ms. Humphrey responded to Mr. Byrne's inquiries.

Joseph Walsh, First Lieutenant for BBFA feels a meeting between Administration and the First Aid Squad should take place before entering into the EMS Shared Service Agreement.

Angelo Napolitano, 209 Fifth Avenue, requested the Governing Body reconsider the EMS Shared Service Agreement.

Nancy Meadow, 805 Beach Avenue, expressed opinions on the EMS Shared Service Agreement, Recreation Center fees, bill list items and Beach Badge costs.

Thomas J. Coan, 612 Third Avenue, had inquiries on bill list items.

Ms. Humphrey addressed Mr. Coan's inquiries.

Mr. Coan also stated he is in favor of raising the beach badge fees.

William Psiuk, 110 Fifth Avenue, had inquiries regarding Irvington Manor.

Ms. Humphrey and Mr. Cannon addressed Mr. Psiuk's inquiries.

Public Comment on Agenda Items through email: None

ORDINANCE INTRODUCTION(S): None

ORDINANCE ADOPTION(S): None

COMMUNICATIONS :

(A) Department of Public Works Part-Time Laborer Employee Memo

(B) Library Resignations and Appointments

(C) Fire Department letter of recognition to the Department of Public Works

(D) Request for Congregation Agudath Achim to hold an Off-Premises Raffle on September 4th from 12:00 p.m. to 1:00 p.m. at 400 McCabe Avenue.

ON MOTION by Fox/Sexsmith to move item D to the Consent Agenda.

ROLL CALL:

AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

Item D was moved to the Consent Agenda for approval.

CONSENT AGENDA RESOLUTIONS:

2022-105 Bill List for April 12, 2022

2022-106 Approval of Raffle License for Congregation Agudath Achim to be held on September 4, 2022 at 400 McCabe Avenue.

2022-107 Authorizing the Appointment of Special Class I Law Enforcement Officers.

2022-108 Approving a Block Party on the 400 Block of LaReine Avenue for Saturday, June 4, 2022 with a rain date of Sunday, June 5th.

2022-109 Approval for the American Littoral Society to conduct their Walk/Race on Saturday, April 30, 2022 from 9:00 a.m. to 10:00 a.m.

2022-110 Approval for the National Multiple Sclerosis Society to conduct their Charity Bicycle Ride on Sunday, May 1, 2022 from 10:00 a.m. to 1:00 p.m.

2022-111 Approval for the Hydrocephalus Association to conduct their 5K Walk on Sunday, September 18, 2022 from 7:00 a.m. to 1:00 p.m.

2022-112 Approval for the Alzheimer’s Association to conduct their 5K Walk on Saturday, October 1, 2022 from 6:00 a.m. to 1:00 p.m.

2022-113 Approval for Mary’s Place by the Sea to conduct their 5K Run/Walk on Saturday, October 15, 2022 from 10:00 a.m. to 12:00 p.m.

Councilman Bonnell made inquires about the Electric Vehicle costs, salary costs for the Part-Time DPW Laborer and the GovPilot Software.

Administrator Humphrey addressed Councilman Bonnell’s inquiries.

Councilman Weber inquired if the GovPilot Software has a feature for the Public to utilize.

Ms. Humphrey responded yes.

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

ROLL CALL:

AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

INDIVIDUAL RESOLUTIONS:

2022-114 Approving a Person-to-Person and Place-to-Place Plenary Retail Consumption Liquor License Transfer from Manno, Inc. to EMAM LAB, LLC.

Councilman Bonnell inquired if the license transfer is a change of use and expressed concerns Cinema Labs Land Use Board Application has not yet been approved.

Police Chief Guida responded the change of use has nothing to do with the ABC Person-to-Person transfer.

Administrator Humphrey confirmed the Clerk verified with the State it was acceptable to move forward with the Person-to-Person and Place-to-Place Transfer Resolution.

Timothy Horn, Attorney for EMAM LAB, LLC, explained the resolution is a person-to-person and place-to-place transfer and EMAM LAB, LLC is associated with Cinema Lab which is approving the license to be used at the Cinema Labs location in Bradley Beach.

Councilman Bonnell inquired what will happen with the Liquor License if the Land Use Board does not approve the Cinema Labs application.

Mr. Horn responded the license would be transferred to another location within Bradley Beach.

ON MOTION by Fox/Sexsmith to approve a Person-to-Person and Place-to-Place Plenary Retail Consumption Liquor License Transfer from Manno, Inc. to EMAM LAB, LLC.

ROLL CALL:

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

APPROVED

2022-115 Authorizing the purchase of GovPilot Computer Software via State Cooperative Contract.

ON MOTION by Fox/Sexsmith to authorize the purchase of GovPilot Computer Software via State Cooperative Contract.

ROLL CALL:

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

APPROVED

2022-116 Authorizing the purchase of a 2022 Chevrolet Tahoe via State Cooperative Contract.

Councilman Weber inquired the age of the vehicle being replaced.

Councilman Bonnell replied the vehicle being replaced is approximately twenty years old.

ON MOTION by Fox/Sexsmith to Authorize the purchase of a 2022 Chevrolet Tahoe via State Cooperative Contract.

ROLL CALL:

AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

2022-117 State Resolution for the Deferred Compensation Plan.

ON MOTION by Fox/Gubitosi to approve the State Resolution for the Deferred Compensation Plan.

ROLL CALL:

AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

2022-118 Authorizing the purchase of the Electric Vehicles via State Cooperative Contract.

Councilman Weber inquired where the charging stations for the vehicles will be located.

Ms. Humphrey responded charging stations will be located at the DPW Yard.

ON MOTION by Fox/Weber to authorize the purchase of the Electric Vehicles via State Cooperative Contract.

