

October 7, 2019

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on October 7, 2019 at 7:00 pm in the Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor Curtis called the meeting to order, welcomed everyone and 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 an annual schedule of meetings of this Governing Body which was posted on the bulletin board at 83 Bridge Avenue on January 2, 2019 and was published in *The Ocean Star* and the *Asbury Park Press* on January 4, 2019.

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

Councilmember Glass moved to approve the regular and executive minutes of September 9, 2019. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Glass, Shaning, Magory, Lyons. NAYS: None.

Mayor Curtis read Proclamation –

Fire Prevention Week – October 6-12, 2019

United Nations Day – October 24, 2019

A copy of each is attached to these minutes.

Ms. Cipriani, Borough Attorney administered the Oath of Office to the following as Fire Police in the Bay Head Fire Company:

Debbie Gates

John Gisinger

John Griggs

Robert Hein

Mayor thanked them for their service to the Bay Head Fire Company.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Glass, Public Safety, read the September report for the Police Department and Fire Department. A copy of the report is attached to these minutes.

Monthly Fire Safety Tip:

Change Your Clock, Change Your Battery: November 3<sup>rd</sup> is the day to change your clock back, so if you have older type smoke detectors remember to install new batteries.

Councilmember Shaning, Public Services read the Construction, Zoning and Code Enforcement reports for the month of September. A copy of the report is attached to these minutes.

Councilmember Magory, Public Works read the September Public Works Report and planned projects for October. A copy of the report is attached to these minutes.

Councilmember Lyons read the Parks, Grounds and Recreation report from Councilmember Cornell:

The Bay Head Environmental Commission will meet, next door in the conference room on Tuesday, October 15<sup>th</sup> at 5:30 pm.

Bay Head Police and Environmental Commission will be participating in DEA National RX Takeback – Got Expired Meds? Bring and drop-off your old or unused prescriptions and medications for proper disposal at the Bay Head Police Department, Municipal Building, 83 Bridge Avenue on Saturday, October 26<sup>th</sup> from 10 am to 2pm.

Councilmember Lyons, Finance and Technology:

Technology/Security: We did have Freehold IT come in and look at our system and are waiting to hear what their recommendations will be.

Finance: We are in the budget season and are requesting budgets from each department. The Finance Committee will be meeting multiple times to work on the budget for 2020.

Christopher Parlow, Borough Administrator: In September I attended two CRS meetings. The quarterly meeting in Ocean County and a two day training class at Monmouth University. I am also preparing our recertification application for CRS which is due by October 15, 2019.

The Ocean County Hazard Mitigation Plan, which is an all county plan, has been submitted for final approval from FEMA. Hopefully in November we will have a resolution approving that plan.

I attended a FEMA Region II meeting concerning the flood maps. We are presently under the preliminary maps because appeals were filed by the City of New York and some other northern towns which required a restudy of those maps. We were told the new maps would not be available for review until 2022 with adoption not expected until 2024. The one benefit of the delay is the cost of flood insurance, which won't increase until the maps are adopted. But the down side is that new construction is based on the best available data.

Councilmember Glass: Mr. Devesty has arrived, could he be given the oath?

Ms. Cipriani administered the oath of office to Neil Devesty for Fire Police, Bay Head Fire Department.

Mayor Curtis called for Clerk's Correspondence.

Request from New Logic Marine Educators to run their Marine Science Camp July 13-17 and August 24-28, 2020 at Centennial Park

Request from the Bay Head Business Association to use the parking lot west of Centennial Park for their Halloween Parade on October 26<sup>th</sup> with a rain date October 27, 2019

Application for Raffles License from All Saints Church Women's Guild for Gift Raffle on November 16, 2019 at 500 Lake Avenue, Bay Head, NJ

Request from Point Pleasant Beach PTO for permission to allow Bay Head residents to participate in the Town Wide Garage Sale on Saturday, Oct. 19<sup>th</sup> with rain date of Sunday, Oct. 20<sup>th</sup> to benefit Projection Graduation and PTO Senior Scholarships

Councilmember Glass moved the requests be approved. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Glass, Shaning, Magory, Lyons. NAYS: None.

Mayor Curtis called for Resolutions – On Consent

Councilmember Magory offered Resolution 2019-118 awarding a Professional Services Contract to Remington & Vernick Engineers to provide Design, Administration, and Observation Services for Lake Avenue Roadway and Drainage Reconstruction.

Councilmember Magory offered Resolution 2019-119 awarding a Professional services Contract to Remington & Vernick Engineers to perform Indoor Mold in Air Sampling Proposal for the Borough Hall Building.

Councilmember Lyons offered Resolution 2019-120 awarding a Professional services Contract to O'Donnell Stanton & Associates to establish the Front Setback Line for Ocean Front Properties.

Councilmember Magory offered Resolution 2019-121 condemning all efforts to delegitimize the State of Israel and the global movement to boycott, divest from and sanction the people of Israel.

Councilmember Glass offered Resolution 2019-122 providing authorization to advertise and receive Proposals for the positions of Borough Attorney, Borough Auditor, Municipal Prosecutor, Borough Engineer and Planning Consultant for the Year 2020.

Councilmember Shaning offered Resolution 2019-123 appointing Kevin M. McGarvey as Part-Time Alternate Sub-Code Electrical Inspector.

Councilmember Lyons offered Resolution 2019-124 amending Resolution 2018-153 providing for Payment of Salaries and Compensation of Borough Officials and Employees for 2019.

Councilmember Magory offered Resolution 2019-125 awarding a contract to Earthworks, Inc. for Howe Park Softball Restoration.

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

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

Joanne Pehlivanian, 332 Western Avenue: Resolution 2019-121 – what does it mean?

Mayor Curtis: Condole those who want us to break ties with Israel. Show support.

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

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

Mayor Curtis called for Ordinance, First Reading:

Councilmember Magory offered Ordinance 2019-15 entitled:

ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER  
209 OF THE BOROUGH CODE OF THE BOROUGH OF BAY HEAD ENTITLED  
“STREETS AND SIDEWALKS” SO AS TO ADD ARTICLE III ENTITLED  
“RIGHTS OF WAYS”

Councilmember Magory moved this ordinance on first reading, which motion was seconded by Councilmember Glass.

The motion passed on roll call vote. YEAS: Glass, Shaning, Magory, Lyons. NAYS: None. A copy of this ordinance is attached to these minutes.

This ordinance is scheduled for second reading and public hearing on November 4, 2019.

Mayor Curtis called for New Business. There was none.

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis opened the meeting to the public.

Peter Doane, 325 Lake Avenue: I would like to thank Public Works for doing such a great job taking care of the goose problem this summer. I appreciate your efforts. The sidewalks were much cleaner this year than last.

Joanne Pehlivanian, 332 Western Avenue: I am concerned with the infiltration of deer. My garden is torn apart, the hedges have been eaten – is there something we can do? It is a problem.

Councilmember Lyons: My hedges have been eaten also – I am also feeling the pain.

Ms. Cipriani: The Senate is looking into an alternate plan to deal with the numbers.

Chief Hoffman: I spoke with the Deer Project Manager for Ocean County and they take out 25% of the doe population per year. Fish and Game won't come out. The deer population in Bay Head is mostly on Transit property. I have contacted the chief there – we are working on the problem. Recently a buck got hit by a car and had to be put down. There are about 4 or 5 now. We have been told that every doe has twins – we counted 16 so in one year there could be 30 to 40. There is progress.

Councilmember Lyons: Dan Paulus, Chairman of the Environmental Commission has another property in Colts Neck and he has stated he uses a spray there which helps. It can be purchased at a local nursery.

There being no further comments Councilmember Lyons moved to approve the vouchers for payment. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Glass, Shaning, Magory, Lyons. NAYS: None. A list of vouchers is attached to these minutes.

The meeting was adjourned.

---

Patricia M. Applegate, Municipal Clerk

---

William W. Curtis, Mayor