

February 10, 2014

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on February 10, 2014 at 7:00 pm in the Bay Head Fire House, 81 Bridge Avenue, Bay Head, New Jersey.

Mayor called the meeting to order and welcomed everyone. He asked for 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 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 on the bulletin board at 106 Bridge Avenue, Unit 2 and was published in *The Ocean Star*.

The roll was called for attendance. Present were Mayor Curtis and Councilmember's Green, Hein, Barnes, Glass, Magory, Lyons and Robin La Bue, Esq. from the firm of Gilmore & Monahan.

Councilmember Green moved to approve the reorganization and regular minutes of January 6, 2014. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Councilmember Glass offered Resolution 2014-33 appointing Robert Sherman as Full Time Provisional Police Officer for the Borough of Bay Head Police Department and moved it be adopted. The motion was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of the resolution is attached to these minutes.

Ms. La Bue administered the Oath of Office to Robert Sherman.

Mayor Curtis made the following appointments for membership in the Bay Head Fire Company:

Robert A. Stadnik
Mitchell J. Stadnik

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds and Recreation: The Bay Head Environmental Commission is working on a grant application to DEP to allow future lake projects to follow the dredge. The Bay Head Beautification Committee, Seaweeders, Mantoloking Borough and Save Barnegat Bay are also working on this submission. Ocean County hopes to commence their dredge project in March which will be followed by the State dredge project. We have hit

a snag as it is flounder season which we have requested a waiver because there is no flounder in Twilight Lake.

Bob Hein is working with the Environmental Commission concerning leaf blowers.

Councilmember Hein: We have a noise ordinance which covers the leaf blowers so we don't have to adopt an ordinance, only enforce the one we have. A letter will be drafted, reviewed by the Environmental Commission and mailed to all homeowners in the next mailing. Copies of a flyer will be made available in English and Spanish to be handed out to all landscapers.

Councilmember Hein, Public Services, read the Zoning Officer and Construction Official reports for the month of January. Copies of the report are attached to these minutes.

All homeowners on Main Avenue are being asked to place their garbage out at the curb until the roadwork is complete.

Councilmember Barnes, Legal and Planning: We are working on our employee handbook adding new federal and state regulations. We are also keeping our eye on the increase in flood insurance premiums. The Biggert-Waters Act, as it now stands, will raise flood insurance premiums for homeowners by 20 to 25 percent per year. We are looking to see what we can do to counter this by passing a resolution.

Mayor Curtis: Ocean County Mayor's Association will take up this issue tomorrow morning and there is a good bet they will also issue a resolution.

Councilmember Glass, Public Safety, read the Police Activity Report and the Bay Head Fire Co. monthly report for January. A copy of the report is attached to these minutes.

Also please take note that there will be an Emergency Management Meeting this Thursday, February 13th at 4 pm here in the Bay Head Fire House.

Mayor Curtis: I would encourage everyone to attend this meeting. You can always learn something – it will not be a waste of time.

Councilmember Magory, Public Works: On January 29th, in accordance with the public notice the public was invited as well as the bidders to a formal bid opening. Ten firms submitted a bid and each was opened and announced. The proposals were quite extensive and each firm arrived with a carton containing ten copies of their bid package. A representative from the ten firms was in attendance along with John LeCompte from our engineering firm, Patty, Chip and D'Arcy to watch the process. John LeCompte from Remington retained three copies of each proposal for review by his firm and our architectural firm.

That is basically where we are today with the proposals under review and I hope by next month to have further news.

Ocean County Recycling has issued a new process taking our recyclables main stream except for cardboard.

Mayor Curtis: Concerning the road project on Main Avenue and some side streets. Some have experienced damage and have asked what they can do. This will be resolved between the homeowner, the contractor Agate and the State of New Jersey. We are presently dealing with the State on the process. I encourage you to take pictures, listing your damage with dates. We will not deal with the contractor on your behalf – we will only be a conduit.

Councilmember Lyons, Finance, had no report.

Councilmember Barnes: We had at one time discussed changing the hours at the Recycle Center on weekends. The hours presently are 8 am to 1:45 pm. Maybe we could open later one of the days and close at 3 or 4 pm?

Mayor Curtis: Brian, will you looking into it?

Councilmember Magory: Yes.

Councilmember Green: At the last meeting there were a lot of questions concerning the new building but no one from the public was present at the bid opening.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered the following:

A request from Clean Ocean Action for their 29th annual Beach Sweeps on April 26th and October 25th, 2014 from 9 am to 12:30 pm.