ROLL CALL:

AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

2022-119 Resolution approving a Consent Letter with Crown Castle, as agent for STC Five, LLC, Successor to Sprint Spectrum, L.P., for a new sublease to Dish Network and new equipment to be mounted upon the Monopole Tower located on a portion of the Borough's properties at 725 Main Street.

Councilman Gubitosi thanked Councilman Sexsmith for explaining where the wires will be run and confirming this will not disturb the streetscape and stated he will be voting yes.

ON MOTION by Fox/Sexsmith to approve a Consent Letter with Crown Castle, as agent for STC Five, LLC, successor to Sprint Spectrum, L.P., for a new sublease to Dish Network and new equipment to be mounted upon the Monopole Tower located on a portion of the Borough's properties at 725 Main Street.

ROLL CALL:

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

APPROVED

ANNOUNCEMENTS: None

MAYOR AND COUNCIL REPORTS:

Councilman Bonnell

**Mentioned the Fish Fry last Friday was a success and thanked everyone who attended.
Announced the weekly operational reports for the Fire and First Aid Departments.**

Councilman Gubitosi

**Gave an update on the revised Charter Draft for the Fletcher Lake Commission.
Reported the Sylvan Lake Commission has been actively working to secure financial funding for restoration and thanked Administrator Humphrey and Council President Sexsmith for recently assisting the Commission with a potential Grant Application.**

Councilman Sexsmith:

Gave the weekly Police Activity Report.

Councilman Weber

**Mentioned the Fish Fry last Friday was a success.
Mentioned the Blood Drive at the Recreation Center this afternoon.
The Clean Ocean Action Beach Sweeps this weekend went well.
The Library and the Environmental Commission are participating in the One Beach, One Read program and reminded everyone the Library will be holding a book discussion in Riley Park on April 25th.
Mentioned the appearance improvement of the Beach Dunes over the last several years.
The Shade Tree Commission will be doing a tree planting on April 30th and encouraged everyone to volunteer and planting a tree in honor of the Elementary School 8th Grade Graduating Class in the park between Second and Third Avenue on April 29th.**

Mayor Fox

The Blood Drive, sponsored by the Mayor's Wellness Committee in conjunction with RW Barnabas, was a success; about fifty pints were collected against a goal of fifty pints.

We have submitted a composite design for our Project Partners for the LaReine Avenue Church. We will get results in late May. In the meantime, we have started the discussion on a survey for the community.

We have continued to focus our attention on a large sinkhole emanating from the stormwater pipe coming from Sylvan Lake between Bradley Beach and Avon. We are working with Avon, the County, and our Engineering professionals to assess and remediate the situation. We ask you stay away from this area, it is dangerous; and the area can be unstable.

Now, for updates on infrastructure topics that will impact our community in a positive way for years to come.

The Phase II sewer project started yesterday- Second to fourth avenue and the north/ south streets within this area will be updated and improved.

We are completing the sump-pump and drainage project on the south part of town. This has been an issue for years. We will assess the effectiveness and look to see, if this is necessary, elsewhere.

The Sylvan Lake Outflow issue is under analysis for action

Our new Engineering partner, CME Associates are looking at many necessary projects-

- Our Recreation Area – Courts, walkways, and drainage
- Sylvan Lake- the failing bulkhead- estimating a fix like we have on the west side of the lake on our side
- The Lake Terrace Park grant we received
- Park Place- a combination sewer/ re-pavement grant
- And finally- assessing options to improve Main Street- walkways, tree wells, potential bump-outs, etc.

This will evolve over the coming months.

Although this is an ambitious agenda, it is achievable and necessary. We will balance these improvements so that we are fiscally responsible.

Administrator Humphrey

- Conducting interviews for electric charging station companies for the Electric Vehicles.
- T&M are preparing the Bid Spec to go out for remediation for the LaReine Avenue Church.
- RFP's will be advertised for Engineering Services for the Sylvan Lake Outfall.
- The Recreation Center will be holding Yoga sessions.
- Update on the Newark Avenue Striping.
- Update on Park Place Avenue Grant.
- Update on Sanitary Sewer Improvements.
- Update Recreation Center improvements.

Mayor Fox read the letter of recognition from the Fire Department to the Department of Public Works.

In person Public Comment:

Nancy Meadow, 805 Beach Avenue, expressed opinions regarding recreation fees, grants and charging station, thanked Councilman Sexsmith for mentioning the school earlier in the meeting and amending the salary ordinance from 2017 before adopting the budget. Ms. Meadow thanked Ms. Humphrey for providing information on the website regarding utility company construction work on her street.

William Psiuk, 110 Fifth Avenue, expressed concerns for Resolution 2022-119 regarding the monopole at 725 Main Street. Mr. Psiuk thanked John Naples for donating ramps to the Food Pantry.

Lauren Egbert, 404 1/2 Brinley Avenue, requested the public be updated on 319 LaReine Avenue at the next Council Business Meeting.

Thomas J. Coan, 612 Third Avenue, requested more information regarding Main Street renovations, delineated parking.

EXECUTIVE SESSION:

Resolution 2022-120 Retire into Executive Session to discuss Litigation and Personnel Matters.

ON MOTION by Fox/Bonnell to retire into Executive Session at 8:45 p.m. to discuss Litigation and Personnel Matters.

ROLL CALL:

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

APPROVED

ON MOTION by Sexsmith/Bonnell to return from Executive Session at 9:55 p.m. and adjourn the Council Business Meeting.

ROLL CALL:

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

THE COUNCIL BUSINESS MEETING ADJOURNED AT 9:55 P.M.


Erica Kostyz, RMC, CMR
Municipal Clerk