

May 4, 2015

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on May 4, 2015 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 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 Hein, Barnes, Glass, Magory, Lyons, Borough Attorney, Jean Cipriani and Borough Administrator, Brian Valentino. Absent: Councilmember Green.

Councilmember Glass moved to approve the minutes of April 6, 2015. The motion was seconded by Councilmember Hein and passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Hein, Public Services, read the Zoning Officer and Construction Official report for the month of April. Copies of the report are attached to these minutes. Thanks to the 45 people who attended the two meetings explaining the Energy Aggregation Program. The down side is they aren't going to have the auction right now. They have guaranteed a 5% savings which they don't feel they could meet at this time. I will keep you updated as to when they will be going to auction.

Councilmember Barnes, Legal and Planning: We continue to follow COAH. The Governor appealed part of the decision but was shut down by the appellate division. The Court will decide where the money collected for COAH is to be spent. I am also working with the Public Safety Committee to update the Bay Head Police Officer Manual. We are continuing our review of the Borough Code. Tonight we will be adopting a resolution to encourage the age to purchase tobacco be raised from 19 to 21 years of age.

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

FIRE PREVENTION TIP OF THE MONTH – Time to turn our attention outside. Clear all dead branches and overgrowth around your property. Store propane outside the structure and always in the off position. Check all outside outlets and air conditioning disconnects for salt buildup. This should be addressed by a professional at least once every 3 to 5 years. The closer one lives to the ocean the more frequently it will require attention.

Councilmember Magory, Public Works: Twilight Lake North End – They continue to scrape dredge material/soil and cart it away from the north end of Twilight Lake. Once that is complete they will lay down sand followed by topsoil followed by the planting of 9 trees.

We received a DOT Grant for work to be done on West Lake Avenue and will go out to bid soon.

The fence around the site of the new building has been erected and survey work will start soon marking out the 87 piles to be driven. We are still on track for the building to be completed in the fall.

Mayor Curtis: Howe Park infield is complete as is the grading of the outfield. Top soil will be regraded and then seeded. They will also replace the fence around the park.

Councilmember Glass: Centennial Park is open you just have to access it off of Lake Avenue by using the footbridge at Howe and Mount.

Councilmember Lyons, Finance: On May 13, 2015 we will be going out for bids on our 3 million dollar debt. This will be a note for one year which allows us short term rates which will be to our advantage.

Borough Administrator, Brian Valentino: Tomorrow we will receive quotes for an IT Consultant. We met with Point Pleasant Beach to discuss property tax cards. The cards would be used at different vendors and a portion of the sale would go back to reduce your taxes.

Mayor Curtis: It is to encourage people to shop locally.

Mr. Valentino: There will be a joint meeting of the Bay Head and Mantoloking Environmental Commission on Tuesday, May 12th at 6:30 PM at the Mantoloking Yacht Club on Restoration: Dune It Right.

Mayor Curtis: I am encouraged to see tomorrows leaders here tonight.

Kurt Akersten introduced his daughters Lilly, Audrey and Madilyn.

Mayor Curtis: Our traditional Memorial Day Service will be held on Saturday, May 23rd. Please come – we owe a debt of gratitude to our service men and women who have paid the ultimate sacrifice for our country.

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

Councilmember Hein offered Ordinance 2015-14 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE OF THE BOROUGH OF BAY HEAD, SO AS TO AMEND CHAPTER 222, ENTITLED, "VEHICLES AND TRAFFIC"

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

Councilmember Hein: This addresses the parking along Club Drive and the 48 hour requirement to match up with Chapter 157.

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

Arrigo Conti, West Lake Avenue: What does this do?

Councilmember Hein: It adds a limit of 48 hours for parking by Centennial Park and addresses parking on Club Drive north of Bridge Avenue to two hour parking in the business area.

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

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 Hein offered Ordinance 2015-15 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 157, ENTITLED, "MOBILE HOMES, RECREATIONAL VEHICLES, TRAILERS, CONSTRUCTION EQUIPMENT AND STORAGE DEVICES"

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

Councilmember Hein: This is another change to give some guidance to Bart – boats etc. can be stored on the property using the same setbacks as an accessory structure.

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

Don Frederickson, 856 Clayton Avenue: Is there a time frame as to parking boats on your property?

Councilmember Hein: There is no change to that in this ordinance but it is addressed and I can't recall off the top of my head.

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

The motion passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory. NAYS: Lyons. A copy of this ordinance is attached to these minutes.

Mayor Curtis called for Unfinished Business, there was none.

Councilmember Barnes: Please note that the summer schedule for garbage pickup started today. Properties north of Bridge Ave. will be picked up Tuesday and Friday and south of Bridge will remain Monday and Thursday.

Also – coyotes have been sighted – please be cautious because they are dangerous. If you see one please call the police.

Mayor Curtis called for New Business and Resolutions.

Councilmember Hein offered Resolution 2015-61 appointing Ray Catena as Alternate Part-Time Sub-Code Electrical Inspector.

Councilmember Lyons offered Resolution 2015-62 amending the Compensation Agreement with the Chief Financial Officer.

Councilmember Lyons offered Resolution 2015-63 amending Resolution 2014-99 providing for Salaries and Compensation of Borough Officials and Employees for 2014.

Councilmember Barnes offered Resolution 2015-64 urging passage of Senate Bill 602 and Assembly Bill 3254 raising the minimum age to purchase tobacco products from nineteen to twenty-one years of age.

Councilmember Lyons offered Resolution 2015-65 authorizing the purchase of a 2015 Chevrolet Tahoe for the Bay Head Police Department from Mall Chevrolet under the Cranford Police Cooperative Pricing System.

Councilmember Lyons offered Resolution 2015-66 authorizing Refund of Tax Payment.

Councilmember Glass offered Resolution 2015-67 authorizing the execution of a Shared Services Agreement between the Borough of Bay Head and the Ocean County Board of Health for Animal Services.

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

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

Councilmember Lyons: Route 35 is complete and a terrific job was done but now I have noticed people speeding. Chief could you please place the sign to remind motorists of the speed limit.

Mayor Curtis: Everyone should also be aware of cars turning when crossing the street.

Mayor Curtis opened the meeting to the public.

Mr. Arrigo Conti: Will Howe Park be available for softball and soccer?

Mayor Curtis: If they apply we will act on it.

Mr. Carl Eckert, 74 Osborne Avenue: Since the town is totally protected with the rock revetment do you intend to request CRS to reduce the rating?

Mayor Curtis: We will submit that information.

Irene Conti, West Lake Avenue: What is the plan when the police are called for the coyotes?

Chief Hoffman: We will call Muskrat Jack and handle the situation appropriately.

Mr. Frank Rohan, 425 East Avenue: Now that Route 35 is complete when will the other roads be paved?

Mayor Curtis: In the fall. Agate and DOT are still working on the punch list.

Mr. Akersten: My girls suggest the agenda be printed double side to save on paper. Also, why have such a short term for the bond?

Councilmember Lyons: Because there will be a significant costs if we do long term. Rates for a town our size are 3 to 4% and we are hoping for 1 %. We will monitor the rates for long term.

Councilmember Magory: We are also hoping for FEMA funds.

Mr. Conti: When will the minutes and ordinances be posted to the web?

Mayor Curtis: We will take care of it.

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.

Councilmember Glass offered the following 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:

Contractual Matters – Unneeded Fire Equipment

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

Following the Executive Session

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: Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

The Governing Body went into Executive session at 7:54 pm. At 8:27 pm the Governing Body came out of Executive session and resumed the regular meeting.

Councilmember Barnes offered Resolution 2015-68 authorizing the sale of surplus property no longer needed for public use VIA internet auction website. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Barnes, Hein, Magory, Lyons. NAYS: Glass. A copy of the resolution is attached to these minutes.

The meeting was adjourned.

Patricia M. Applegate, RMC
Municipal Clerk

William W. Curtis, Mayor