

August 5, 2019

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on August 5, 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, Cornell (by phone), Lyons; Christopher Parlow, Borough Administrator and Jean Cipriani, Borough Attorney. Councilmember Barnes was absent.

Councilmember Glass moved to approve the regular minutes of June 3, 2019. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Glass, Magory, Cornell. NOT VOTING: Lyons and Shaning. NAYS: None.

Councilmember Glass moved to approve the regular and executive minutes of July 1, 2019. The motion was seconded by Councilmember Lyons and passed on roll call vote. YEAS: Glass, Shaning, Lyons. NAYS: None. NOT VOTING: Magory and Cornell.

Mr. Parlow introduced JT White and Nick Jardine, representatives from Forerunner Industries. Forerunner will provide software to help manage the Borough's community rating system (CRS). The present rating for the Borough is six (6) which gives residents who carry flood insurance a 20% discount. Based on estimates there is a collective savings of well over \$100,000.00 per year to residents. In 2020 we will have to work with a new manual.

JT White and Nick Jardine gave a powerpoint presentation on this software. Please see a copy of the presentation attached.

Some questions answered:

Tom Charlton, 18 Harris Street: The estimated credit, using this program is 142 points. Will this increase our points?

Mr. Parlow: I wish I could give you a straight forward answer. With the new manual the points will be distributed differently. I feel we will stay the same this year. Next year we will have different points for different activities. For every 500 points you go to the next class level.

George Schweickert, 70 Osborne Avenue: You stated we recertify in September. When do we hear?

Mr. Parlow: We usually are notified the beginning of November. I think it will remain at 6 for this year because we continue to do the same activities as before. Going forward with the new manual, we will see. That is why we are getting this new software program to help with our points.

Paul Ames, 46 Osborne Avenue: Certificate of Elevation – how long are they good for?

Mr. Parlow: The Certificate of Elevation is a snapshot of your house. It would change only if they change the flood maps.

Joanne Pehlivanian, 332 Western Avenue: We are at 20%, what is the opportunity to go to 25% or 30%? I attended a session and some of the towns were listed at 25%. Can we get there?

Mr. Parlow: It depends on how many activities we do, the more activities the more points. Our hope is to get the best rating we can. It is a challenge to get to 25% or 30%. It may require people to elevate higher than the flood map requires. There would be an offset – cost residents more money. The average for most municipalities is 10%.

There being no further questions or comments Mayor Curtis thanked Mr. White, Mr. Jardine and Mr. Parlow for the information presented.

Barry Pearce, 94 Bridge Avenue: I attended the last meeting and brought up our concern of traffic going the wrong way on Park Avenue. Our concern was for the safety of children walking and biking. We asked why the do not enter sign had been removed. The sign was back the very next morning and I have only saw two cars going the wrong way in a month. The sign has made everything much safer and I thank you.

Mayor Curtis: Thanks go to the Police and Public Works.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Glass, Public Safety, read the July report for the Police Department. A copy of the report is attached to these minutes. Tomorrow will be our first time participating in National Night Out. I encourage all to attend. It will be in the parking lot in front of the municipal building.

She read the July report for the Bay Head Fire Department. A copy of the report is attached to these minutes.

Monthly Fire Safety Tip:

Operate fire pits outside, never use a fire pit on wood decks, porches, or balconies. Place at least 10 feet from home/structures. Before you light the fire, check the wind direction. Never leave open flames unattended. Do not let

children use, run or play near the fire pit. Do not use flammable liquids to start fires. Keep a fire extinguisher, garden hose, or bucket filled with water nearby.

The Clam Bake is coming up – August 17th noon to 5 pm. Please come out and support the Fire Department.

Annual Borough of Bay Head – Business Award Program

The Borough of Bay Head recognizes that by supporting local businesses they can help grow a diverse economy by expanding shopping, dining, and working opportunities in the community. A strong and vibrant business community is vital to the well-being of the Borough in many ways.

In recognition of their shared goal, the Mayor and Council, in conjunction with the Bay Head Business Association (BHBA), have developed this Award Program to expand Borough support by highlighting existing local businesses who have given back to the community as well as businesses that have recently been established.

As part of their October monthly meeting, the BHBA will review the list of all businesses in the Borough of Bay Head and select three that have made a significant contribution to the community or that have begun operations in the past year. They will submit the three names along with a short reason for their selection to the governing body of the Borough. As the November monthly council meeting, the governing body will select a business for recognition and have a Certificate of Appreciation printed. The Certificate will be presented to the selected business at the December semi-annual BHBA General Meeting/Roundtable.

