

December 7, 2015

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on December 7, 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, Barnes, Glass, Magory, Lyons and Borough Attorney, Jean Cipriani.

Councilmember Green moved to approve the regular and executive minutes of November 2, 2015. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Hein, Glass, Magory, Lyons. NAYS: None. NOT VOTING: Barnes.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds & Recreation: I would like to express our gratitude to all for the decorations of our open space for the Bay Head Christmas Annual weekend events. The Business Association, the Bay Head Fire Department and Public Works have done a marvelous job with all the decorations. It was a wonderful weekend and a very festive environment with a sense of calm. The Police kept everyone safe, happy and with a feeling of secure. Thanks to all.

Councilmember Hein, Public Services: It was a great event and felt much better and bigger than in past years. He read the Zoning Officer and Construction Official report for the month of November. Copies of the report are attached to these minutes.

Councilmember Barnes, Legal & Planning had no report.

Councilmember Glass, Public Services, read the Police and the Bay Head Fire Co. monthly report for the month of November. Thanks to Police and Fire for this past weekend. A copy of the report is attached to these minutes.

FIRE PREVENTION TIP OF THE MONTH – One in three Christmas tree fires are caused by electrical problems. Too many lights on an extension cord is a recipe for disaster. Not keeping your tree watered or locating the tree too close to a heat source are other causes of fire.

Councilmember Magory, Public Works: The Borough will be extending the contract with M & M to August 1, 2016 by resolution tonight. They did start some site work. We were approved for a 2.3 million dollar grant which we wouldn't have received if we had started work on the new building. The mason is on site as well as the electrician and plumber. The modular company will start the structure on December 29, 2015 and be complete and ready to be shipped on January 15, 2016. We will also authorize by resolution our engineer to prepare a survey to install sidewalks on Clayton Avenue. Easements maybe required so the survey is the first step.

Councilmember Lyons, Finance, had no report.

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

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

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

Irene Conti, 528 West Lake Avenue: What is this for?

Councilmember Glass: To allow us to hire special officers.

Councilmember Barnes: We are not increasing the number of specials.

Arrigo Conti, 528 West Lake Avenue: Why is it being amended?

Ms. Cipriani: The amendment will allow the Borough to hire Class I. We presently hire Class II.

Stan Niedzwiecki, 42 Johnson Street: What is the rate of pay?

Councilmember Glass: \$11.00 per hour.

Chief Hoffman: The Class I will be less than that. The Class I do not carry weapons. This will give a couple of bodies to do other duties.

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

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 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 Glass moved this ordinance be adopted on second reading and final passage. The motion as seconded by Councilmember Barnes.

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

Mayor Curtis: This will create the position of Captain and delete the position of SFC and Corporal.

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

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 2015-26 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 Magory moved the ordinances be adopted on second reading and final passage. The motion was seconded by Councilmember Glass.

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, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of each ordinance is attached to these minutes.

Mayor Curtis called for Unfinished Business.

Councilmember Barnes: Recently an alert went out because there has been a sighting of a fox/coyote which has the body of a dog with the legs of a fox. If you spot this animal please call the police or Muskrat Jack.

Mayor Curtis called for New Business and Resolutions.

Councilmember Hein: As the Borough Safety Officer I would like to purchase AED devices for six locations in the Borough. The cost is about \$800.00 each. I would

like to place three in the new building, Fire Department, Bay Head School and the Bay Head Reading Center.

Council discussed if the Borough should purchase for the Bay Head School or the Bay Head Reading Center which is operated by the Ocean County Library. It was also stated that the new building wouldn't be complete until August, 2016.

Councilmember Hein stated he would do more research on the locations.

Mr. Niedzwiecki: Could you add the BHIA.

Councilmember Hein: I will encourage them to purchase one if they don't have one presently.

Councilmember Glass offered Resolution 2015-133 authorizing payment to Employees for hour of accrued compensation time from the budgetary provision approved as part of the 2015 budget under the general appropriation named Police Salary and Wages.

Councilmember Glass offered Resolution 2015-134 appointing Tyler C. Printz, Cody D. Coleman, Joseph K. Kraus as Part Time SLEO II.

Councilmember Magory offered Resolution 2015-135 authorizing the execution of an Addendum to the contract with M & M Construction Company for the construction of a new municipal building due to Superstorm Sandy.

Councilmember Magory offered Resolution 2015-136 authorizing the execution of an Addendum to the Lease Agreement with Camry Holdings, LLC, successor in interest to Nassau Tower Realty, LLC for property located at 704 Howe Street in the Borough of Point Pleasant, New Jersey.

Councilmember Lyons offered Resolution 2015-137 authorize Transfers in the 2015 Municipal Budget.

Councilmember Lyons offered Resolution 2015-138 providing for the Insertion of a Special Item of Revenue in the Budget of the Borough of Bay Head pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

Councilmember Lyons offered Resolution 2015-139 amending the Cash Management Plan of the Borough of Bay Head for the Calendar Year 2015.

Councilmember Magory offered Resolution 2015-140 awarding a Professional Services Contract to Remington, Vernick & Vena Engineer to provide surveying, mapping and preliminary design services for Clayton Avenue Sidewalk Construction Project.

Councilmember Green offered Resolution 2015-141 affirming Neutral Position of the Borough of Bay Head regarding Manasquan Inlet to Barnegat Inlet Storm Damage Reduction Project.

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, Barnes Glass, Magory, Lyons. NAYS: None. Councilmember Hein did not vote on Resolution 2015-141. A copy of each resolution is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Wini Applegate, 560 Lake Avenue: Everyone should be aware and acknowledge the Seaweeders Garden Club which is an integral part of the decorating of the town. They plant and prepare the pots and the wreaths that decorate both Mantoloking and Bay Head.

Councilmember Green: Thank you so much I was remiss in not including them in my thanks.

Char Charlton, 18 Harris: The last resolution stated we are neutral – why are we neutral?

Councilmember Green: We have no jurisdiction on the beach. The property owners are at odds with DEP and Army Corps. We feel it is within the preview of the homeowners on the beach. The name of the project has been changed from Beach Renourishment to Storm Damage Reduction Project.

Ms. Charlton: I didn't realize the name change.

Mr. Niedzwiecki: Resolution 2015-136 – do we continue to get a fair deal?

Councilmember Magory: Yes – we receive a grant for the rent of not only the police space but also the space being rented for the municipal office.

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.

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

