

November 2, 2015

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on November 2, 2015 at 7:00 pm in the Bay Head Fire House, 81 Bridge Avenue, Bay Head, New Jersey.

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 on January 6, 2015 and was published in *The Ocean Star* on January 9, 2015.

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

Councilmember Green moved to approve the minutes of October 5, 2015. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Hein, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis read the attached letter from Ainsley Urban dated October 23, 2015.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds & Recreation: I am pleased to announce that the final draft of the Bicycle and Pedestrian Master Plan has been received. It will be available on our website and also at Borough Hall for review. The input was very good and much appreciated. Many thanks to our co-chairs of Go Bay Head, Tom and Char Charlton who are here tonight.

Mr. Charlton: It is a comprehensive plan and covers a lot of territory. It contains a review of crashes to a review of all ordinances. If you want or need any information please call us.

Councilmember Green: If you haven't done so already please sign up to receive emails from Go Bay Head.

A co-sponsored event by the Mantoloking and Bay Head Environmental Commissions will be held on Tuesday, November 10<sup>th</sup> at 6 pm at the Mantoloking Yacht Club. The presentation will be on Low Water Use Landscaping presented Steven Yergeau, Ph.D., Environmental and Resource Management Agent for Ocean and Atlantic Counties.

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

Energy Aggregation: You should have gotten your JCP&L bill and the only change will be the added IDT section. You can compare the JCP&L rate to the IDT rate. The savings is about 5%. If you were on the budget system, your bill wasn't computed right but will be re-calculated for your next bill. If you have any issues please contact them.

Councilmember Glass, Public Services, read the Police and the Bay Head Fire Co. monthly report for the month of October. The Halloween Parade was wonderful with many cupcakes for all. A copy of the report is attached to these minutes.

FIRE PREVENTION TIP OF THE MONTH – Stay in the kitchen while cooking on the stove top. Never leave the home while cooking your turkey and check it frequently. Children should always remain at least 3 feet from the hot stove. Never leave children alone in a room where there is a lit candle. Enjoy a safe Thanksgiving.

Councilmember Magory, Public Works: The Borough has submitted a number of grant requests which will be addressed by Resolution a little later. We have requested Ocean County to repave Osborne Avenue since it is a county road. We will also accept tonight a grant for our new generator for the new building.

Councilmember Lyons, Finance, had no report. I will say that grants make the Finance Committee and citizens of Bay Head very happy.

Mayor Curtis: This Saturday, November 7<sup>th</sup> at 11:00 am, we will have a Veteran's Day Commemoration service in the Blue Star Memorial at Scow Ditch Park. Please come out and thank our Veteran's.

Tomorrow is Election Day and the polls will be open from 6 am to 8 pm. Please come out and vote.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered the following:

An application for Raffles License from the Women's Guild All Saints Church for an On Premise Gift Auction to be held at the Church on November 14<sup>th</sup> from 10 am to 3 pm.

Request from Bay Head Business Association to hold their Annual Christmas in Bay Head Celebration December 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>.

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

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

Councilmember Hein offered Ordinance 2015-23 entitled:

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 MODIFY CHAPTER 46-10, ENTITLED "OVERTIME COMPENSATION"

Councilmember Hein moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Green.

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

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

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

Mayor Curtis called for Ordinance, First Reading.

Councilmember Glass offered Ordinance 2015-24 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 50-6 ENTITLED "SPECIAL LAW ENFORCEMENT OFFICERS"

Councilmember Glass offered Ordinance 2015-25 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 50-1 ENTITLED "POLICE DEPARTMENT: ESTABLISHMENT"

Councilmember Magory offered Ordinance 2015-26 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT OVER A PORTION OF BLOCK 51, LOT 7 TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR USE AS PART OF THE ROUTE 35 PROJECT

Councilmember Glass moved the ordinances on first reading, which motion was seconded by Councilmember Magory.

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

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Glass offered Resolution 2015-120 authorizing submission of the Drive Sober or Get Pulled Over Year End Holiday Crackdown 2015 Statewide Grant.

Councilmember Lyons offered Resolution 2015-121 authorizing the execution of 2016 Annual Software Maintenance Agreement with Edmunds & Associates.

Councilmember Glass offered Resolution 2015-122 amending Resolution 2015-30 providing for Salaries and Compensation of the Police Department.

Councilmember Lyons offered Resolution 2015-123 authorizing Veterans Allowance.

Councilmember Lyons offered Resolution 2015-124 authorizing Transfers in the 2015 Municipal Budget.

Councilmember Magory offered Resolution 2015-125 authorizing the submission of a Grant Application and Execute a Grant Agreement with NJ DOT for Twilight Lake Walkway Construction Project.

Councilmember Magory offered Resolution 2015-126 authorizing the submission of a Grant Application and Execute a Grant Agreement with NJ DOT for the Reconstruction of Bridge Avenue, Cedar Drive, Clayton Avenue, Karge Street, Oak Drive and Strickland Street.

Councilmember Glass offered Resolution 2015-127 authorizing the submission of a Grant Application and Execute a Grant Agreement with NJ DOT for Pedestrian/Bike Safety and Traffic Project.

Councilmember Magory offered Resolution 2015-128 authorizing the Execution of an Addendum to the Contract with a Touch of Grass Landscaping for Grass Mowing and Related Services.

Councilmember Hein offered Resolution 2015-129 authorizing payment of \$1,408.00 to owners of property located at 18 Bridge Avenue as compensation for slate sidewalk allegedly damaged during Superstorm Sandy clean-up activities by public contractor.

Councilmember Magory offered Resolution 2015-130 authorizing the Acceptance of a Municipal Building Generator Project Hazard Mitigation Grant from the Federal Emergency Management Agency (FEMA).

Councilmember Magory offered Resolution 2015-131 authorizing the Execution of a Shared Services Agreement between the Borough of Bay Head and the Township of Freehold for Information Technology Services.

Councilmember Green moved the above resolutions be adopted. The motion was seconded by Councilmember Glass.

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

Mayor Curtis opened the meeting to the public.

Don Frederickson, 856 Clayton Avenue: You have received the draft report for bike/pedestrian plan – what are the next steps?

Mr. Charlton: The draft has now been published which will be reviewed by the steering committee. We will meet with the consulting group but any decision will be made by the Mayor and Council.

Mayor Curtis: Will the public be invited?

Mr. Charlton: No, only the steering committee.

Mr. Frederickson: And the time frame?

Mr. Charlton: Early December – it should be wrapped up by the end of the year.

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, Glass, Magory, Lyons. NAYS: None. A list of the vouchers is attached to these minutes.

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 matters of attorney/client privilege:

Personnel and Contractual Matters  
Potential Litigation

3. It is anticipated that the above stated subject matters 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 Magory and passed on roll call vote. YEAS: Green, Hein, Glass, Magory, Lyons. NAYS: None.

The Governing Body went into Executive Session at 7:49 pm. At 9:01 pm the Governing Body came out of Executive Session and resumed the regular meeting.

Councilmember Lyons offered Resolution 2015-132 awarding a Professional Services Contract to Arthur R. Thibault, Jr. of APPUZZESE, McDERMOTT, MASTRO AND MURPHY to provide Labor Counsel Services and moved it be approved. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Hein, Glass, Magory, Lyons. NAYS: None. A copy of the resolution is attached to these minutes.

There being no further business the meeting was adjourned.

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Patricia M. Applegate, RMC  
Municipal Clerk

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William W. Curtis, Mayor