

January 4, 2021
REORGANIZATION/REGULAR MEETING

The reorganization meeting of the Mayor and Council of the Borough of Bay Head was held on Tuesday, January 4, 2021 at 7:00 PM using the GoToMeeting platform.

Mayor Curtis called the meeting to order and welcomed everyone.

Tonight, we will attempt to go through the meeting as usual. There are three public comment sessions scheduled as part of this meeting. One after the Task Force Report, one for the resolutions and one during the public discussion portion of the meeting. At the appropriate time, I will open the floor to public comment. If a member of the public wishes to comment they must state their name. I will recognize each person separately and relinquish the floor to that person. Once I have relinquished the floor, the person who wish to comment must once again state their name and provide their address for the record. I will continue this process until all comments are heard. I will then close the floor to public comment and move to the next item on the agenda.

Mayor Curtis 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 25th, *The Asbury Park Press* on December 22th and posted on the bulletin board at the Municipal Building located at 83 Bridge Avenue, on December 18, 2020.

The roll was called for attendance. Present were Mayor Curtis, Councilmembers Gates, Cornell, Barnes, Shaning, MacPherson, Lyons; Borough Administrator, Christopher Parlow and Borough Attorney, Jean Cipriani.

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

**Jennifer Barnes-Gambert, Councilmember
James W. Gates, Jr., Councilmember**

Mayor Curtis: Would each of you like to say a few words?

Councilmember Gates: Thank you Mayor and Council for the warm welcome and encouragement, I am looking forward to working with you over the upcoming term. I would like to thank my wife Debbie and my entire family for their support and all who supported me through their vote. I will back up that promise to the best of my

ability, and work in keeping Bay Head the great place that it is.
Happy New Year.

Councilmember Barnes: Thank you the residents of Bay Head for trusting me with another term. I look forward to doing everything I can to maintain our quality of life. There is, unfortunately, another challenging year on the horizon. A couple of little, mini surprises have already been dropped, so the hope is that we can have a much smoother year ahead than we did last year. Thanks to Mayor, Council and everyone who works for Bay Head. It is truly a pleasure to work with such professional people. Thanks also to my family.

Mayor Curtis: Welcome to you both.

Councilmember Lyons moved to elect Councilmember Lyons as Council President for the year 2021. This motion was seconded by Councilmember MacPherson and passed on roll call vote: **YEAS:** Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. **NAYS:** None.

Mayor Curtis made the following appointments to Council Standing Committees for 2021. The first person is Chairman.

Public Services	<u>GATES</u> , Barnes, Shaning
Public Works	<u>CORNELL</u> , Shaning, MacPherson
Legal and Planning	<u>BARNES</u> , Cornell, Gates
Public Safety	<u>SHANING</u> , Barnes, Lyons
Parks, Grounds & Rec	<u>MacPHERSON</u> , Cornell, Lyons
Finance & Technology	<u>LYONS</u> , MacPherson, Gates

Councilmember Lyons moved to approve Mayor's appointments of the 2021 Standing Committee and Chairpersons. This motion was seconded by Councilmember Barnes and passed on roll call vote: **YES:** Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. **NAYS:** None.

Mayor Curtis made the following appointments to the Planning Board:

Class II	Christopher Parlow	One Year term
Class IV	William Furze	Four year term
Class IV	Richard McGoey	Four year term
Alternate #1	Mark Durham	Two year term
Alternate #4	Kevin Feehan	Two year term

Councilmember MacPherson moved to appoint Councilmember Gates as Council's representative to the Planning Board. The motion was seconded by Councilmember Cornell and passed on roll call vote: **YEAS:** Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. **NAYS:** None.

Mayor Curtis made the following appointments to the Environmental Commission:

Sharon Shaning	Three year term
Heather Robertson	Three year term

Councilmember Cornell moved to approve Mayor's appointments to the Environmental Commission. The motion was seconded by Councilmember Barnes and passed on roll call vote: YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None.

Councilmember Lyons moved to appoint Councilmember Cornell as Council's representative to the Environmental Commission. The motion was seconded by Councilmember Barnes and passed on roll call vote: YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None.

Councilmember Barnes moved to approve the special meeting minutes of November 23, 2020 and the regular and executive session minutes of December 7, 2020. The motion was seconded by Councilmember Lyons and passed on roll call vote: YEAS: Barnes, Cornell, Shaning, MacPherson, Lyons. NAYS: None. Abstain: Councilmember Gates.

Mayor Curtis: It is with grate pleasure that I introduce Rick McGoey and Tim Landers who will present the report from the Task Force Committee. The committee has worked for two months to find a location for the permanent cell tower and choosing the type of structure to be used. They worked with Mr. O'Scanlon and Mr. Villecco. I would like to thank Andy Frizzell and Jen Barnes for being Council representative on this committee and spearheading it.

Mr. McGoey, 50 Harris Street: A report dated January 1, 2021 has been submitted to Mayor and Council with the Task Force Committee findings and signed by each of the members. I will discuss with you the way we came to choosing the site.

A number of slides were presented and discussed. A copy of each are attached to these minutes.

Mr. Landers also spoke on the type of tower chosen and presented a number of slides which were discussed. A copy of each are attached to these minutes.

Mr. O'Scanlon: I commend the work of the committee. This is the most comprehensive assessment that I have ever seen. The committee worked really well together and went through a process that brought everyone together – so the residents should feel well represented.

Mr. Villecco: I echo the sentiments – I think it was very important that the town formed this committee and got input from various stakeholders. I think it made it a good and very valid process. There was a lot of input in meetings and I think you turned out a good product which will serve the residents of the borough well.

Mr. McGoey: The committee recommends the location to be at the Public Works property and that the type to be camouflaged monopole.

Mayor Curtis: Thank you Jen, Andy, Declan, Dominick, Chris and all member of the Task Force.

Mayor Curtis opened the meeting to the public. There being no comments of questions the public session was closed.

Councilmember Barnes moved to accept and approve the report of the committee. The motion was seconded by Councilmember Lyons and passed on roll call vote: YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None. A copy of the report is attached to these minutes.

Mr. Parlow: I will need authorization to proceed. There are a number of steps to be taken to move forward with the placement of the antenna on the property at Public Works. I will have to work with the consultants, attorney in preparing the bid specifications and ordinance.

Mayor Curtis: You do have the authority.

Mr. Parlow: Permits have to be obtained. It could take several months.

Mr. O'Scanlon: Formal approval is needed to prepare and authorize bids for the site, if we are ready to move forward.

Ms. Cipriani: A formal motion is needed. If you want I can prepare a resolution which will authorize the preparation and receipt of bids; and authorize an ordinance to be prepared to lease the property. The ordinance must be approved prior to the award of the bid.

Councilmember Lyons: I would like to see the bid specifications before they go out.

Mr. O'Scanlon: You will see everything. It will not go out until you have a chance to see the document.

Councilmember Barnes moved to authorize Ms. Cipriani to prepare Resolution 2021-37 formalizing the authorization by the Governing Body to prepare bid specifications and to go out to bid for the permanent location of a cellular tower at the Public Works property. The motion was seconded by Councilmember Lyons and passed with all in favor. YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None. A copy of the resolution is attached to these minutes.

Mr. Parlow: We did receive a letter from New Jersey American Water concerning our request to delay the demolition of the existing water tower for one year. They have not approved our request.

They stated there are structural issues with the tower and that it should come down as soon as possible. The permanent tower will take from 9 months to a year to be up and operational, which leaves the issue if the tower is removed in February or March there will be a void in service. We tried to place a temporary tower on Borough property but that was pulled. A temporary site will be need for at least 12 months. The committee talked about some other sites. A request to the Bay Head Fire Department has not been made but we could approach them to use their property for the temporary site. I don't want to see the town go dark.

Councilmember MacPherson: Could a temporary tower be located on property owned by the Borough and Fire Department?

Ms. Cipriani: If you use municipal property you will have to go out to bid and approve an ordinance to lease the property.

Councilmember MacPherson: Just for a temporary?

Ms. Cipriani: Yes, if you use municipal property.

Mr. Parlow: The question is would the BHFD consider their property for the temporary site?

Ken, Glass, President of the BHFD: I would have to get permission from the membership. We did have a temporary tower at one time, it worked and we made a few dollars.

Mr. O'Scanlon: The questions is whether the property would be considered municipal.

Mr. Glass: The property is owned by the Bay Head Fire Company. We meet next on January 6th. I will bring it up then.

Ms. Cipriani: The property is owned by the BHFD but it is insured through JIF by the Borough.

Mr. Parlow: Is there any objections to move forward with placement of the temporary tower on the site of the Fire Department? I can work with Jean, Declan and the BHFD.

Council stated they had no objection.

Councilmember Cornell: If it doesn't work out with the Fire Department – can we put the temporary at Public Works?

Mr. Parlow: There isn't enough room for a temporary and permanent. My concern is that the site is very busy with the recycle center – residents coming and going. I have concerns with all the activity and a permanent site under construction.

Councilmember Lyons move to authorize Ms. Cipriani to prepare Resolution 2021-38 which will authorize Mr. Parlow, Borough

Administrator to enter into discussions with the Fire Company to place a temporary tower on their property. He will be authorized to work with the Borough Attorney and Cellular consultants. The motion was seconded by Councilmember MacPherson and passed on roll call vote: YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None. A copy of the resolution is attached to these minutes.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Gates, Public Services, read the Construction Official, Zoning Officer and Code Enforcement Officer reports for the month of December. Copies of the report are attached to these minutes.

Councilmember Cornell, Public Works: I would like to thank Sharon and Heather for their continued service on the Environment Commission.

The Public Works report was discussed. They have been really busy. They are all set for the winter storms. The beach ends have been closed. They put up the decorations and are now taking them down. If you had a real tree just leave it at the curb and they will pick it up. We can't accept wreaths or garland. If you bring your boxes to the recycle center please break them down so they are flat. There is a lot planned for 2021 and we will keep you informed. A copy of the report is attached to these minutes.

All residents must obtain a new sticker for their car to access the Recycle Center. The sticker indicates you are a resident. We only want to pay to recycle our stuff. A copy of the report is attached to these minutes.

Councilmember Barnes, Legal and Planning: 2020 was a very busy year. We are looking forward to 2021. The new year comes with new revisions to our municipal code. New Jersey Transit, hopefully will be settled affordable housing has been raised again.

Councilmember Shaning, Public Safety, read the Bay Head Fire Department report for the month of December and the Monthly Fire Safety Tip:

PLEASE assist the FIRE COMPANY by shoveling and clearing the snow at the fire hydrant in front of your home or business. An area of 3 feet around the hydrant is sufficient.

He also read the Bay Head Police Department report of the month of December. A copy of these reports are attached to these minutes.

Councilmember MacPherson, Parks, Grounds and Recreation: We had a very nice December in town – the Christmas Walk was lovely and enjoyed by everyone who attended. The Bay Head School Christmas tree sale was a success and we would like to thank all of those he purchased a tree. I want to thank Sarah and Karen for all they have done through Bay Head Life. They did a great job getting people out and involved. They have created a calendar so sign up for

their emails. There are many different venues to find information so you can participate. There will be a lot of new things happening in 2021. If you have any ideas, please let me know.

Councilmember Lyons, Finance and Technology: Happy New Year. We continue working on the budget process utilizing conference calls. We had a session last week with the company that digitized some of our records and it was very informative. I want to thank Andy Frizzell for all his work on this project.

Christopher Parlow, Borough Administrator: We received notification that New Jersey American Water Co. are proposing to install a 12” water main along the south side of Bridge Avenue from Main Avenue to Bay Avenue. I don’t have all the particulars but they will have to come into the parking lot because they can’t go over the bridge. This project is planned between October and April. I would like them to either join council at their meeting or hold their own meeting to get information out to the public. I will keep you informed.

Jean Cipriani, Borough Attorney: Thank you for the continued opportunity to be involved with Bay Head.

Mayor Curtis called for Resolutions and requested they be acted on a Consent Agenda if no one wanted to pull one.

The Clerk read the following Resolutions by title:

Resolution 2021-01 appointing Jean L. Cipriani, Esq. as Municipal Attorney.

Resolution 2021-02 appointing Robert A. Hulsart as Municipal Auditor.

Resolution 2021-03 appointing Jeffrey R. Surenian, Esq. as Special Counsel, COAH.

Resolution 2021-04 appointing Bonnie Peterson, Esq. as Municipal Prosecutor.

Resolution 2021-05 appointing F. William Groff, III P.E., CME as Municipal Engineer.

Resolution 2021-06 appointing CME Associates as Professional Planning Consultant.

Resolution 2021-07 appointing Brian W. McAlindin, Esq. as Alternate Prosecutor.

Resolution 2021-08 appointing Maser Consulting, P.A. as Special Engineering Consultant.

Resolution 2021-09 authorizing the Tax Assessor to file an Assessor's Appeal to correct certain errors made on Assessments.

Resolution 2021-10 appointing JIF Fund Commissioner and Alternate JIF Fund Commissioner.

Resolution 2021-11 appointing Municipal Search Officers.

Resolution 2021-12 authorizing certain people to sign Borough checks.

Resolution 2021-13 approving the Cash Management Plan of the Borough of Bay Head.

Resolution 2021-14 authorizing cancellation of minimal balances and overpayments.

Resolution 2021-15 authorizing the cancellation of miscellaneous charges and outstanding checks.

Resolution 2021-16 permitting Pre-Payment of certain items.

Resolution 2021-17 appointing Roberta A. Burze, Esq. as Public Defender.

Resolution 2021-18 appointing Carmine R Villani, Esq. as Alternate Public Defender.

Resolution 2021-19 authorizing the execution of a Shared Services Agreement between the Borough of Bay Head and the Township of Freehold for Information Technology Services.

Resolution 2021-20 providing for salaries and compensation of the Police Chief, William Hoffman for 2021.

Resolution 2021-21 authorizing the execution of 2021 Annual Software Maintenance Agreement with Edmunds & Associates.

Resolution 2021-22 authorizing the execution of an Employment Agreement with William Antonides, Jr. as Chief Financial Officer.

Resolution 2021-23 appointing Christopher Parlow as Community Rating System Coordinator.

Resolution 2021-24 appointing Christopher Parlow as Safety Coordinator.

Resolution 2021-25 providing dates of Borough Council Meetings and Designating Official Newspaper for the Year 2021.

Resolution 2021-26 establishing Fees, Penalties and Interest for 2021.

Resolution 2021-27 adopting the 2021 Temporary Budget.

Resolution 2021-28 appointing Adam Curtis as Recycling Coordinator.

Resolution 2021-29 designating Lawrence Gilman, Supervisor of Public Works as Stormwater Coordinator.

Resolution 2021-30 authorizing Electronic Transfer of Funds.

Resolution 2021-31 Appoint Office of Emergency Management Roster for 2021.

Resolution 2021-32 authorizing the execution of a Policy Endorsement with Metropolitan Life Insurance Company (METLIFE) as administered by Bollinger Specialty Group for Group Dental Service Plan Coverage

Resolution 2021-33 appointing Kenneth Seals, Tanner Curtis, Costa Demetriates, James Latendorf, Owen Curtis and Mitch Stadnik as Part-Time Seasonal Laborers

Resolution 2021-34 authorizing payment to employees for hours of Accrued Compensatory Time from the Budgetary Provision approved as Police Salary and Wages.

Resolution 2021-35 appointing William C. Sullivan, Jr., Esquire, of the firm of Scarinci Hollenbeck as Special Counsel for the Borough of Bay Head.

Resolution 2020-36 providing for Salaries and Compensation for the Assistant Chief Financial Officer of the Borough of Bay Head for 2021

Councilmember Lyons moved the consent agenda resolutions be approved. The motion was seconded by Councilmember Barnes.

Mayor Curtis asked if there were any questions from the public concerning the Resolutions presented.

There being no comments or questions Mayor Curtis closed the discussion by the public.

The motion passed on roll call vote: YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Bob Hein, 204 East Avenue: I would like to thank you for listening to my issues and being acceptable to my proposal. It appears the only answer is to change the ordinance or add a clause that would give the Dune Consultant the authority to make a decision.

Mayor Curtis: Thanks, Bob.

Councilmember Barnes: It is beyond reasonable what he is asking. I will be happy to adjust the language.

Councilmember Lyons: Having listened to Bob – he also pointed out other items to be looked at. I would suggest the ordinance be revisited and have the committee come back with recommendations.

Mayor Curtis: In February?

Councilmember Barnes: Yes.

Mr. Hein: Thank you.

There being no further comments the public discussion was closed.

Councilmember Lyons moved to approve the vouchers for payment. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Gates, Barnes, Cornell, Shaning, MacPherson, Lyons. NAYS: None. A list of the vouchers is attached to these minutes.

There being no further business, Councilmember Lyons moved the meeting be adjourned. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None

**Patricia M. Applegate, Municipal
Clerk**

William W. Curtis, Mayor