

January 5, 2015
REORGANIZATION/REGULAR MEETING

The reorganization meeting of the Mayor and Council of the Borough of Bay Head was held on Monday, January 5, 2015 at 6:00 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 with him 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 was published in *The Ocean Star*, December 19th and in *The Asbury Park Press*, December 17th and posted on the bulletin board at the Municipal Office located at 106 Bridge Avenue, Unit 2 on December 15, 2014

The roll was called for attendance. Present were Mayor Curtis and Councilmembers Green, Hein, Barnes, Glass, Magory, Lyons, Borough Administrator, Brian Valentino and Borough Attorney, Jean Cipriani.

Councilmember Glass offered 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 exists.

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:

Personnel and Contractual Matters

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

Six months

4. This resolution shall become effective immediately.

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

The Governing Body went into Executive Session at 6:05 pm. At 7:08 pm the Governing Body came out of Executive Session and resumed the meeting.

Jean L. Cipriani, Borough Attorney administered the Oath of Office to the following:

**Jennifer Barnes, Councilmember
Brian Magory, Councilmember
Christine Gisinger, Fire Police
Kristine A. Mamrosh, Fire Police**

Councilmember Glass offered Resolution 2015-26 appointing William Hoffman Lieutenant and Resolution 2015-27 appointing Todd LaRue Sergeant First Class and moved they be approved. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Jean L. Cipriani, Borough Attorney administered the Oath of Office to the following:

**William Hoffman, Lieutenant
Todd LaRue, Sergeant First Class**

Mayor Curtis read and presented the attached Proclamation to Geoff Barger, Retired Lieutenant of the Bay Head Police Department as of December 31, 2014.

Councilmember Barnes: I am looking forward to next year, the new building and hopefully we can keep legal expenses down. I enjoy working for the town and staff and we have the best Mayor.

Councilmember Magory: Thank you for putting your faith in me for a new term. After Sandy people responded very well, stepping up and moving forward which allowed us to get back in shape. Houses continue to come down and go up. We are looking forward to the new building. Route 35 is open throughout the town and we are very pleased with the work done.

Councilmember Glass moved to elect Councilmember Green as Council President for the year 2015. This motion was seconded by Councilmember Lyons and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis made the following appointments to Council Standing Committees for 2015. The first person is Chairman.

Parks, Grounds & Rec	<u>GREEN, Hein, Glass</u>
Legal and Planning	<u>BARNES, Lyons, Magory</u>
Public Services	<u>HEIN, Glass, Barnes</u>
Public Safety	<u>GLASS, Lyons, Barnes</u>
Public Works	<u>MAGORY, Green, Hein</u>
Finance	<u>LYONS, Magory, Green</u>

Councilmember Green moved to approve Mayor's appointments of the 2015 Standing Committee and Chairpersons. This motion was seconded by Councilmember Barnes and passed on roll call vote: YES: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis made the following appointments to the Planning Board:

Class II	Bart Petrillo	One year term
Alternate #3	Thomas S. Charlton	Two year term

Mayor made the following appointments to the Environmental Commission:

Sharon Shaning	Three year term
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Councilmember Green moved to approve Mayor's appointments to the Environmental Commission. The motion was seconded by Councilmember Glass and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Councilmember Magory moved to appoint Councilmember Hein as Council's representative to the Planning Board. The motion was seconded by Councilmember Glass and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Councilmember Glass moved to appoint Councilmember Green as Council's representative to the Environmental Commission. The motion was seconded by Councilmember Hein and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Councilmember Barnes moved to approved the regular and executive minutes of December 1, 2014. 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 Reports of Standing Committees.

Councilmember Green, Parks, Grounds and Recreation: Twilight Lake dredge, as many of you know, was to be complete by the end of December. Since weather held the work up in the fall, they applied to DEP and Army Corps for an extension. They are obtaining approval to continue working until January 10th. If they aren't

complete by then they will have to stop, as they did last year, because of Flounder season.

Councilmember Hein, Public Services, read the Zoning Officer report for the month of December. A copy of the report is attached to these minutes.

Electric Co-op: We are looking to join up with the Morris area. I will have more information on this at the next meeting. The cost will be no higher than your present service you are getting and a possible savings.

Annual Report will be ready for the next meeting.

Councilmember Barnes, Legal and Planning: There will be a public hearing tomorrow at Ocean County College, Building 12 from 4 to 7 pm concerning the release of FEMA funds in the amount of five million dollars.

Locally, legal has been quiet. There are now three lawsuits concerning Beach Renourishment – Margate, Long Beach Island and Jenkinsons.

Councilmember Glass, Public Safety, read the Police Activity report and the Bay Head Fire Company report for the month of December. A copy of the report is attached to these minutes.

Fire Prevention Tip of the Month: Make sure everyone in your family knows and practices escape routes from every room of the house. Never open doors hot to the touch. Stop, Drop and Roll should clothes catch fire. And teach your family to never re-enter a burning building.

Kelley Mickle received the Queens Honor from the Bay Head PBA.

Councilmember Magory, Public Works: The roads, sidewalks and curbs are coming to a close. We have finished East Avenue with some work to still be done on Western and Goetze, east of Main. Ocean County is finishing up at the intersection of Lake and Osborne. We are hoping to have all permits to start the new building by the first week in February. Tomorrow a newly formed Technology Committee will meet as to the new municipal building.

Councilmember Lyons, Finance: Between the last meeting and this meeting we refinanced our notes. Praises to Bill Antonides our CFO, he split the note into taxable and tax exempt. He received a rate of .68% from PNC for the tax exempt portion, and a rate of .99% from another town on a little over 2 million dollars. He is doing a tremendous job.

Mayor Curtis: Thank you Bill. It is a pleasure having you on board and we appreciate all you have done.

Brian Valentino, Borough Administrator: I have a few items:

- 1. I have requested annual reports from all departments.**
- 2. A training course was held for council and employees so they better understand the National Incident Management System (NIMS) and the National Preparedness System.**
- 3. Chief Hoffman has requested two officers for 12 hour shifts (overnight) on a temporary basis.**

Mayor Curtis: This will only be for the two overnight officers.

Chief Hoffman: The midnight guy will come in at 7 pm so there will be an extra man on.

Mayor Curtis: It will only be for a three month time frame. I personally would like to see the trial run into the summer.

Ms. Cipriani: You would need a resolution because it is a change into the contract. You can offer a motion to implement the pilot program but with a clear understanding that a resolution would be presented at the February meeting.

Councilmember Hein: What is it we are changing?

Chief Hoffman: We are all currently working ten (10) hour shifts. The 12 hour officers will work 5 – 12 hour shifts one week and 2 – 12 hour shifts the next week.

Councilmember Barnes: Will there be a financial change?

Chief Hoffman: No.

Councilmember Hein: 12 and 12 are tough.

Chief Hoffman: It is becoming the norm in police work.

Councilmember Glass moved to permit two overnight officers to work twelve (12) hour shifts on a three month trial basis.

Ms. Cipriani: We need confirmation from the Chief that he received written agreement from the union.

Chief Hoffman: I have that.

Councilmember Barnes: So this will be effective January, February and March; I would like to see it run February, March, April giving us until the February meeting to iron out the details.

Mr. Valentino: The Chief is anxious to get the schedule set.

The motion was seconded by Councilmember Magory and passed on roll call vote: YEAS: Green, Hein, Glass, Magory, Lyons. NAYS: Barnes.

Mr. Valentino: Chief Hoffman has requested permission to use Stephen Bailey as an intern for his Spring 2015 Semester in the Bay Head Police Department.

Councilmember Barnes: Did you do a background check?

Chief Hoffman: Yes.

Councilmember Glass moved to approved Stephen Bailey as an intern in the Bay Head Police Department. The motion was seconded by Councilmember Hein and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mr. Valentino: I would also like to report that Caitlyn Hickey will be appointed to a sixteen week paid position tonight at the request of the elected officials. This is the first time I have had an intern offered a paid position.

Mayor Curtis called for Ordinance, First Reading.

Councilmember Barnes offered Ordinance 2015-01 entitled:

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING THE MUNICIPAL CODE OF THE
BOROUGH OF BAY HEAD, SO AS TO AMEND
CHAPTER 147-6.1B(4)(b), ENTITLED "SWIMMING
POOLS"**

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

Councilmember Green: Why is the height being reduced from 5 to 4 feet in height?

Mayor Curtis: The State allows a four foot fence around pools.

Councilmember Barnes: I called UCC and was told our hands were tied.

Councilmember Magory: You may still see some install the 6 foot fence for insurance reasons.

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

Councilmember Magory offered Ordinance 2015-02 entitled:

**ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING CHAPTER 222 ENTITLED “VEHICLES
AND TRAFFIC” SO AS TO ADD CERTAIN LOCATIONS
TO SECTION 222-25 ENTITLED “SCHEDULED VII:
STOP INTERSECTIONS”**

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

**Councilmember Magory: This will offer a four way stop on Clayton
Avenue and Goetze Street.**

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

Mayor Curtis called for New Business and Resolutions.

The following resolutions were presented as a consent agenda:

**Resolution 2015-01 appointing Jean L. Cipriani, Esq. as Municipal
Attorney.**

**Resolution 2015-02 appointing Robert A. Hulsart as Municipal
Auditor.**

**Resolution 2015-03 appointing Kim Pascarella as Municipal
Prosecutor and Joseph D. Coronato, Jr. as Alternate Prosecutor.**

**Resolution 2015-04 appointing Jeffery R. Surenian as Special
Counsel, COAH matters.**

**Resolution 2015-05 appointing Bonnie Peterson as Conflict
Prosecutor.**

**Resolution 2015-06 providing dates of Borough Council meetings and
designating official newspapers.**

**Resolution 2015-07 fixing the rate of interest to be charged on
delinquent taxes or assessments.**

Resolution 2015-08 appointing Municipal Search Officers.

**Resolution 2015-09 authorizing the Tax Assessor to file an assessor’s
appeal to correct certain errors made on assessments.**

**Resolution 2015-10 authorizing certain people to sign Borough
checks.**

**Resolution 2015-11 approving the Cash Management Plan of the
Borough of Bay Head.**

Resolution 2015-12 authorizing cancellation of minimal balances and overpayments.

Resolution 2015-13 authorizing the Tax Collector to hold tax sales.

Resolution 2015-14 permitting Pre-Payment of certain items.

Resolution 2015-15 naming of official depositories.

Resolution 2015-16 appointing Roberta A. Burze, Esq. as Public Defender.

Resolution 2015-17 appointing Carmine R Villani, Esq. as Alternate Public Defender.

Resolution 2015-18 appointing John R. LeCompte as Municipal Engineer.

Resolution 2015-19 authorizing cancellation of miscellaneous charges and outstanding checks.

Resolution 2015-20 appointing John D. Antonides as Part-Time Borough Tax Collector for a four year term in accordance with N.J.S.A 40A:9-142.

Resolution 2015-21 approving Temporary Budget for 2015.

Resolution 2015-22 authorizing the execution of a Policy Endorsement with Tansamerica Premier Life Insurance Company as administered by Bollinger Insurance Solutions for Group Dental Service Plan Coverage.

Resolution 2015-23 authorizing the execution of a Shared Services Agreement with the County of Ocean for the Prosecutor's Program.

Resolution 2015-24 awarding Peddler's License for the Year 2015.

Resolution 2015-25 authorizing the execution of an Agreement with Logtech, LLC for IT Asset Management and Electronics Recycling Services.

Resolution 2015-28 appointing Caitlyn Hickey as Laborer.

Resolution 2015-29 awarding Professional Services Contract to Maser Consulting, P.A., Engineers, to provide Professional Planning Services for the Post-Sandy Strategic Planning Assistance Grant.

Resolution 2015-30 providing for Salaries and Compensation of the Police Department of the Borough of Bay Head for 2015.

Resolution 2015-31 amending Resolution 2014-99 providing for payment of Salaries and Compensation of Borough Officials and Employees for 2014.

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

Mayor Curtis opened the meeting for Public Discussion.

Frank Ronan, 425 East Avenue: Are there any plans to raise any of the street end revetments?

Councilmember Green: We have been in discussion with that and have had an informal meeting with our Engineer. We are waiting for the next cycle of grants that cover flood mitigation. Brian Valentino is heading that charge.

Mr. Ronan: Can you keep the homeowners informed so it all can be done at the same time.

Gina Davis, 380 Western Avenue: I am still displaced but why was half of the road dug up?

Councilmember Magory: Originally gutters and curbs were installed but at the wrong elevation so they had to be removed and replaced. Once all is in place the roadway will be repaved.

Ms. Davis: When doing the road a dumpster was placed on Western. Someone in the neighborhood placed garbage in the dumpster and before it was removed the garbage was taken out and placed on my property. It is not mine.

Chip Tillson: We will take a look at it.

Ms. Davis: Twilight Lake – doing a wonderful job and we have to be patient.

Mr. Valentino: We pride ourselves on resolving issues – call us right away and we will take care of it.

Mayor Curtis introduced John LeCompte, Borough Engineer.

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.

There being no further comments the meeting was adjourned.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor