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

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

Councilmember Cornell, Parks, Grounds and Recreation:

Bay Head Life – Mayor’s Walk this Wednesday, August 8th. Meet under the clock on Bridge Avenue walking the three bridges and a visit to the Farmer’s Market. Duck Derby – Saturday, August 10th at 3 pm.

Summer Recreation Program is coming along really well and will end on August 15th.

Bay Head Environmental Commission will participate in National Night Out tomorrow evening August 6th from 6 to 9 pm.

Bay Head Environmental Commission with the Bay Head Fire Department will host the Second Annual Bay Head Kids Crabbing Contest on August 17th from 2 to 3 pm on the docks at Scow Ditch.

Bay Head Train Station – clean-up sessions are planned for August 10th and 20th and September 14th and 24th starting at 0900 hours. Please join us.

Register Ready - Please be aware that you can register with Register Ready program which is New Jersey’s Special Needs Registry. The registry is designed to help emergency responders locate and safely evacuate people who could find it difficult to help themselves in the event of a major disaster, such as a hurricane.

Please go to the web site: www.registerready.nj.gov. If you have any questions please give me a call.

Councilmember Lyons, Finance and Technology, had no report for Finance.

Technology: I would like to thank Chris for bring Forerunner to our attention and the presentation tonight. We continue to help the citizens of Bay Head by being more user friendly. If you have any ideas please bring them forward.

Security: All employees have had training as to computer use and what to look out for. We are also going to have Freehold IT Department do an audit to see if there are any ways to improve our system to protect us.

Chief Hoffman: I just received an FBI Bulletin making everyone aware of the rising WALWARE. Point Pleasant Borough was recently hit and they were shut down for two weeks and were held ransom for \$150,000.00. I am not sure what they settled for.

Councilmember Lyons: They view small municipalities as targets as well as larger cities.

Christopher Parlow, Borough Administrator:

The Beach Replenishment Project should be completed by Wednesday. The contractor will be out of Bay Head and Point Pleasant Beach with all their equipment – they are now in our rearview mirror. They will return in the fall to plant the dune grass.

Army Corps and DEP stock piled sand to fill in revetment and the new dune system. Nine properties got additional sand to cover the exposed rocks and valleys.

I have been working on the beach ordinance which hopefully will be introduced tonight. I has consumer a lot of my time.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following request:

Request from Zas Zas Stackles to use Centennial Park on Sunday, June 28, 2020 for Art in the Park...and Beyond

Request from Bay Head Improvement Association to use the Borough Hall meeting room on Wednesday, August 28, 2019 from 6:45 to 9:00 pm for their general membership meeting

Request from Stephen Stockhoff for permission to use Centennial Park on Saturday, August 10, 2019 from 2 to 4 pm for Landon's 4th Birthday Party

Councilmember Lyons: I would like to pull the third request.

Councilmember Glass moved to approve the first two requests which was seconded by Councilmember Magory. The motion passed on roll call vote. YEAS: Glass, Barnes, Shaning, Lyons. Nays: None.

Councilmember Lyons: This has come up before and we have denied requests for a special occasion.

Ms. Cipriani: If we are going to open it up for the capacity to reserve for a special event, we would need to look at having procedures and standards. Would there be a charge for clean up etc. People can come to the park to celebrate a birthday but that is different – no need for approval. I would suggest not acting on the request. That is not saying they can't use the park - just that it doesn't require special permission.

Mayor Curtis called for Resolutions – On Consent

Councilmember Cornell offered Resolution 2019-90 ratifying and confirming the Execution of an Agreement with Property Owners for Use of Sand for Rock Revetment.

Councilmember Lyons offered Resolution 2019-91 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) – FEMA-Superstorm Sandy - \$25,693.50 .

Councilmember Cornell offered Resolution 2019-92 appointing O'Donnell Stanton & Associates as Special Engineering Consultant for the Borough of Bay Head.

Councilmember Lyons offered Resolution 2019-93 amending the 5 Year Capital Program 2019-2023.

Councilmember Glass offered Resolution 2019-94 authorizing payment to employees for Hours of Accrued Compensatory Time from the Budgetary Provision approved as Police Salary and Wages – Captain LaRue - \$5,619.00.

Councilmember Cornell offered Resolution 2019-95 Adopting a Green Grounds and Maintenance Policy.

Councilmember Magory offered Resolution 2019-96 supporting the Lawsuit by the Ocean County Board of Freeholders, challenging the Attorney General's Immigration Trust Directive.

Councilmember Lyons offered Resolution 2019-97 extending the Grace Period for Payment of Third Quarter Property Taxes to August 19, 2019.

Councilmember Glass offered Resolution 2019-98 renewal of Membership in the Ocean County Municipal Joint Insurance Fund.

Councilmember Magory offered Resolution 2019-99 urging Legislators to take action to Oppose and Seek Changes to the Reauthorization of the National Flood Insurance Program ("NFIP").

Councilmember Glass offered Resolution 2019-100 authorizing the Execution of a Shared Services Agreement between the Borough of Bay Head and Bay Head Board of Education for a School Resource Officer.

Councilmember Lyons offered Resolution 2019-101 cancelling sewer billing.

Councilmember Magory offered Resolution 2019-102 awarding a Contract to Forerunner Industries, Inc.

Councilmember Magory offered Resolution 2019-103 awarding a Professional Services Contract to Remington & Vernick Engineers to provide Design and Bidding Services for Howe Park Softball Field Restoration.

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

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

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, Cornell, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis called for Ordinance, First Reading.

Councilmember Lyons offered Ordinance 2019-13 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE LAKE AVENUE ROADWAY AND DRAINANCE RECONSTRUCTION INCLUDING RELATED EXPENSES IN AND FOR THE BOROUGH OF BAY HEAD AND APPROPRIATING \$580,000 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$185,000 IN BONDS OR NOTES OF THE BOROUGH OF BAY HEAD TO FINANCE THE SAME

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

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

This ordinance is scheduled for second reading and public hearing on August 19, 2019.

Councilmember Cornell offered Ordinance 2019-14 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE II OF CHAPTER 75 OF THE BOROUGH CODE OF THE BOROUGH OF BAY HEAD,

ENTITLED "PROTECTION OF BEACHES AND DUNES"

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

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

This ordinance is scheduled for second reading and public hearing on September 9, 2019.

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business, there was none.

Mayor Curtis opened the meeting to the public.

Peter Doane, 325 Lake Avenue: I asked this question last month – placing benches or platforms on the new dune at the street ends. I understand Bay Head owns up to the dune. A number of people want platforms to see the water and feel the breeze – maybe a grant could be applied for to do this.

Councilmember Lyons: Last month you mentioned benches.

Mr. Doane: I would like the same as the homeowners. They don't have to be at the same quality – not asking to spend a huge amount of money on them.

Councilmember Lyons: I like the idea of benches. We will look into it. We just hired a dune consultant. I am sure they can provide some guidance.

Councilmember Glass: A number of people have asked that a bench be placed so they can see the ocean.

Mayor Curtis: We will look into it.

Mr. Doane: This one is for my aunt Allison - the construction across the street from her house on Lake Avenue – what is the time limit for the construction or will it continue for the next 2 or 3 years? Big trucks are there before 7 am and they are very loud. Could the Chief have the patrol guys ride by?

Chief Hoffman: We can't stop deliveries.

Mr. Doane: The approval from the Planning Board to construct the two family house and the elevated stores stated deliveries were not to occur before 8 am.

Paul Ames: Osborne Avenue Beach – when do we get the waves back?

Mr. Parlow: Promised to be here next week. They pumped more sand onto the beach in anticipation that some will get washed away. Nature dictates when that will happen.

Penny Witt, 156 Woodland Avenue: I am a biker. I was wondering if it would be possible to put the emblem for bikes down the middle of Bridge Avenue – to expect and respect would be a possibility – share the road.

Councilmember Lyons: I wish that would work. If you ride your bike on Route 35 and even though it is marked you get honks. Bridge Avenue between Club and Lake is the most dangerous section to ride your bike.

Chief Hoffman: A bike is treated as a motor vehicle. Just so you know, it is not against the law to ride on the sidewalk.

Councilmember Lyons: Last year there were signs encouraging everyone to walk their bikes on the north side of Bridge (sidewalk) from Club to Lake and to ride their bikes on the south side.

Ms. Cipriani: Bridge Avenue is a county roadway and you would have to ask permission to place something on the roadway.

Mayor Curtis: Bikes are allowed on every road and sidewalk.

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

Mayor Curtis reminded everyone about the Non Voter Taxpayers meeting scheduled for Monday, August 19, 2019 at 7:00 pm.

Mayor Curtis adjourned the meeting.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor