

June 6, 2011

The regular meeting of Mayor and Council of the Borough of Bay Head was held on June 6, 2011 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 him 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 in the main corridor of the Borough Hall and was published in *The Asbury Park Press* and *The Ocean Star*.

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

Councilmember Barnes moved to approve the regular and executive minutes of May 2, 2011. The motion was seconded by Councilmember Glass and passed on roll call vote: YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Mayor Curtis introduced Tim Hart, Division Director of the Ocean County Historic Society. Mr. Hart presented a Proclamation from the Ocean County Freeholders to Edward and Mary Beth King for their preservation of the home at 21 Harris Street.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Berko, Legal and Planning, had no report.

Councilmember Green, Parks, Grounds and Recreation: The Summer Recreation Program is coming together with four new hires. The program will run from July 5th thru August 11th. Applications are available on the web site and in the Clerk's office. There has been a tremendous amount of garbage on the beach and street ends. If you see anyone littering please remind them that bins are located at the street ends.

Councilmember Berko: This is just a general question hoping if it makes the paper it will be addressed by the legislature. Why is it legal to have a balloon release? They end up on the beach. The other day I counted twelve on the beach. It should be a national law.

Councilmember Green: The wildlife take it for prey.

Councilmember Barnes, Public Services, read the Zoning Officer report and the Construction Official report for the month of May. A copy of the report is attached to these minutes.

Councilmember Glass, Public Safety, read the Police Activity report and the Bay Head Fire Co. report for the month of May. A copy of the report is attached to these minutes.

Councilmember DeFilippis, Public Works: The gas line work on Main Avenue is complete in Bay Head. The patching job needs some work and we are working with the contractor.

Councilmember Urner, Finance: Taking in on schedule and paying on schedule.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered the following:

A request from Jersey Shore Relay for permission to have participants in the Jersey Shore Relay to Benefit Special Olympics on Saturday, May 18, 2012 run through Bay Head

An application from All Saints Church Women's Guild for On Premise 50/50 Raffles License to be held at the Bay Head Yacht Club on August 18, 2011

An application from All Saints Church Women's Guild for On Premise Gift Raffles License to be held at the Bay Head Yacht Club on August 18, 2011

An application from All Saints Church Women's Guild for Special Permit for Social Affair for and event to be held at the Bay Head Yacht Club on August 18, 2011

An application from Sacred Heart Church for Off Premise 50/50 Raffles License drawing to be held September 3, 2011

Councilmember Urner moved to approve the requests. The motion seconded by Councilmember Glass and passed on roll call vote: YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Mrs. Applegate offered an Ad Interim application from H & R Grenville Fine Dining, Inc.

Mayor Curtis recused himself from the request.

Ms. Cipriani: The application for renewal was filed on June 3, 2011, but Council can't act until the Tax Clearance Certificate is received. The license expires on June 30, 2011 and the next meeting of Council is July 5th. To allow the Grenville to continue to serve they need this approval. You should indicate the effective dates for the Ad Interim Permit.

Councilmember Urner moved to approve the application with the effective dates being July 1 thru July 6, 2011. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Mayor Curtis called for Ordinance, First Reading.

Councilmember DeFilippis offered Ordinance 2011-04 entitled:

AN ORDINANCE SUPPLEMENTING SECTION 222-26 (SCHEDULED VIII: HANDICAPPED PARKING) OF CHAPTER 222 (VEHCILES AND TRAFFIC) OF THE CODE OF THE BOROUGH OF BAY HEAD, OCEAN COUNTY, NEW JERSEY, TO ESTABLISH A HANDICAPPED PARKING SPACE AT 122 BRIDGE AVENUE

Mayor Curtis stated the second reading and public hearing will be at the next meeting July 5, 2011.

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

Mayor Curtis called for Unfinished Business.

Councilmember Barnes: Chief Hoffman have there been any issues with raccoons or wildlife this spring?

Chief Hoffman: There have been no reports nor have I noticed any myself.

Mayor Curtis called for New Business and Resolutions.

Councilmember Berko offered the following resolutions:

Resolution 2011-59 appointing Melissa Kiss as summer Recreation Program Coordinator

Resolution 2011-60 appointing Heather Johnson as Assistant summer Recreation Program Coordinator

Resolution 2011-61 appointing Lindsay A. Walker as Assistant summer Recreation Program Coordinator

Resolution 2011-65 providing for the Sale of Personal Property

Resolution 2011-66 authorizing the return of a street opening Performance Bond for Street Opening Permit #2007-5

Resolution 2011-67 authorizing the return of a street opening

**Performance Bond for Street Opening Permit #2007-2
Resolution 2011-68 appointing Kathleen McGoey as
Assistant summer Recreation Program Coordinator**

**Resolution 2011-69 awarding a contract to Therapeutic
Fitness, LLC for the provision of fitness activities for the
Bay Head Summer Recreation 2011 Program in Association
with the Mayor's Wellness Campaign**

**Resolution 2011-70 Governing Body Certification of the
Annual Audit**

**Resolution 2011-71 authorizing Agreement with Pitney
Bowes**

**Resolution 2011-72 amending Resolution 2010-75 providing
for Salaries and Compensation of Borough Officials and
Employees for 2011**

**Resolution 2011-73 authorizing refund for overpayment of
2nd Quarter 2011 property taxes due to receipt of 2011
Homestead benefit**

**Resolution 2011-74 authorizing refunds for overpayments of
property and sewer taxes**

Resolution 2011-75 awarding Peddler's License for the Year 2011

**Councilmember Berko moved to approve the resolutions. The motion
was seconded by Councilmember Urner and passed on roll call vote.
YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.
A copy of the resolution is attached to these minutes.**

**Mayor Curtis turned the meeting over to Council President, John
DeFilippis.**

Councilmember Berko offered the following resolutions:

**Resolution 2011-62 approving the renewal of the Liquor
License for the Bay Head Yacht Club**

**Resolution 2011-63 approving the renewal of the Liquor
License for And Bottles Too, Inc.**

**Resolution 2011-64 requesting the Director of ABC to act
upon the request of Seaurtis, Inc., T/A Central Market for
renewal of its Liquor License**

**Councilmember Berko moved to approve the resolutions. The motion
was seconded by Councilmember Green and passed on roll call vote.
YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. 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 comments Councilmember Urner moved to approve the vouchers for payment, which motion was seconded by Councilmember Berko and passed on roll call vote. YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None. A list of the vouchers is attached to these minutes.

Councilmember Berko offered the following Resolution to go into executive session.

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bay Head, in the County of Ocean, State of New Jersey, as follows:

- 1. The public shall be excluded from discussions of an actions upon the hereinafter specified subject matter.**
- 2. The following subject involve personnel matters.**

Personnel

- 3. It is anticipated at this time the above stated subject matter will not be made public at any foreseeable time in the future.**
- 4. This Resolution shall become effective immediately.**

Councilmember Berko moved this resolution be approved. The motion was seconded by Councilmember Urner and passed on roll call vote. YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

The Governing Body went into Executive Session at 7:30 pm. At 8:15 the Governing Body came out of Executive Session and resumed the meeting.

There being no further business Council President DeFilippis adjourned the meeting.

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

William W. Curtis, Mayor

