

**June 4, 2012**

**The regular meeting of Mayor and Council of the Borough of Bay Head was held on June 4, 2012 at 7:00 pm in the Council Chambers of the Borough Hall.**

**Mayor Curtis called the meeting to order and welcomed everyone. He asked everyone to stand and join him in the Pledge of Allegiance to the Flag.**

**The roll was called for attendance. Present were Mayor Curtis and Councilmembers DeFilippis, Green, Barnes, Glass, Magory, Urner.**

**Mayor Curtis read the following statement:**

**Ladies and gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. This meeting is listed on an annual schedule of meetings of this Governing Body which was posted in the main corridor of the Borough Hall and was published in *The Ocean Star*.**

**Councilmember Glass moved to approve the minutes of May 7, 2012. The motion was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, DeFilippis, Glass, Magory, Urner. NAYS: None. NOT VOTING: Barnes**

**Mayor Curtis: I wish all of you had been present for the Mock Council meeting held at 6:30 this evening. Government Day consisted of 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> graders from the Bay Head School. They were here this morning and visited with Councilmembers and staff. This afternoon Law, Ethics and Environmental issues were taught at the school.**

**Mayor Curtis called for Reports of Standing Committees.**

**Councilmember DeFilippis, Public Works: We have completed the repaving of Strickland, Johnson, Chadwick and Mount Streets from Main Avenue west to East Avenue, all work was completed through NJ DOT grants. The Recycle Center is now completely repaved. Fueling of all vehicles is now above ground – therefore there will be no issue with leaking underground tanks. A new building is underway which will house all our vehicles. A fiberglass picket fence has been completed around the Garden Club area but further funding will be need to do the area west of the library.**

**Councilmember Green, Parks, Grounds and Recreation: Mayor's Wellness Committee is working with Mantoloking on a walking strip down East Avenue. This will be marked so everyone can gage their distance.**

**Mayor Curtis: Every Wednesday we have a walking bus to school and this Wednesday, June 7<sup>th</sup> is the last. Our goal is to get 100 walkers. We**

have been close with 80 so please come out this Wednesday at 7:45 under the clock on Bridge Avenue and walk to school with the children and help us reach our goal.

**Councilmember Barnes, Legal and Planning, had no report.**

**Councilmember Glass, Public Safety, read the monthly report from the Bay Head Fire Co. #1. A copy of the report is attached to these minutes. I would also like to remind everyone to secure your homes, vehicles and bicycles.**

**Councilmember Magory, Public Services, read the Zoning and Construction report for the month of May. A copy of the report is attached to these minutes.**

**Councilmember Urner, Finance, had no report.**

**Mayor Curtis called for Clerk's Correspondence.**

**Mrs. Applegate offered the following:**

- 1. Request from Bay Head Home & School Association for permission to hold their annual Shark Run 5k on Saturday, October 6<sup>th</sup> starting at 8:30 am**
- 2. An application for Special Permit for Social Affair from All Saints Church Women's Guild for event to be held at the Bay Head Yacht Club on August 9<sup>th</sup> from 11:30 am to 3 pm**
- 3. An application for Raffles License from All Saints Church Women's Guild for On Premise gift auction to be held at the Bay Head Yacht Club on August 9<sup>th</sup> from 11:30 am to 3 pm**
- 4. An application for Raffles License from All Saints Church Women's Guild for On Premise 50/50 drawing to be held at the Bay Head Yacht Club on August 9<sup>th</sup> from 11:30 am to 3 pm**
- 5. A request from Bay Head Historical Society to use the Council Room at Borough Hall for their annual meeting, Saturday, June 23<sup>rd</sup> at 10 am**
- 6. An application for Raffles License from Bay Head Fire Co. No. 1 for Off Premise 50/50 drawing to be held at the Annual Clambake, August 18<sup>th</sup> at 4:45 pm**
- 7. An application from Seacurtis, Inc. for an Ad Interim Permit**
- 8. An application for Raffles License from Church of the Sacred Heart for Off Premise 50/50 drawing to be held on the grounds September 1<sup>st</sup>**
- 9. A request from Bay Head Business Association requesting**

**Permission to use the parking lot near the tennis courts for a Farmer's Market. To be held the third Thursday of the month starting June 21<sup>st</sup> thru Sept 20<sup>th</sup> between 2 and 8 pm. They are also requesting, if successful and not intrusive, that an additional time be allocated on the 1<sup>st</sup> Thursday of the month starting with July 5<sup>th</sup>**

