

April 3, 2017

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on April 3, 2017 at 7:00 pm in the New Borough Hall, 83 Bridge Avenue, Bay Head, New Jersey.

Council President Green called the meeting to order and welcomed everyone. She asked everyone to stand and join in the Pledge of Allegiance to the Flag.

Council President Green 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.

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

Councilmember Magory moved to approve the regular minutes of March 6, 2017. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Green, Hein, Barnes, Magory, Lyons. Abstain: Glass.

Council President Green read a Proclamation concerning Child Abuse Prevention Month and presented it to Patricia Sullivan, Women's Club of Point Pleasant. A copy of the Proclamation is attached to these minutes.

Council President Green called for Reports of Standing Committees.

Council President Green, Parks, Grounds and Recreation had no report.

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

Ocean County will be providing shredding services in this area. They will be in Point Pleasant Borough on May 13th and in Point Pleasant Beach on September 30th. We will be on the calendar for next year.

Councilmember Barnes, Legal and Planning: We have had a busy month – not litigation related but having to do with Personnel issues. We are at the end stage of our Employee Handbook which should be on for approval at the next meeting.

Councilmember Glass, Public Safety, read the Police Report, OEM and Fire Company report for the month of March. A copy of the report is attached to these minutes.

OEM Tip of the Month: Spring weather may bring severe thunderstorms and flooding. Stay aware of weather warnings by checking local weather updates (local television and radio stations, NOAA). And remember when driving: Don't drown, turn around.

Fire Department Tip of the Month: Watch Your Cooking! Stay in the kitchen when you are frying, grilling, or broiling food. If you must leave even for a short time, turn OFF the stove. Many Home fires are preventable.

Councilmember Magory, Public Works: We continue with the punch list for the new building. We are moving forward on installing sidewalks on the west side of Clayton Avenue. Telephone poles need to be moved and we have submitted a grant to help with this expense. Tonight we will authorize our engineer to move forward with plans for a sidewalk/bike path on the east side of Clayton Avenue.

Councilmember Glass: The east side of Clayton is the old railroad right of way – who owns it?

Councilmember Magory: We have received permission from the State Treasury to use the property. Mayor spent a tremendous amount of time to get the approval. We did receive permission to install bike path/sidewalk. It will be designed to meander through the property. It will be a nice place to go and visit. The Environmental Commission will also be working on this project.

Councilmember Lyons, Finance had no report.

Council President called for Clerk's Correspondence.

Ms. Applegate offered the following request:

Request from Linda Rhyne, 600 Main Avenue for permission to block off Forsyth Street on Saturday, July 1 with rain date of Sunday, July 2 for their annual block party.

Request from St. Paul's United Methodist Church for permission to use Centennial Park for a Community Easter Egg Hunt on Saturday, April 15th from 9 am to 1 pm.

Request from Bay Head Business Association to use the Municipal Parking Lot for their Annual Harvest Craft Festival on Saturday, October 14th from 10 am to 4 pm.

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

Council President called for Ordinances, First Reading.

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 this ordinance on first reading, which motion was seconded by Councilmember Lyons.

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.

Council President Green called for Unfinished Business.

Councilmember Hein read the following Environmental Commission Tip of the Month:

Spring is here! Please consult the BHEC website for tips on proper mulching techniques or search the web for "Mulch Volcanoes" to avoid heavy mulching at the base of trees. Heavy mulching at the trunk and base of trees encourages shallow roots and root grinding that can kill trees.

Councilmember Barnes: I have three items:

- *An alert was sent out Saturday reminding everyone that as of April 1st we return to twice a week pickup.
- *With the warmer weather remind your children to lock up their bikes.
- *Please take advantage of the Medicine Drop Off - this is your opportunity to get rid of medicine you no longer need or is out of date. Medicine cabinets are a haven for your children or grand children. Drug Abuse is a problem everywhere.

Council President Green called for New Business and Resolutions.

Councilmember Glass offered Resolution 2017-55 authorizing the execution of Amendment to Shared Services Agreement with the County of Ocean for the DWI Enforcement Program.

Councilmember Lyons offered Resolution 2017-56 authorizing payment of Employees for Hours of Accrued Compensatory Time from the Budgetary provision approved as Sick Leave Trust.

Councilmember Magory offered Resolution 2017-57 approving a Change Order in the amount of \$57,932.94 for an Increase in the Contract executed with C. J. Hesse, Inc. for West Lake Avenue Road Construction.

Councilmember Barnes offered Resolution 2017-58 authorizing the Receipt of Bids for the Clayton Avenue Bikeway Construction Project and authorizing the Borough Engineer to prepare Plans and Specifications for said project and to

provide Engineering Services for the Clayton Avenue Bikeway Construction Project.

Councilmember Magory offered Resolution 2017-59 authorizing submission and acceptance of Grant Application to the New Jersey Department of Highway Traffic Safety for the FY 2018 Pedestrian Safety Grant.

Councilmember Magory offered Resolution 2017-60 authorizing the Application for a Grant from the Association of New Jersey Environmental Commissions Multi-Use Path on Clayton Avenue.

Councilmember Hein offered Resolution 2017-61 appointing Todd J. Morgano as Part-Time Construction Official, Building Sub Code Official and Building Inspector HHS.

Councilmember Lyons offered Resolution 2017-62 amending Resolution 2017-24 providing for Payment of Salaries and Compensations of Borough Officials and Employees for 2017.

Councilmember Magory offered Resolution 2017-63 awarding a Contract to A Touch of Grass Landscaping, Inc. for Grass Mowing and Related Services.

Councilmember Hein offered Resolution 2017-64 providing Consent to Verizon Wireless to use poles erected within the Public Right of Way.

Councilmember Glass offered Resolution 2017-65 appointing Class I Special Law Enforcement Officers for the Borough of Bay Head and authorizing attendance at Ocean County Police Academy.

Councilmember Hein moved the above resolutions be adopted. The motion was seconded by Councilmember Barnes 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.

Councilmember Hein gave an AT A BOY to Ptl. Robert Sherman for all the Safety in the Community progress and for pushing the Police Department forward.

Council President Green opened the meeting to the public.

Stan Niedzwiecki, 42 Johnson Street: Clayton Avenue – East side, how are you going to handle people that have absconded with the property?

Councilmember Magory: We are taking it back.

Mr. Niedzwiecki: How far down will the sidewalk go on the west side?

Councilmember Magory: There are presently some sections on the west side of Clayton that have sidewalks but it will go all the way from Johnson to the Mantoloking line.

Mr. Niedzwiecki: You need to do a better job of what the resolutions are – by just reading the title it doesn't tell us much – we need a better explanation.
Thank God for the lady banging the gavel.

Sam Wilson, 838 Main Avenue: The east side of Clayton Avenue is a complex situation. One of my concerns is the wet lands in that area – how far down will the bike path go? Will the driveway access to Clayton continue or be cut off?

Councilmember Magory: It will be cut off. The map will indicate where the wetlands start. It will also indicate a boardwalk over the wetlands. That may not happen in this phase of the project.

Mr. Wilson: Shade trees are also a concern.

Councilmember Magory: We haven't worked through the whole plan – we are waiting for an updated plan.

Mr. Wilson: What is the time frame?

Councilmember Magory: This plan will not be executed until the fall.

Mr. Wilson: I am sure you will meet some stiff resistance.

Council President Green: There will be a town meeting to discuss the project.

Mr. Wilson: Thank you for your time.

Tom Charlton, 18 Harris Street: Thank the Board for moving ahead on the Clayton Avenue sidewalk on the west side. The east side is complicated. I am on the Environmental Commission and Mayor's Wellness. Dan Paulus, Chairman of the Environmental Commission is also working on obtaining the grant for Clayton Avenue. This is one of the few vacant places in Bay Head that a path can be placed – it will be a green way – environmental with plantings and landscape. The grant will allow for public outreach also.

Council President Green: Safety is a very large component in that area – we heard the cry for that from many residents.

Councilmember Hein: I am also a fan of trees and the path will weave around the existing trees as much as possible. I will do my best to save the trees.

Mr. Wilson: There was an insurance issue back in 2002 if I recall.

Councilmember Hein: I can give you some background on that after the meeting.

There being no further comments Councilmember Lyons moved to approve the vouchers for payment, which motion was seconded by Councilmember Magory 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.

The meeting was adjourned.

Patricia M. Applegate, Municipal Clerk

D'Arcy Rohan Green, Council President