

February 20, 2013

A Special Meeting of the Mayor and Council of the Borough of Bay Head was held on Wednesday, February 20, 2013 at 7 pm in the Bay Head Fire House, 81 Bridge Avenue, Bay Head, New Jersey.

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

Mayor Curtis read the following statement:

Ladies and gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meeting Act, adequate notice of this meeting has been given. This meeting was posted in the lobby of the Municipal Office at 106 Bridge Avenue on February 11, 2013 and published in the Ocean Star on February 15, 2013

The roll was called for attendance. Present were Mayor Curtis and Councilmembers DeFilippis, Barnes, Glass, Magory, Lyons and Borough Attorney, Jean Cipriani. Councilmember Green was absent.

Mayor Curtis: The next regular scheduled Council Meeting will be Monday, March 4th 7 pm at Point Pleasant Beach Municipal Building, 416 New Jersey Avenue. We will also have a Special Meeting on Monday, March 25 at 7 pm here.

Mayor Curtis made the following appointment:

Stephen M. Fitzpatrick membership to Bay Head Fire Company No. 1

Mayor Curtis: Bay Head has been advised that Twilight Lake and Scow Ditch will be included in the state's waterway debris removal project. No word yet on when work will begin here.

Roderick D. Scott, historic resource specialist in the structural elevation/relocation industry spoke concerning elevation of homes. He encouraged everyone to view the session he gave in Brick Township. It can be located on U-Tube – Elevation 101.

Chris Hudson spoke concerning the services available to residents, free of charge, through Ocean County AmeriCorps Response Team. They can provide muck out, clean up, debris removal, and general labor – they can be reached at 732 804-9859.

Mayor Curtis called for Committee Reports.

Councilmember DeFilippis, Public Works: The Route 35 Reconstruction Project is much more extensive than originally envisioned. Back in 2003, planners intended simply to resurface the roadway at a cost of 12 to 15 million. Now, they intend to re-grade, install pumping stations, replace sewer lines, fix gas and water lines and then resurface at a cost of 215 million. The road will be re-graded to direct water from the ocean to the bay. Three streets (probably Strickland, Goetze and Howe Streets) will be outfitted with 36" diameter storm water pipes. Water will be directed to subterranean pumping stations at each of the three street's western end. The systems will have auxiliary power (diesel generators) and will remove debris before pumping the water into the bay. The project is expected to begin in late June or early July and will last about two years. Resurfacing is expected to commence in 2014. The project will spare Bay Head considerable expense by replacing the sewer lines.

Councilmember Barnes, Legal and Planning, had no report. We are continuing to work on FEMA related issues.

Councilmember Glass, Public Safety, had no report.

Councilmember Magory, Public Services: We have received and processed 81 applications for FEMA's Hazard Mitigation Grant Program. The deadline for submission is March 19 and we have been told it may be six months to find out if we will receive funding.

Councilmember Lyons, Finance: We continue to work on Sandy efforts and have applied for a low-interest loan from the Community Disaster Loan Program through FEMA. This loan is based on our expenses and revenues. Prior loans have turned into grants.

Mayor Curtis: At the Governor's press conference he announced the state will devote about 1.2 billion to provide grants for homeowners and businesses. The applications should be available in about a month.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following requests:

St. Paul's United Methodist Church to use Centennial Park for a Community Easter Egg Hunt on Saturday, March 30, 2013 from 9 am to 4 pm

Bay Head School to use Howe Park from girl's softball practice and games April 8th Through June 7th from 2:30 to 5:30 pm

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

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Glass offered Resolution 2013-40 rejecting all bids received for the purchase of one (1) new custom 4 door raised roof pumper.

Councilmember DeFilippis offered Resolution 2013-41 authorizing the submission of the 2013 Community Development Block Grant Program application.

Councilmember Glass offered Resolution 2013-42 amending Resolution 2013-21 providing for salaries and compensation to the Police Department for 2013.

Councilmember Magory offered Resolution 2013-43 authorizing an amendment of the Shared Services Agreement with the County of Ocean for Debris Removal for Post-Hurricane Sandy cleanup efforts.

Councilmember Magory moved the above resolutions be adopted. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: DeFilippis, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Kay Tell, 137 Bridge Avenue: Will the utility poles and wires be placed underground when Route 35 is remediated?

Councilmember DeFilippis: No, the plan will not address the overhead telephone and power lines.

Richard Swetits, 539 Club Drive: The street ends are underwater all the time – what happens if the power is out?

Councilmember DeFilippis: They will have diesel generator backup.

Joe Stuzynski, 340 Main Avenue: What is going to be done with the dune system – will the rocks be extended to the north and south – how will we access the beach? The rocks really did their job.

Mayor Curtis: We are working on it. DEP has issued an emergency permit for 14 homes on the southern end. This is all at the owner's expense. The rocks will be 18' high where the current rock revetment measures 15' to 16'. The dune height will be 22' to 24'. Just remember that Bay Head does not own the beach – it is up to the homeowners and BHIA. The ten homes to the north are not part of this application. If they want to place rocks they will have to apply individually.

Paul Powell, 179 Bridge Avenue: The FEMA map indicate wave action of 1' to 3' on Holly Avenue but on East Avenue it is not applicable – it doesn't make sense.

Mayor Curtis: Stephen Acropolis, Mayor of Brick, took a section of Brick which was flood due to Sandy and did an overlay comparing it to the Advisory FEMA map and it was an exact duplication. He told FEMA that they can't say the map wasn't in reaction to the storm. My conjecture, from the meetings I have attended, is that the V zone will shrink. The Advisory map will not become law for 18 to 24 months.

Mr. Powell: The V zone also requires homes to be on pilings – how is that accomplished when there is no place to move the home.

Mayor Curtis: You are correct.

Rod Scott: You can use helical pile – there come in 7' section but they are more expensive than wood pilings but you don't have to move the home off the property. They have been approved by Brick Township but they have not been approved for funding by FEMA.

Shannon Curtis, Main Avenue: What is the status of the library?

Mayor Curtis: Ocean County Vocational School will be taken on that project to get it up and running thanks to Freeholder Vicari. The remediation should be done by the end of April and will we have to pay for are the materials.

John, Grove Street: Is the town opposing FEMA map?

Mayor Curtis: Yes we are and so are the other Mayor's on the barrier island.

Cynthia Juenemann, 37 Howe Street: I am in a V or A zone?

Mayor Curtis: You can review the maps at the Borough Office.

Irene Conti, 528 West Lake Avenue: Is the library in a V zone?

Mayor Curtis: Yes, they are.

Ms. Conti: The zones have changed over the years – what does FEMA use to base the information on?

Mayor Curtis: They state that the new map is based on a twenty year study.

Ms. Conti: What if a homeowner can't afford to pay for the rocks – is there a gap?

Mayor Curtis: If they can't afford it – it won't get done. There is no money available.

Kurt Akersten, 227 Osborne Avenue: With all the work to be done on Route 35 and to protect the town I would hope BHIA would come forward and sate their plans.

Mayor Curtis: Bill Gage spoke at the last meeting.

Arigo Conti, 528 West Lake Avenue: In preparing the budget with assessments being adjusted, police not being allowed to build in a V zone – where is all the money to come from?

Mayor Curtis: FEMA doesn't want the Police to rebuild in a V zone but we aren't sure if the property will stay in a V zone.

Mr. Conti: Where are the funds coming from?

Mayor Curtis: FEMA and grants.

Councilmember Magory: The tax base will decline but the value is in the land and some will go down. We are doing everything to hold our cost. The budget is not fully determined but be assured there will be a 2% increase but we don't know how much above.

Councilmember Lyons: We don't know what we will get from FEMA but are hopefully for 75% reimbursement.

Mayor Curtis: We are hopefully for 75% for AshBritt and our monitoring firm. The county will be paying some portion of the 25% not covered by FEMA.

Mr. Conti: Hasn't the Governor asked towns to combine police departments?

Mayor Curtis: No one has asked us to do that.

Councilmember Glass: Today we received a check for reimbursement for the diesel fuel used by the National Guard.

Beverly Furze, 2 Wyndham Drive: DEP was going to check the air quality and do soil samples – has that been done?

Councilmember DeFilippis: Our engineer is taking care of that.

Ms. Furze: I am very disappointed that there is still sand and debris in the streets.

Councilmember DeFilippis: The county has taken care of their streets and the state has taken care of Route 35. The town is taken care of and the streets have been swept. The little on the sidewalk is the homeowner's responsibility.

Mark Durham, 520 Lake Avenue: Maybe neighborhood groups could move the sand onto the curb so it can be picked up and sifted – I understand a number of residents aren't here.

Councilmember Magory: Ash Britt will continue to pick up sand while they are here. However, the debris pick up is over. All debris is the responsibility to the homeowner.

Bill Belluzzi, 642 Main Avenue: Maybe Americops could help homeowners with the little bits of debris but we need to get their phone number out to them – maybe the alert.

Mayor Curtis: We will sent out an alert with their information and phone no.

Linda Harrington, 512 Club Drive: My husband cleaned up the sidewalk and yards of our neighbors who aren't here. Everyone should take care of their immediate community.

Scott Clayton, 512 Main Avenue: The more work applications Americorps receives they longer they will stay in our area.

Bob Hein, 204 East Avenue: Can they be used to clean up Blue Star Park?

Mayor Curtis: Yes.

Mr. Hein: I would like to thank Council – Bay Head is not an us and them it is a WE.

Glen Kithcart, 694 Main Avenue: Is beach renourishment going to happen?

Mayor Curtis: Maybe – the homeowners on the beach have to sign off. I do know Mantoloking is on board. We hope to have a town meeting with Army Corps and DEP present to answer questions on this topic. We aren't pushing at this time but it would be another step in protecting our town. If it did happen it would be 2 to 3 years away.

Richard Swetits: Why not dredge the bay and place the sand on the beach.

Mayor Curtis: Mantoloking and points south hope that is what they will allow to happen.

Wally Parker, 753 East Avenue: Beach replenishment – what will the width and depth be?

Councilmember DeFilippis: We are presently rebuilding the dune but beach renourishment is another matter.

Mr. Parker: A short beach is bad for erosion – replenishment is very important.

Rhonda Perkins, 289 Osborne Avenue: What is the reason for the water meters being sprayed?

Councilmember DeFilippis: They are marked because maintenance work will be done.

Ms. Perkins: There is no sand dune from North to Karge – is there a reason for that?

Councilmember DeFilippis: They will be placing sand there once it has been sifted.

Franchisca Renzulli, 409 East Avenue: To determine the 50% damage can us use the cost of raising the home?

Councilmember DeFilippis: No.

Ms. Tell: How many lots are without rocks?

Mayor Curtis: 21 to 24.

Ms. Tell: How many does BHIA own?

Mayor Curtis: At least three, maybe more.

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

Councilmember Lyons offered the following Resolution to go into executive session.

WHEREAS, the Open Public Meetings Act, N.J.S.A. 19:4-12, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bay Head, in the County of Ocean, State of New Jersey, as follows:

1. The public shall be excluded from discussions of actions upon the hereinafter specified subject matter.
2. The following subject involve matters of attorney/client privilege:

Contracts – Borough of Bay Head and Bay Head Fire Company

3. It is anticipated that the that the above stated subject matter will be made public

Six months

4. This Resolution shall become effective immediately.

Councilmember Lyons moved this resolution be approved. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: DeFilippis, Barnes, Glass, Magory, Lyons. NAYS: None.

The Governing Body went into Executive session at 8:40 pm. At 10 pm the Governing Body came out of Executive session and resumed the regular meeting.

There being no further business the meeting was adjourned.

Patricia M. Applegate, RMC
Municipal Clerk

William W. Curtis, Mayor

