

March 3, 2014

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on March 3, 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 Hein, Barnes, Glass, Magory, Lyons and Jean Cipriani, Borough Attorney. Absent: Green.

Councilmember Glass moved to approve the minutes of February 10, 2014. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis called for Reports of Standing Committees.

Mayor Curtis for Parks, Grounds and Recreation: We are still in the mist of flounder season. The County has awarded the bid for the dredge but they are unable to start until the waiver is approved which comes from the Federal Government.

Councilmember Hein, Public Services, read the Zoning Officer and Construction Official reports for the month of February. Copies of the report are attached to these minutes. A reminder from Doug Applegate, permits are needed for any work or renovations – instead of assuming you don't need a permit check with the Building Department. We are requesting all homeowners on Main Avenue to place their garbage at the curb for pick up. All other garbage will continue to be picked up in the rear/side of your property. Please also note that Borough Code section 204-5 (a) Private dwelling collection receptacles and containers must be located in the rear or side yard of the structure, screened from public view from the street or alley. When it snows clear a path to your cans do not pull them out to the curb. Later, two resolutions will be introduced concerning the creation of a Safety Committee. Lastly, March 9th is the biggest accident day of the year when we spring ahead.

Councilmember Barnes, Legal and Planning: Legal is relative quiet, we continue working on our employee handbook reviewing new policies to include.

Councilmember Glass, Public Safety, read Bay Head Fire Co. monthly report for February. A copy of the report is attached to these minutes. Fire Prevention Tip of the Month: Be sure to clear dead vegetation at least 30 feet from your home. Try to keep a 5 foot non combustible zone around our home.

Councilmember Magory, Public Works: February may be a short month, but it's been very busy. We met with the county twice this month. The topics included the dredging of Twilight Lake, pipe from Point Pleasant pump station, and our request to the County to provide a schedule of their Bay Head road sweeping.

We also met with the contractor that will be reconstructing the walkways at Howe & Mount, which will be scheduled after coordination with the state. We are pushing to complete the work on Lake between Johnson and Forsythe, curb, gutter & sidewalk once the weather allows along with the paving of North Street.

We will also be submitting a resolution for a loan to purchase a street sweeper. This is a 50% forgiveness loan, which is helpful if approved to replace our sweeper which is well past its useful life.

In regard to the municipal building, as I reported last month, we received a good number of well-developed bid proposals. The proposals were all reviewed and I want to assure everyone that a great deal of thought and effort is going into this process. However, due to a variety of reasons, later in the meeting I will be offering a resolution wherein I request that we reject all proposed bids and have the project rebid. There are a number of technical reasons why we are doing this and I hope the current bidders will decide to remain in the process and rebid the job.

Mayor Curtis: Please clarify walkways.

Councilmember Magory: The foot bridges at Howe and Mount are the ones to be replaced.

Councilmember Lyons, Finance: We are working on the budget for 2014. Once reviewed by our Finance Committee the hope is to have a preliminary budget at the April meeting.

Mayor Curtis: Update on Route 35 – curbs have been laid on the west side from Johnson to Mount and the work will continue on to Bridge Avenue. The Pump Station on Mount Street is still a go. I don't know when that work will start but they are dewatering at this time. They are still working on Goetze and they still insist the pump will go in the street. We will do the best we can to push this project along.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered the following:

A request from Project Graduation 2014 for Bay Head residents to Participate in the Spring Town-Wide Garage Sale on Saturday, May

17, 2014 with rain date Sunday, May 18, 2014.

A request from National Multiple Sclerosis Society's New Jersey Metro Chapter for the participants of the "Coast to Coast" Bike MS Ride on Saturday, May 17, 2014 to ride through Bay Head.

Request from Linda Rhyne, 600 Main Avenue to close Forsyth Street on July 4th for a neighborhood party.

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

Mayor Curtis called for Ordinance, First Reading.

Councilmember Barnes offered Ordinance 2014-01 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE ZONING MAP OF THE BOROUGH OF BAY HEAD

Councilmember Barnes moved this ordinance on first reading, which motion was seconded by Councilmember Glass.

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

Councilmember Barnes offered Ordinance 2014-02 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE OF THE BOROUGH OF BAY HEAD SO AS TO AMEND CHAPTER 25, ENTITLED "FIRE DEPARTMENT"

Councilmember Barnes moved this ordinance on first reading, which motion was seconded by Councilmember Glass.

The motion passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Lyons. 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 Magory offered Resolution 2014-47 authorizing submission of Tonnage Grant Application on behalf of the Borough of Bay Head.

Councilmember Magory offered Resolution 2014-48 approving Tax Certification pursuant to Recycling Enhancement Act.

Councilmember Lyons offered Resolution 2014-49 authorizing the execution of 2014 annual Software Support Agreement, Support Maintenance Services and Hardware & System Software Support Agreement with Edmunds & Associates.

Councilmember Hein offered Resolution 2014-50 creating The Safety Committee and appointing members as required by Ocean County Joint Insurance Fund.

Councilmember Barnes offered Resolution 2014-51 requesting Congress to Support and pass Senate Bill 1846.

Councilmember Hein offered Resolution 2014-52 acceptance of Resolution for Ocean County Joint Insurance Program Safety and Compliance Program.

Councilmember Barnes offered Resolution 2014-53 calling on the Legislature to make permanent the 2% Cap on Interest Arbitration Awards.

Councilmember Magory offered Resolution 2014-54 rejecting all bids received to Design and Build a New Municipal Building and authorizing the receipt of new bids to construct a New Municipal Building.

Councilmember Magory offered Resolution 2014-55 awarding a contract to Earle Asphalt Company for the Reconstruction of Lake Avenue.

Councilmember Magory offered Resolution 2014-56 authorizing the filing of an application with the New Jersey Environmental Infrastructure Trust for a Nonpoint Source Pollution/Stormwater Management Project (SFY2014) Partial Forgiveness Loan for the purchase of a Street Sweeper.

Councilmember Lyons offered Resolution 2014-57 adopt 2014 Temporary Emergency Appropriations #1.

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

Mayor Curtis opened the meeting to the public.

Richard Swetits, 539 Club Drive: A while back I suggested that the foot bridge at Mount Street, when replaced, be one foot higher for boat access. Will the replaced bridge be one foot higher?

Mayor Curtis: The pitch would be a concern for children on bikes.

Chip Tillson, Public Works Supervisor: Handicap access is also a concern when if the pitch would be raised.

Mr. Swetits: One foot would make a huge difference.

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