**Councilmember Urner moved to approve the requests. This motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.**

**Mayor Curtis called for Ordinance for Second Reading, Public Discussion and Vote.**

**Councilmember Urner offered Ordinance 2012-07 entitled:**

**AN ORDINANCE ESTABLISHING SALARY, WAGES, HOLIDAYS, SICK LEAVE, VACATIONS AND OTHER BENEFITS OF EMPLOYMENT OF CERTAIN OFFICIALS AND NON-UNION EMPLOYEES OF THE BOROUGH OF BAY HEAD, OCEAN COUNTY, NEW JERSEY FOR THE CALENDAR YEAR 2012 THROUGH 2015**

**Councilmember Urner moved the ordinance be adopted on second and final passage. The motion was seconded by Glass.**

**Mayor Curtis opened the meeting to the public for a hearing on this ordinance.**

**There being no comments or questions the public hearing was closed.**

**The motion to adopt passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, Magory, Urner. NAYS: None. A copy of the ordinance is attached to these minutes.**

**Councilmember Urner offered Ordinance 2012-08 entitled:**

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE BOROUGH OF BAY HEAD AND APPROPRIATING \$45,500 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$43,225 IN BONDS OR NOTES OF THE BOROUGH OF BAY HEAD TO FINANCE SAME**

**Councilmember Urner moved to approve this ordinance on second and final passage. The motion was seconded by Councilmember Glass.**

**Mayor Curtis opened the meeting to the public for a hearing on this ordinance.**

**There being no comments or questions the public hearing was closed.**

**The motion to adopt passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, Magory, Urner. NAYS: None. A copy of the ordinance is attached to these minutes.**

**Mayor Curtis called for Ordinance, First Reading.**

**Councilmember Urner offered Ordinance 2012-09 entitled:**

**AN AMENDMENT TO ORDINANCE 2012-07 ESTABLISHING SALARY, WAGES, HOLIDAYS, SICK LEAVE, VACATIONS AND OTHER BENEFITS OF EMPLOYMENT OF CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF BAY HEAD, OCEAN COUNTY, NEW JERSEY FOR THE CALENDAR YEARS 2012 THROUGH 2015**

**Councilmember Urner moved to approve this ordinance on first reading, which motion was seconded by Councilmember Glass.**

**The motion passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, Magory, Urner. NAYS: None. A copy of this ordinance is attached to these minutes.**

**Councilmember Urner offered Ordinance 2012-10 entitled:**

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AN FOR THE BOROUGH OF BAY HEAD AND APPROPRIATING \$51,700 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$49,115 IN BONDS OR NOTES OF THE BOROUGH OF BAY HEAD TO FINANCE THE SAME**

**Councilmember Urner moved to approve this ordinance on first reading, which motion was seconded by Councilmember Glass.**

**The motion passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, Magory, Urner. NAYS: None. A copy of this ordinance is attached to these minutes.**

**Mayor Curtis called for Unfinished Business. There was none.**

**Mayor Curtis called for New Business and Resolutions.**

**Councilmember Green offered Resolution 2012-64 awarding a contract to Therapeutic Fitness, LLC for the provision of fitness activities for the Bay Head Summer Recreation 2012 program in association with the Mayor's Wellness Campaign.**

**Councilmember Barnes offered Resolution 2012-65 approving the renewal of a Club Liquor License for the Bay Head Yacht Club for the 2012-2013 License Term.**

**Councilmember Barnes offered Resolution 2012-66 approving the renewal of a Plenary Retail Distribution License issued to And Bottles Too, Inc. for the 2012-2013 License Term.**

**Councilmember Urner offered Resolution 2012-67 Governing Body Certification of the Annual Audit.**

**Councilmember Barnes offered Resolution 2012-68 approving renewal of a Plenary Retail Consumption License issued to H & R Grenville Fine Dining, Inc. for the 2012-2013 License Term.**

**Councilmember Barnes offered Resolution 2012-69 consenting to the Proposed Water Quality Management Plan Amendment Entitled: Ocean County Wastewater Management Plan.**

**Councilmember Barnes offered Resolution 2012-70 awarding Peddler's License No. 2012-04 to Ali A. Abdelhamed for an Ice Cream Truck.**

**Councilmember Barnes offered Resolution 2012-71 accepting a \$1,000 donation by the Kate Shea Foundation for 2011 to Mayor and Council to be used for 2012 Mayor's Wellness Campaign.**

**Councilmember Barnes offered Resolution 2012-72 accepting a \$1,000 donation by the Kate Shea Foundation for 2011 to Bay Head Police Department to be used to purchase bullet-proof safety vests.**

**Councilmember DeFilippis offered Resolution 2012-73 approving change order #1 in the amount of \$1,900.00 increase in the contract executed with Rex Steve Co., LLC for ADA Door at the Municipal Complex.**

**Councilmember DeFilippis offered Resolution 2012-74 providing for the Sale of Personal Property.**

**Councilmember Urner offered Resolution 2012-75 providing for Salaries and Compensation for Borough Officials and Employees for 2012.**

**Councilmember Magory offered Resolution 2012-76 awarding a contract for Solid Waste Collection Services to Suburban Disposal, Inc.**

**Councilmember Barnes offered Resolution 2012-77 approving the Retrofit of the Library Building by the Board of Education.**

**Councilmember Barnes moved that the resolutions be adopted. The motion was seconded by Councilmember Urner.**

**Councilmember Barnes: Was the contract with Therapeutic Fitness reviewed by Jean?**

**Ms. Applegate:** She prepared the contract last year. The only changes made this year were the dates.

**Councilmember DeFilippis:** Will we share the costs for retrofitting the library?

**Ms. Cipriani:** There will be no cost to the Borough for the work being done. There will be a reduction in the utility fees which the Board Education pays.

**Councilmember Glass:** How many Peddler's License have been issued?

**Ms. Applegate:** We have issued four which is the max.

**The motion approving all resolutions passed on roll call vote. YEAS:** DeFilippis, Green, Barnes, Glass, Magory, Urner. **NAYS:** None.

**Mayor Curtis** opened the meeting for Public Discussion.

**Bob Hein, 204 East Avenue:** Stop signs have been placed on East Avenue at Bridge and Mount on the right hand side. They are hard to spot so could additional ones be placed on the left side?

**Chief Hoffman:** That is a good idea.

**Councilmember DeFilippis:** NJ DOT recommended the placement of the stop signs but we can do it. The roadway will not be painted on the left side.

**Mr. Hein:** There was a problem with the bulk pick-up?

**Mayor Curtis:** Yes, Waste Management thought it was tomorrow. There was a change in route managers and therefore some confusion in the date.

**Mr. Hein:** There are three ice cream trucks and one hot dog this summer? What happens when the all get backed up?

**Ms. Applegate:** They can't be in any one location longer than 30 minutes according to the ordinance.

**Shannon Curtis, Main Avenue:** The ice cream vendors come up to the beach platform and ring their bells every 15 minutes. They have to park of the other side of East Avenue which means the children are having to cross the street and with the trucks stopping on the northwest corner when the children go to cross back they can't see. Could the trucks be allowed to pull up East Avenue where the bikes are?

**Ms. Cipriani:** That would require an ordinance change. The current ordinance doesn't allow them to be east of East Avenue.

**Councilmember Glass:** The stop sign on their trucks is required to be out on the left side of their truck. This was discussed with the Traffic Safety Officer.

**Ms. Curtis:** What if the truck pulls to the southwest corner instead of the northwest corner?

**Mr. Hein:** The window on the trucks is to the right. If the truck pulls up to the beach end the kids are going to be in the street.

The location of ice cream vendors to stop on East Avenue was discussed.

**Ms. Curtis:** When will the registration forms for the summer recreation program be available?

**Councilmember Green:** The program will run from July 9<sup>th</sup> thru August 16<sup>th</sup>. As soon as we get approval from the Board of Education the forms will be available.

**Ms. Curtis:** When they are available I can post it to our web site.

**Bill Podurgiel, 45 Karge Street:** When will the dock at the end of Karge Street be replaced? There was also some discussion last year about a first alert system?

**Mayor Curtis:** The dock will be replaced prior to the summer season.

**Councilmember DeFilippis:** We plan to have the work done on the dock after the lake study is complete.

**Councilmember Green:** The funding has been approved by FEMA and I know Chip hopes to have it complete before the official summer season begins. The lake study has nothing to do with the work on the dock.

**Councilmember Barnes:** We have contracted with Cassidian for an emergency alert system. It is ready and we only have to register residents. I will have an article in the Ocean Star soon to directing residents to sign up.

**Stan Niedzwiecki, 42 Johnson Street:** Are there any funds allocated in the current budget for an audio system for this room?

**Councilmember Urner:** It is not in the budget.

**Councilmember DeFilippis:** Public works did buy a podium with amplification systems but that is only for one voice.

**Mayor Curtis:** We will have to look into it.

**Mr. Niedzwiecki:** Earlier this evening you spent a lot of time going through 15 resolutions. How much income is generated for the town?

**Ms. Cipriani: I believe the maximum fee for renewal of ABC license is \$2,500.00. To raise the fee would require an ordinance amendment.**

**Mr. Niedzwiecki: I would like to urge everyone to get out and vote tomorrow. I would also like a letter of congratulations sent to the Queen.**

**There being no further comments Councilmember Urner moved to approve the vouchers for payment, which motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, Magory. NAYS: None. A list of the vouchers is attached to these minutes.**

**The meeting was adjourned.**

---

**Patricia M. Applegate, RMC  
Municipal Clerk**

---

**William W. Curtis, Mayor**