

September 6, 2011

The regular meeting of Mayor and Council of the Borough of Bay Head was held on September 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.

Mayor Curtis: First I would like to welcome, Councilmember Barnes, the newest mother of the audience. She is also the first sitting Councilmember to have a baby.

Councilmember Glass moved to approve the minutes of August 15, 2011. The motion was seconded by Councilmember DeFilippis and passed on roll call vote. YEAS: Berko, Green, Glass, DeFilippis, Urner. NAYS: None. NOT VOTING: Barnes.

Mayor Curtis made the following appointment:

**Member to Bay Head Fire Company No. 1
Robert F. Hein**

Mayor Curtis: I would like to compliment the Police Department and the Fire Department as well as Public Works and all the citizens who pitched in during our hurricane.

Mayor Curtis invited everyone to attend a Community-Wide Service on Remembrance, Appreciation and Hope on Sunday, September 11, 2011 8:30 to 9:30 am to be held (weather permitting) in front of the Bay Head Fire House.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Berko, Legal and Planning, the Grenville suit – the Grenville had filed for bankruptcy so our motion to dismiss and

summary judgment was delayed while Grenville's counsel had to get appointed by the bankruptcy guy to continue and that has been done so the last I heard we will be talking about a couple more months.

Councilmember Green, Parks, Grounds and Recreation: The Ocean County Health Department tested the ocean and bay water after Hurricane Irene. The bay water was found to have a high number for bacteria but after 48 hours it had a normal reading. Nothing was found to be of concern in the ocean.

Mayors Wellness is staging a Dodge Ball Tournament for Thursday, September 29th from 5:30 to 7:30 PM at Centennial Park Tennis Courts. Sign up sheets are available at Borough Hall or on the web site.

Mayors Wellness Campaign is also organizing a Down the Shore Barbecue Cook Off on Saturday, October 1st from 10 to 11:30 am at Curtis' Central Market parking lot.

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

Councilmember Glass, Public Safety, read the Police Activity report and Fire Department report for the month of August. A copy of the report is attached to these minutes. I would also like to thank our police and fire for all their help during the hurricane.

If you wish to have your water tested please contact New Jersey American Water Company.

I had an issue with a baby possum in my garbage. I called the police and they called Muskrat Jack. He advises everyone to keep your lids on your garbage cans. Skunks and possum like to go into the cans because they feel safe and secure.

Mayor Curtis: Congratulations to Mary who is a Grandmother again.

Councilmember DeFilippis, Public Works, the storm we had could have been a lot worse. The debris clean up has given us some issues but all will be resolved.

Councilmember Urner, Finance, we are starting the budget process for 2012.

Councilmember Green: I would like to give a shout out to our public works they worked very hard preparing for the storm during and after.

Councilmember Urner: What are all the dates that the debris will be picked up?

Councilmember DeFilippis: We contracted with Waste Management to pick up the storm debris. There was an abundance of sand on East Avenue and as you know we are restricted as to what we can put back

on the beach. Waste Management refused to pick up the sand so the burden fell to our public works. Waste Management picked up storm debris last Saturday and will be in today again tomorrow. If there is anything left it will be picked up by Waste Management when they are in town to pick up garbage or by public works. Most should be gone by the end of this week.

Councilmember Berko: North Street the western part between the two houses I presume that is considered beach.

Councilmember DeFilippis: It is an entrance way to the beach.

Councilmember Berko: Couldn't we put the sand there without having to screen it?

Councilmember DeFilippis: No. Most of the sand has been placed there and will go back on the beach. We had an abundance of sand on East Avenue and we are restricted has to what we can put back. Waste Management refused to pick up the sand so the burden fell to our public works.

Councilmember Urner: Could you and Chip get together as to the cost.

Councilmember Glass: I forgot but would also like to thank Kelley Mickle, Deputy Emergency Management Coordinator for the outstanding job she did before and during the storm.

Councilmember Green: Yes, Kelley did a fabulous job.

Mayor Curtis: We used every resource we could think of to get the news out. We used our web site, the Wellness Campaign web site, the Home & School Association web site but we need to come up with something where we can blast out a notice to everybody under one system.

Councilmember Barnes: My mother lives in Brick and every resident was called.

Councilmember Green: St. Peters School uses a Honeywell system. The phone alerts are really useful, because despite our zeal to use modern technology via the internet not everyone is on the internet. Some people I talked with that day had not idea what was going on.

