

October 19, 2009

The regular meeting of Mayor and Council of the Borough of Bay Head was held on October 19, 2009 at 7:00 PM in the Council Chambers of the Borough Hall.

Mayor Curtis called the meeting to order and welcomed everyone. He asked everyone to stand and join with him in the Pledge of Allegiance to the Flag.

The roll was called for attendance. Present were Mayor Curtis and Councilmembers Berko, Glass, DeFilippis and Borough Attorney, Jean L. Cipriani. Councilmembers Green, Barnes and Urner were absent.

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 in the main corridor of the Borough Hall and was published in *The Ocean Star*.

Councilmember DeFilippis moved to approve the minutes of September 21, 2009. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Berko, Legal and Planning, had no report.

Councilmember Glass read the monthly Zoning Officer and Construction Official report for the month of September. A copy of the report is attached to these minutes.

Councilmember Glass, Public Safety, read the Police Activity Report for the month of September. A copy of the report is attached to these minutes. She also reported that the feral cat issue was being looked at by Councilmember Berko, Councilmember Barnes and Borough Attorney, Ms. Cipriani.

Councilmember DeFilippis, Public Works, reported that the work on Egbert Street would begin the week of October 26th. JCP&L will be changing street lights in town from incandescent to high sodium vapor. Bulk pick-up will be Wednesday, October 28th and each property can place out five items with a weight limit of 30 lbs. each.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered the following requests:

1. **Request from St. Paul's United Methodist Church for permission to have a horse-drawn hay ride on the back streets by the lake on October 24th from 12 to 2 pm.**
2. **Request from Jersey Shore Relay for permission to have Participants in the Jersey Shore Relay to Benefit Special Olympics on Saturday, April 17, 2010 run through Bay Head.**
3. **Request from Kate Shea Foundation for permission to hold the 7th Annual Bay Head 5K race on Saturday, May 22, 2010 starting at 8:30 am.**
4. **Request from Bay Head Business Association to hold their annual Halloween Parade on Sunday, October 25th starting at 11:30 am.**
5. **An application from All Saints Church Women's Guild for an On-Premise Raffles License to be held at the church on November 14, 2009 from 10 am to 3 pm.**
6. **An application from Deborah Hospital Foundation, Point Pleasant Chapter for an On-Premise monthly Raffles License to be held at 640 Lake Avenue, January thru December, 2010 at 4 pm.**
7. **An application for Special Permit for Social Affair from Bay Head School Foundation for event to be held at the BHYC on November 20th from 6 to 10 pm.**

Councilmember Berko suggested that the number and length of time signs are displayed for events be limited.

Councilmember Glass moved to approve the requests which was seconded by Councilmember Berko and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None.

Mayor Curtis called for Ordinances, First Reading.

Councilmember Berko offered Ordinance 2009-10 entitled:

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 222
OF THE BOROUGH CODE ENTITLED "VEHICLES
AND TRAFFIC" SO AS TO AMEND AND SUPPLEMENT
ARTICLE II, ENTITLED, "PARKING"**

Councilmember Berko moved to approve this ordinance on first reading, which motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. ABSENT: Green, Barnes, Urner. A copy of this ordinance is attached to these minutes.

Mayor Curtis called for Unfinished Business.

Mayor Curtis stated he didn't feel Council was utilizing this section of the agenda and encouraged all to use it to inform the public of items that had been put to bed.

Councilmember DeFilippis: I can report on grants received between 2009 and 2010. 1. A \$46,000.00 grant from CDBG for 2009 for the Bay Head Reading Center has been approved and hopefully will be completed in 2009. We can only use the funding for that project and we must pay prevailing wage. 2. A \$144,000.00 grant from DOT has been approved for road improvements to Egbert Street. We have received bids and will award the contract tonight. The project will be completed this year. 3. We were also notified last week that the 2010 DOT grant of \$175,000.00 for Park Avenue has been approved. Survey work started today. 4. Lake Avenue project has been completed late August. This project was to remediate problems of the sanitary sewer system and replacement of some sanitary sewer lines. NJAW installed a new water line from the water tower to Mantoloking. Some spots need to be repaired. NJAW was going to pave half of the road but we decided to have them pave the entire road curb to curb and pay for half which ended up costing the Borough \$16,000.00. We also installed four new storm drains at the corner of Lake and Forsyth.

Councilmember Berko: John does a great job getting us money for these projects. I will discuss the groins at a later time.

Mayor Curtis called for New Business and Resolutions.

Councilmember Glass offered Resolution 2009-86 authorizing a Shared Services Agreement between the Borough of Bay Head and the County of Ocean for the FY 2010 State 966 Reimbursement Program and moved it be adopted. This motion was seconded by Councilmember Berko and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember Berko offered Resolution 2009-87 authorizing the execution of a Settlement Agreement with the New Jersey Department of Environmental Protection and moved it be adopted. This motion was seconded by Councilmember DeFilippis and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember DeFilippis offered Resolution 2009-88 awarding a contract for the Egbert Street Road Improvements Project to Earle Asphalt Company and moved it be adopted. This motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember Glass offered Resolution 2009-89 authorizing the receipt of bids for a Law Enforcement Vehicle and moved it be adopted. This motion was seconded by Councilmember DeFilippis and passed on

roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember DeFilippis offered Resolution 2009-90 request approval of items of revenue for FY 2010 966 Reimbursement Program to be inserted in the 2009 Budget and moved it be approved. This motion was seconded by Councilmember Berko and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember DeFilippis offered Resolution 2009-91 request approval of items of revenue for 2009 CDBG Grant to be inserted in the 2009 Budget and moved it be approved. This motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember DeFilippis offered Resolution 2009-92 requesting tax refund of Overpayment of Taxes due to Tax Appeal and moved it be approved. This motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Berko, Glass, DeFilippis. NAYS: None. A copy of the resolution is attached to these minutes.

Mayor Curtis opened the meeting for Public Discussion. No one came forward.

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

The meeting was adjourned.

**Patricia M. Applegate, RMC
Municipal Clerk**

William W. Curtis, Mayor