

July 20, 2009

The regular meeting of Mayor and Council of the Borough of Bay Head was held on July 20, 2009 at 7:00 PM in the Council Chamber 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 Councilmember Green, Barnes, Glass, DeFilippis, Urner and Borough Attorney Jean L. Cipriani. Councilmember Berko was 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 Glass moved to approve minutes of July 6, 2009. The motion was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Mayor Curtis presented a Happy 100th Birthday wish and cake, donated by Mullers, to Mrs. Elizabeth Dunbar. Mayor stated Mrs. Dunbar had lived in Bay Head since 1935 and had forgotten more than we want to know.

Mayor Curtis advised residents to be aware of sick or rabid raccoons which have been seen all over town. Please notify the Bay Head Police Department if you spot one and please make children aware to leave them alone.

Mayor Curtis called for Report of Standing Committees.

Mayor Curtis advised Council to check their folders for a proposed ordinance concerning decks to be addressed at the next meeting.

Councilmember Green, Parks, Grounds and Recreation: I would like to thank everyone who attended the 1st Timely Topic “Sustainable Jersey”. We had a full house. The Environmental Commission will meet shortly to choose what actions we will follow which are recommended and most appropriate to Bay Head. The next Timely Topic will be to learn about environmentally responsible gardening at this new experimental garden on Saturday, August 1st from 10 am to 12 noon for the Seaweeders’ Garden Club “The Garden Patch” Grand Opening.

Councilmember Barnes, Public Services: We would like input from the residents concerning Lake Avenue. A poll will be placed on our website www.bayhead.nj.us with options to choose from. Please vote. The poll will be posted within the next week.

Councilmember Glass, Public Safety, read the June monthly report from the Bay Head Fire Company No. 1. A copy of the report is attached to these minutes.

Councilmember DeFilippis, Public Works, had no report.

Councilmember Urner, Finance, had no report.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered a request from Point Pleasant Soccer Club to use Howe Park on Saturdays, August 1st thru November 28th, Tuesdays, September 16th thru November 28th and Thursdays, August 16th thru November 28th 2009. Councilmember Urner moved to approve the request which was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Ms. Applegate offered a request from Project Graduation Committee for Bay Head residents to participate in the Fall Town-Wide Garage Sale on Saturday, October 3rd, rain date Sunday, October 4th, 2009. Councilmember Urner moved to approve the request which was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Urner offered Resolution 2009-76 requesting approval of items of revenue and appropriation N.J.S.A. 40A:4-87 and moved it be adopted. This motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Green, Barnes, Glass, DeFilippis, Urner. NAYS: None. A copy of the resolution is attached to these minutes.

Councilmember Urner offered Resolution 2009-77 approving the refund of escrow deposits for Planning Board applicants and moved it be adopted. This motion was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, Barnes, Glass, DeFilippis, Urner. NAYS: None. A copy of the resolution is attached to these minutes.

Mayor Curtis and Councilmember Glass recused themselves from acting on Resolution 2009-78 and left the room.

Councilmember Barnes offered Resolution 2009-78 approving the renewal liquor license for H & R Grenville Fine Dining Inc. and moved

it be adopted. This motion was seconded by Councilmember DeFilippis and passed on roll call vote. YEAS: Green, Barnes, DeFilippis. NAYS: Urner. NOT VOTING: Glass. A copy of the resolution is attached to these minutes.

Gail Heyer, 224 Bridge Avenue: Why do you have to pass a resolution to refund money?

Councilmember Urner: This is not normal accounting. A resolution is required to be adopted in public listing those receiving funds and also the amount being refunded.

Stan Niedzwiecki, 42 Johnson Street: Jen suggested a poll to be placed on the web concerning Lake Avenue. How much affect will the poll have on what should be done? We have a problem there walking, driving and biking – it is dangerous and placing your head in the sand won't help. Unless something is done the town will be sued.

Mayor Curtis: The Council will act in good judgment. It will just be an opportunity for someone else to say what their feelings are

Councilmember Barnes: It will be a factor that we will consider. Certainly the opinion of the residents is something that we would highly take into account as long as it is in alignment with legal and safety standards.

Mr. Niedzwiecki: One way is not the answer, it will cause speeders.

There being no further comments Councilmember Urner moved to approve the vouchers for payment, which motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Green, Barnes, Glass, DeFilippis, Urner. 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