Ms. Cipriani: I will find out what system Brick uses.

Councilmember Urner: I think we have all the phone numbers in the tax records.

Chief Hoffman: I have information that Chief Wright uses in Mantoloking. I will get a presentation ready for you.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered the following:

- 1. An application for Special Permit for Social Affair from Bay Head Fire Company No. 1 for an event to be held at the Bay Head Yacht Club on November 5, 2011**
- 2. Request from Mayors Wellness Campaign to use the town tennis courts on Thursday, September 29th from 5 to 8 pm for Dodge Ball Tournament**

Councilmember Berko moved to approve the requests. This motion was seconded by Councilmember Barnes and passed on roll call vote.

YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None.

Mayor Curtis called for Ordinance for Second Reading, Public Discussion and Vote.

Councilmember DeFilippis offered Ordinance 2011-06 entitled:

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING
CHAPTER 222 ENTITLED "VEHICLES AND TRAFFIC" SO
AS TO ADD CERTAIN LOCATIONS TO SECTION 222-25
ENTITLED "SCHEDULE VII: STOP INTERSECTIONS"**

Councilmember DeFilippis moved the ordinance be adopted on second and final passage. The motion was seconded by Councilmember Glass.

Mayor Curtis opened the meeting to the public for a hearing on this ordinance.

Linda Harrington, 512 Club Drive: I feel on my street the yacht club traffic is really to fast and I would love to have two other stop signs on my street. If it is for traffic control why do it on East and not on other streets.

Councilmember DeFilippis: Traffic is much heavier on East Avenue than on Club Drive and it is a main bypass to Route 35. There is also traffic from the cross streets on to East Avenue.

Mayor Curtis: That isn't to say we won't look at Club Drive in the future.

Councilmember DeFilippis: We will work with the Police Department and take some traffic counts.

There being no further comments or questions the public hearing was closed.

The motion to adopt was passed on roll call vote. YEAS: Berko, Green, Barnes, Glass, DeFilippis, Urner. NAYS: None. A copy of the ordinance is attached to these minutes.

Mayor Curtis called for Unfinished Business.

Councilmember Berko: A two year moratorium on 2.5% COAH non-residential fees was signed into law on August 31, 2011.

Councilmember Berko: I had copy of an ordinance from Lavallette that Jean had done concerning sump pump water into the streets. I spoke with John DeFilippis and he will investigate specific areas in town to see if this solution would work for us because there are some places that the pumps run everyday.

Mayor Curtis called for New Business and Resolutions.

Councilmember Urner reviewed the Best Practice Inventory Program worksheet for CY 2011/SFY 2012 with the Governing Body and audience. A copy of the worksheet is attached to these minutes.

Councilmember Urner offered Resolution 2011-90 authorizing an Absence of Meeting Policy for Elected Officials and Appointed Board Members and moved it be adopted. This 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.

Councilmember Urner offered Resolution 2011-91 establishing an Education Requirement Policy for Elected Officials and moved it be adopted. This 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.

Councilmember Urner offered Resolution 2011-92 authorizing execution of updated Reimbursement Services Agreement with American Family Life Assurance Corporation and moved it be adopted. This motion was seconded by Councilmember Barnes 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.

Councilmember Green offered Resolution 2011-93 offered Resolution 2011-93 authorizing the acceptance of \$1,400.00 donated by The Concerned Citizens of Bay Head, Inc. and moved it be adopted. This motion was seconded by Councilmember Berko 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.

Joanne Pehlivanian: I first would like to thank John Berko for all his time and energy with the group and he became involved with Council because of his effort. She then read a letter which accompanied the check to Mayor and Council. A copy of the letter is attached to these minutes.

Mayor Curtis opened the meeting for Public Discussion.

Bob Hein, 204 East Avenue: Three shout outs – First to D’Arcy Green for the walks around Bay Head, second to the Police Department for their quick response to two calls – one for an accident and one an alarm. They were there within two minutes. Third to Public Words for quick response to East Avenue after the hurricane passed. Finally, for the ice cream trucks refraining from playing music this summer.

There being no further comments Councilmember Urner moved to approve the vouchers for payment, which motion was seconded by Councilmember Green 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.

The meeting was adjourned.

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

William W. Curtis, Mayor