A request from the Seaweeders Garden Club of Bay Head & Mantoloking to use the heated garage bay at Public Works on Wednesday, April 30th from 1 to 4 pm to make May Day floral arrangements.

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

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Lyons offered Resolution 2014-34 providing for engagement of Payroll Service Provider Action Data Services.

Councilmember Lyons offered Resolution 2014-35 authorizing payment to Employees for Hours of Accrued Compensatory Time from the Budgetary Provision approved as part of the 2013 Budget under the General Appropriation named as Deferred Compensation Salary and Wages.

Councilmember Barnes offered Resolution 2014-36 awarding Peddler's License for the Year 2014.

Councilmember Barnes offered Resolution 2014-37 renewal of membership in the Ocean County Municipal Joint Insurance Fund.

Councilmember Barnes offered Resolution 2014-38 reappointing Frank S. Salzer, Esq. as Judge of the Municipal Court of the Borough of Bay Head.

Councilmember Magory offered Resolution 2014-39 supporting the Ocean County Project to re-route the Sea Avenue Pump Stations' water Force Main and Install Backflow Devices to Alleviate the Flooding Caused by Twilight Lake and Scow Ditch.

Councilmember Lyons offered Resolution 2014-40 amending Resolution 2014-27 providing for Salaries for Police Department Employees for 2014.

Councilmember Hein offered Resolution 2014-41 authorizing the refund of 20% of the Building Permit Fee for Permit #2013-602 Bay Head Yacht Club.

Councilmember Lyons offered Resolution 2014-42 authorizing Transfer #3 in the 2013 Budget.

Councilmember Barnes offered Resolution 2014-43 adopting a form required to be used for the filing of Notices of Tort Claims against the Borough in accordance with the provisions of the NJ Tort Claims Act, N.J.S.A. 59:8-6.

Councilmember Magory offered Resolution 2014-44 authorizing the Mayor to sign a Utility Agreement Modification with the New Jersey Department of Transportation.

Councilmember Green offered Resolution 2014-45 supporting 319(h) Grant Application for Twilight Lake Non-Point Source Control Implementation Project.

Councilmember Barnes offered Resolution 2014-46 adopting an Employment Application for the Municipality.

Councilmember Glass moved the above resolutions be adopted. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None. ABSTAIN: Councilmember Green and Lyons – Resolution 2014-41. A copy of each resolution is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Susie VanSchoick, 111 Meadow Avenue: Councilmember Glass commented that no one from the public was present when the bids were open. What would we have done if we had been there?

Councilmember Glass: Just for curiosity.

Ms. VanSchoick: Tonight you appointed a new police officer. We can't see who they are now with their dark windows. I would like their cars to have clear windows so we can see them.

Chief Hoffman: The last two vehicles purchased do not have tinted windows. The reason for doing it is security for NCIC computer terminals in the car which has driver information on the screen.

Catherine Mastrangelo, 26 Harris Street: We have taken pictures of the damage to our property. How long of a span before someone gets back to us?

Mayor Curtis: It could be months. We are working with the State as to when they want to start receiving them.

Ms. Mastrangelo: Where are we to turn in the damage report?

Mayor Curtis: We don't know yet.

Sherry Urner, 42 Mount Street: Is there any update for the Mount Street pump station?

Mayor Curtis: I call the DOT today. They have told us, if the weather cooperates the work on Rt. 35 should be done by May 24th. There is to be nothing done on Mount Street until March. It may be milled the last week of February.

Ms. Urner: Will they also be done with Mount Street by May 24th?

Mayor Curtis: If not they will return in September.

Ms. Urner: There were Keilly trucks there today.

Mayor Curtis: They are doing gas work.

Irene Conti, 528 West Lake Avenue: Snow is predicted Wednesday night into Thursday – if the OEM meeting is cancelled will we be noticed?

Mayor Curtis: It will be posted on the web site and an alert could be sent.

Ms. Mastrangelo: In front of our house there is a sink hole that has been there since last April. Someone came by stating it would be fixed but it is still there.

Councilmember Green: Chip was to take care of it that next day but it snowed.

Ms. Mastrangelo: Marty McLaughlin has some sink holes also. Will it get done quickly?

Chip Tillson, Public Works Supervisor: I will speak with you after the meeting.

There being no further comments Councilmember Lyons moved to approve the vouchers for payment, which motion was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. 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