

May 1, 2017

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on May 1, 2017 at 7:00 pm in the New Borough Hall, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor Curtis called the meeting to order and welcomed everyone. He asked 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 a schedule of meetings of this Governing Body which was posted on the bulletin board at 83 Bridge Avenue on March 13, 2017 was published in *The Ocean Star* on March 17, 2017 and the *Asbury Park Press* on April 12, 2017.

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

Councilmember Green moved to approve the regular minutes of April 3, 2017. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons.

Mayor Curtis read and presented a Proclamation to Courtney Jacobs as Mayors' Scholar. A copy of the Proclamation is attached to these minutes.

Councilmember Barnes introduced Mike Capko, DAT Manager of DART Prevention Coalition. From RWJ Barnabas Health.

Mr. Capko gave a very informative presentation on Substance Abuse, Prescription Drug Misuse and the Heroin Epidemic.

Mayor Curtis introduced Suzan Fichtner, Executive Director of Northern Ocean Habitat for Humanity.

Ms. Fichtner stated that the purpose was to build and repair homes. 145 repairs were done last year. Most of the repairs are required to allow residents to stay in their homes by making them accessible for those who have to use wheelchairs or walkers. One to two new homes are also constructed per year. After Sandy, 60 homes were repaired to allow residents to move back to their homes.

The requirement to participate in the program is based on income, need and partnering.

Also part of Habitat for Humanity is ReStore which is a home furnishings store.

Ms. Fischtner announced that there would be a fund raiser at the Grenville Hotel and Restaurant, 345 Main Avenue on June 9th from 6 to 9 pm and encouraged all to attend.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds and Recreation: Summer Recreation Program will run from July 5th thru August 10, 9 am to 12 pm at the Bay Head School. The program is open to children and grandchildren as well as Bay Head School students. We are looking forward to another fun summer.

Just a reminder that the Environmental Commission meeting takes place on the 2nd Tuesday of each month at 5:30 pm in the conference room of this building. You and your ideas are welcome.

Environmental Commission Tip of the Month:

You may be getting ready to launch your boat and enjoy the waters in Bay Head, please note that shrink wrap can be recycled. You may drop off an unlimited quantity at the Ocean County Recycling Center located at 611 New Hampshire Ave. in Lakewood Township.

Councilmember Hein, Public Services, read the Zoning, Transfer/Rental and Construction Official reports for the month of April. Copies of the report are attached to these minutes.

Councilmember Barnes, Legal and Planning: This past month we have been dealing with personnel issues. We are also beginning educational formats such as the drug presentation this evening. We have also been working on ordinances one of which will be adopted and two introduced tonight.

Councilmember Glass, Public Safety: The Drug Drop Off was held this past Saturday and Bay Head collected 18 lbs of prescription drugs. This was a very good haul and is done twice a year.

She then read the Police Report, OEM and Fire Company report for the month of April. A copy of the report is attached to these minutes.

OEM Tip of the Month:

Shelter in Place:

Under certain conditions, you may be asked to “shelter in place.”

Examples:

- Weather (Tornado, severe thunderstorms)
- Not able to evacuate
- If chemical, biological, or radiological contaminants were release into the air either accidentally (accident with a tanker manufacturing company, accident) or intentionally (terrorist attack)

If so, know which room your family, including your pet(s), will stay during this time. If you are not at home, be aware of your location and know where to seek shelter if needed. Sometimes it might be safer to stay in your car. And don't

forget to notify your family emergency contact to let him/her know where you are sheltering.

Fire Safety Tip of the Month:

With the onset of warmer weather, homeowners and tenants will turn to the use of outdoor cooking equipment such as portable barbecue and propane gas grills.

Always remember to conduct outdoor cooking operations at least 10' away from any exterior combustible wall surfaces. Also remember to properly shut off all cooking equipment and properly discard any hot coals and ashes.

Councilmember Magory, Public Works: We have been working for three years to fill in sidewalks on the west side of Clayton Avenue. We submitted and secured a grant of \$190,000.00. This is really a safety issue and we will notify all residents on that side so they can come in and review the plan. We have always refrained from doing work in the summer months. On the east side of Clayton we have secured approval from the State to use their property. We aren't allowed to place permanent structures and they can take back it at any time. We will be looking to get some grants for that.

Mayor Curtis: The east side is not a done deal. We still don't have a contract signed with the State. We will have public meetings on the plan prior to starting. There is no plan at this time.

Councilmember Lyons, Finance: I have received questions from residents as to why we use the Bay Head Police for traffic control on road jobs and how much do we pay them. The contractor has to pay and this is done as special duty pay.

We had our note sale last week for Bond Anticipation Note of \$1.9 million and received lowest interest rate from Manasquan Savings Bank of .95%.

Just a heads up – expenses have increased in the new building some of which were not anticipated. Please exercise discretion as you are approving requests for purchases as Chairman of your department.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following request:

Request from Point Pleasant First Aid and Emergency Squad to hold two (2) Coin Toss events at the intersection of Bridge Avenue and Lake Avenue on Saturday, June 10th and August 12st from 9 am to 4 pm

Request from Project Graduation 2018 to hold their Spring Town-Wide Garage Sale on Saturday, June 3rd with rain date of Sunday, June 4th

Application for Raffles License from the Church of the Sacred Heart for an Off Premise 50/50 drawing to be held on September 4, 2017 at 11 am on the church grounds

Application for Raffles License from Habitat for Humanity for an On Premise 50/50 and Gift Raffle to be held at the Grenville Hotel and Restaurant on June 9, 2017 from 6 to 9 pm

Application for Social Affairs Permit from Habitat for Humanity for an event to be held at the Grenville Hotel and Restaurant on June 9, 2017 from 6 to 9 pm

Request from Bay Head Business Association for permission to add three additional Sidewalk Sale days to the previously approved days – Jun 25, August 19 and October 14

Request from Warhorse SCUBA, Inc. for permission to walk through Bay Head on July 22, 2017. The walk is to raise awareness of the Veteran suicide rate

Councilmember Barnes moved to approve the request which was seconded by Councilmember Glass.

Councilmember Hein: The First Aid should be given a copy of the guidelines provided by JIF to follow for the coin toss. I am unfamiliar with Warhorse SCUBA, Inc. Who will be cleaning up the water bottles?

Councilmember Green: I would suggest the water table be placed in front of Central Market.

Chief Hoffman: I spoke to the gentleman today. There will be no impact on us. They will be staffed and will make sure everything is cleaned up. I will touch base with him about the location of the water table.

The motion passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis called for Ordinances, Second Reading, Public Discussion and Vote.

Councilmember Barnes offered Ordinance 2017-04 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF BAY HEAD, SO AS TO AMEND CHAPTER 46 ENTITLED "PERSONNEL POLICIES"

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

Mayor Curtis opened the meeting to the public for public hearing on the 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 this ordinance is attached to these minutes.

Mayor Curtis called for Ordinances, First Reading.

Councilmember Barnes offered Ordinance 2017-05 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 50-6 OF THE BOROUGH CODE ENTITLED "SPECIAL LAW ENFORCEMENT OFFICERS"

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

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 Barnes offered Ordinance 2017-06 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 69, ENTITLED "ANIMALS"

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

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 Unfinished Business.

Councilmember Green: We need to revisit the hours when contactors can work. The present code allows them to work on Saturday from 9 to 1 from the Saturday after Labor Day to June 14th. No work is allowed on Saturday from June 15th until Labor Day. This is very difficult to enforce and I feel the year round residents deserve the same degree of peace on a Saturday as do the summer residents.

Captain Hoffman: We spend a tremendous amount of time visiting job sites after 1 pm on Saturday shutting them down. I would rather we be called if noise is an issue.

Mayor Curtis: Some are working well beyond 1 pm and it takes time for the Police to get to them to have them stop.

Councilmember Green: There are also parking issues to consider.

Captain Hoffman: We would appreciate consistency. I know they are given the green card stating the days and hours they are allow to work but they don't pass it on to their subcontractors – so they don't know.

Mayor Curtis: We should consider allowing contractors to work the same hours on Saturday as they do Monday through Friday or not at all on Saturday.

Councilmember Hein: The hours shouldn't be different winter or summer. I don't care if it is all day or never on Saturday.

Mayor Curtis: Please give this some consideration. We need to come up with a decision.

Mayor Curtis called for New Business and Resolutions.

Councilmember Glass offered Resolution 2017-66 authorizing submission of the Statewide Grant Click It or Ticket 2017 Seat Belt Mobilization.

Councilmember Lyons offered Resolution 2017-67 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 Magory offered Resolution 2017-68 awarding a contract to LMUCARDO, LLC t/a RBC Cleaning for Janitorial Services.

Councilmember Magory offered Resolution 2017-69 authorizing the advertising and receipt of Bids for the Installation of Sidewalks on the West Side of Clayton Avenue.

Councilmember Lyons offered Resolution 2017-70 authorizing Refund of Tax Overpayment.

Councilmember Lyons offered Resolution 2017-71 amending Resolution 2017-24 providing for payment of Salaries and Compensation of Borough Officials and Employees for 2017.

Councilmember Barnes moved the above resolutions be adopted. The motion was seconded by Councilmember Green 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 to the public.

Neil Manheimer, 49 Strickland Street: I live to the south of the pump station and I understand there are plans for a bike path/sidewalk on the State property which you have to obtain permission from. I would like to know when the plan will be available because I am trying to figure out how to maximize my property for sale.

Mayor Curtis: We will let you know as soon as we can. Come in and meet with me and we can discuss your concerns.

Joe Todisco, 754 Clayton Avenue: I am a 20 year resident and I would like to congratulate Go Bay Head for their work in applying and obtain the grant to do work on Clayton Avenue. I as well as every other first responder at the scene a few years ago were devastated to hear the little girl might not make it after her bike accident on Clayton Avenue. It is great to see you moving to make Bay Head a safer place – congratulations to everyone involved.

Chris Dombalis, 452 Lake Avenue: I live directly east of this structure on Lake Avenue. I sleep on the top floor and the lights are pretty strong – could they possibly be dimmed at a certain hour?

Councilmember Green: Brian is working on it.

Councilmember Magory: I spoke with the electrician and we can tint the light fixture to tone it down. I will have public works get on it.

Mayor Curtis: Try to do it sooner rather than later. I have noticed the one on the back of the building is very bright that it lights up the entire building.

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.

Councilmember Glass offered the following Resolution to go into executive session.

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, 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 exist.

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 an actions upon the hereinafter specified subject matter.
2. The following subject involve:
Contract – Suburban Disposal Inc.
Personnel
3. It is anticipated at this time the above stated subject matters will not be made public with the next sixty days.
4. This Resolution shall become effective immediately.

The Governing Body went into Executive Session at 8:45 pm. At 9:20 pm the Governing Body came out of Executive Session and resumed the meeting.

There being no further business Mayor Curtis adjourned the meeting.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor