

TO: Michael Capabianco

From: Taxpayers' Association of Seaside Park

RE: Request for response or update to the following issues in the Borough

**How to read this document:**

The question/statement by the Taxpayers' Association of Seaside Park appear below. The answers by the Borough Administrator appear highlighted in yellow. The answers that appear in yellow were summarized by the Borough Administrator during the September 24, 2020 Council meeting.

Follow-up questions and clarification was provided by the Association and have been incorporated into the original document and those answers also appear in yellow.

1. Administration

a. **Concern: Beach Activities**

Request: Funtown Beach (only private beach in Seaside Park)

Does the Code office have responsibility to enforce regulations for the private beach operating as a beach club in Seaside Park? If so, what is the timeline of any required inspections? Complaints come before Planning Board, but they do not enforce violations.

Source: *Lavallette, Seaside & Ortleigh Shorebeat*, (July 22nd) Proposed introduction of Point Pleasant Beach Ordinance.

I am unsure what inspections are being referred to. The Planning Board is not an enforcement body.

Concern: Beach Activities (provided after the September 24, 2020 meeting)

Your response to the private beach club question was a need for more information. The question was does the code office have authority to enforce code regulations for a private beach club? Inspections concerning electric, water, structures (permanent or temporary), fire code and any other code necessary to operate a beach club. If the town does have a responsibility to inspect, how soon must they be performed prior to opening for business?

Yes municipalities have the ability to enforce various codes on any private operation. The items mentioned above (electric, water, structures, fire, etc) are part of the Construction Code and the subsequent subcodes. Concerning how soon an inspection must be performed, that is dependent on the requirements of the inspection and availability of the inspector. For example, a fire inspection on a small

business can be done processed in one day. I understand this answer is not probably exactly what you are looking for, but there are numerous variables.

**b. Confer with Seaside Heights officials about:**

- (1) Discuss option of joining Quality of Life Task Force recently formed by their administration **Why would Seaside Park join another Quality of Life Task Force?**
- (2) Join and/or support the SH administration to resolve the poor service provided to the island by Optimum. **Already being discussed. Also, nothing can be done unless complaints are received. So if anyone has a complaint about Optimum service, please contact the NJ BPU and copy the Borough on it. This is the only way changes will occur. Under the Administration section of the Borough's website a link to the BPU's website.**

**c. Review the rental ordinances**

**Concern:** Is there any current regulation regarding the amount of parking spaces required when occupancy is approved? During the season are there further inspections to check for compliance to the approved rental permit? **Parking requirements are found in the land use sections of the code. There is no differential.**

**d. Teen Center on J Street**

**Concern:** What is the status for the use of the building? The bill list reflects Optimum services being charged to the building. **The building was used sporadically before by seniors. The use of the building will be addressed in the future. Concerning Optimum, we will be reviewing all services. Some are tied into the phone system.**

**e. Ocean Ave Property**

**Concern:** Another year this property has served as a parking lot for employees. More than 5 years ago the Council blocked a project for this lot stating it needed the tax revenue and property should be sold and returned to the tax rolls.

To date the Borough has not completed a sale of the property

**Request:** Report to the public the status of the proposed sale of the lot. **The lot is not recommended to be sold at this time. Further discussion was elaborated.**

**e. Crossing Guards**

**Concern:** Crossing guards were noticeably absent from Central Avenue during the summer season.

**Request:** That this be resumed next summer to enable safer crossing for all ages. If special police cannot be used for this job, consider expanding employment opportunities to residents as is seen in adjoining communities. Normally there are Class 1 officers handling this. This year the Class 1 academy was cancelled due to COVID-19. If the Class 1 academy happens again, we anticipate having guards for the 2021 season.

f. **Council Minutes:**

**Concern:** The administration hired a vendor to do the minutes to rectify the completion of minutes in a “timely manner”

**Request:** The Agenda’s show minutes being approved by Council but the scanning of the minutes onto the web site is still not being done. They will be posted at the earliest convenience.

2. **Project Update**

a. **Boardwalk**

**Concern**—last documented Council discussion of boardwalk reconstruction was January 2020. Is there a plan in capital? What is the plan? Staff is working on a plan. Council will be briefed first, in accordance with OPMA, then the public.

b. **Interlocking Mats**

**Concern:** Increasing handicap accessibility for beach season 2021 Discussed at the September 7, 2020 meeting. The Borough as (4) ADA ramps over the dune onto the beach, Decatur, F, 7th, and 13th Ave. All but 13th have either Matrax brand, or Accessrec brand matting from the end of the ramp out onto the beach. Decatur and F both have "T"s at the end. Decatur has loaner material at the "T" from Accessrec (I'm not impressed with it). Currently 13th Ave beach is not wide enough to accommodate a mat and maintain beach operations. We have surplus Accessrec material and connectors to make a "T" at 7th Ave next year. Additional locations will be looked at closer to the season. Also note on tonight’s agenda is a Capital Ordinance to further ADA compliance within the Borough.

Project Update: Mats

Interlocking mats similar to those used on “F” street. The interlocking mats should also be placed on the other handicapped beaches leading to the ocean. An example of the interlocking mats can be found at [www.matraxinc.com](http://www.matraxinc.com). Click on products and locate 4x4 HD modular flooring.

**Note:** No additional comment is needed

c. **Police Lobby**

**Concern:** Several years ago, Sheriff Mastronardy appeared at public meeting and discussed placing a camera in our police lobby. No change has been made and the public concerns remain the same. This was proposed in 2021. It will be addressed with the Sheriff but the Borough needs a uniform camera system. Different cameras covering various locations are not efficient.

**d. Well 10**

**Concern:** Is the financing complete and if so expected date for project to be completed. What is the final plan, re: block house? Block house will be torn down.

**e. Valve Study**

**Concern:** DPW participated in a valve study that was designed to determine the effectiveness of these valves in flood prone areas along M and N Streets.

**Request:** Report to the public on the results of the 4-month study. The study was presented to the governing body in July. Updates have been ongoing and will be made public once complete. The study from July has been posted to the public works section of the Borough website.

**Valve Study:**

During your report you referred the interested parties to review the written valve study on the DPW link. Having read the report, the status of the project has not been released. You referenced a discussion held at a July council meeting. The minutes of the July meeting are not available to the public unless the administration releases a draft copy of the minutes that contain the Council discussion. So, the question remains, will the Council be proceeding with any valve project in the borough? If not, what was the objection?

Please provide clarification. The second statement states the report was read but the status of the project has not been released. Please clarify what specific project you are referring to.

Draft minutes cannot be released and are exempt from disclosure. In the case Libertarians for Transparent Government versus Government Records Council and Frank Caruso the Appellate Division ruled that draft minutes are by their very nature deliberative until formally adopted by the governing body.

Any future valve project will be discussed as part of the Capital Plan during the budget process.

**f. 13<sup>th</sup> Avenue Recreational Area**

**Concern:** completing the recreational area for use by all residents living in that area

**Request:** Purchase new playground equipment, provide updated benches, and prepare a court to be used for pickle ball. This has been informally discussed between staff and will “pick up steam” once the boardwalk project starts to move. It is going to be an expensive project and other funding sources are going to be needed to upgrade the area. There have been many different ideas on how the area should look, but at this time, it is still in the early discussion/development stage.

Thank you in advance for your attention to our concerns and questions.

Respectfully,

Allen Moglia, President

Seaside Park Taxpayers’ Association

Cc: Mayor Peterson

Transcribed: Nancy Koury, Secretary

9/14/2020