

November 28, 2012

A Special Meeting of the Mayor and Council of the Borough of Bay Head was held on Wednesday, November 28, 2012 at 3 pm in the Bay Head Fire House, 81 Bridge Avenue, Bay Head, New Jersey.

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

The roll was called for attendance. Present were Mayor Curtis and Councilmembers Green, Barnes, Glass, Magory, Lyons and Borough Attorney, Jean Cipriani. Councilmember DeFilippis was absent.

Mayor Curtis read the following statement:

Ladies and gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meeting Act, adequate notice of this meeting has been given. This meeting was posted in the lobby of the Municipal Office at 106 Bridge Avenue and published in the Ocean Star.

Mayor Curtis called for Committee Reports.

Councilmember Green: At the last meeting we discussed building rock revetment in the areas along the beach that it doesn't exist. DEP grant permission to the contractors. The rock revetment project is progressing. There are still a few questions that need to be answered by the contractors of the homeowners. We hope to move forward soon. The piles of sand on many streets will be moved to Bridge Avenue, sifted and then placed back on the beach. Bob Mainberger will determine where the sand is deposited back on the beach. On December 15th rain or shine the Environmental Commission will sponsor a clean up of Twilight Lake and Kellogg Island. We will gather at 9 am at Twilight Road.

Barbara Liati, 210 Lake Avenue: Will the lake be dredged?

Councilmember Green: No – not at this time but it is critical that we start that project soon.

Councilmember Barnes, Legal and Planning, had no report.

Councilmember Glass, Public Safety, had no report.

Councilmember Magory, Public Services: All new services will be run down North Street next week. Karge Street is half done for water. East will be done also. You must call NJAW to get connected if you do not have water. Gas is available to everyone throughout the entire town. Electric is also available to everyone. Only four streets are missing from the first pass of debris pick up by Ash Britt and those should be completed by the end of the week. The second pass will start Monday so get your debris and bulk items out for pick up.

Michelle, 701 East Avenue: The sidewalk from Johnson Street is in my driveway.

Mayor Curtis: Ash Britt will take care of it. Also the Chief of Police has been notified that Ocean County will be coming down Bridge Avenue trimming trees starting this week.

Councilmember Lyons, Finance: We continue to get questions on tax assessments. You may pick up the form at the municipal office located at 106 Bridge Avenue to request a reassessment of your home. The forms have to be submitted by January 10, 2013.

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Barnes offered Resolution 2012-132 appointing Eric J. Sudia as Part-Time Sub-Code Electrical Inspector.

Councilmember Glass offered Resolution 2012-133 appointing Kasey L. Collins and Zachary Klein as Part Time SLEO II.

Councilmember Magory offered Resolution 2012-134 authorizing emergency contract for Televising and Cleaning of Sanitary Sewers pursuant to N.J.S.A. 40A:11-6.

Councilmember Magory offered Resolution 2012-135 authorizing emergency contract for Televising and Cleaning of Storm Sewers pursuant to N.J.S.A. 40A:11-6.

Councilmember Lyons offered Resolution 2012-136 authorizing transfer to be made in the 2012 Municipal Budget.

Councilmember Lyons offered Resolution 2012-137 authorizing payment to employees for hours of accrued compensatory time from the Budgetary Provision approved as part of the 2012 Budget under the General Appropriation named as Deferred Compensation Salary and wages.

Councilmember Lyons moved the above resolutions be adopted. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Green, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Chet Ehrman, 657 Lake Avenue: Will there be any testing of water in the Borough before residents reenter their homes? It seems there was a certain amount of sewage in the water.

Mayor Curtis: NJAW tested the drinking water and it is OK. But I understand you are talking about water laying around – we will have to check into that.

Dennis Kelley, 668 Main Avenue: I now have beachfront property – will you provide help with removing the sand?

Mayor Curtis: It is the homeowner's responsibility to get the sand to the curb. We have hired Ash Britt to pick up the sand, sift it and get it back on the beach. The Masonic Lodge in Point Pleasant Beach is arranging volunteers to help in homeowners.

Jim Urner, 42 Mount Street: When will the recycle center be open? Are we receiving any help from Toms River or the State?

Mayor Curtis: Recycle center will open Saturday, December 1 for cans, bottles and dry paper. Leaves will be picked up at the curb by Ash Britt. No, not at this time but we are aggressively going after all funds to benefit our residents.

Evalyn Shippee, 56 Bridge Avenue: As to the reassessment, I understand that a structure will have to come up to code if the costs exceed 50% of the cost of the structure. If you only have first floor damage – does that affect the 2nd floor or is it only for the 1st floor?

Councilmember Lyons: 50% is not on this form.

Doug Applegate, Construction Official: The Borough Code reads that if the cost of your damage is 50% or more of the cost of the structure it has to be brought up to code.

Councilmember Magory: Is that 50% of market value of the structure?

Ms. Cipriani: 50% is used as a general rule. It is not hard and fast standard. Each case can be analysis on a case by case basis.

Ms. Shippee: There is water in the wood and it is a 100 year old building if it has to be replaced it will be the whole first floor.

Ms. Cipriani: The rules remain in effect – you should be fine.

Gail Kellogg, 70 Johnson: I enjoy have the National Guard. They have been wonderful along with the town and county police. How long will we have them?

Mayor Curtis: That is a good question. We are working day to day. We may have to give them up so they can move to Mantoloking but they will be in town. We may ease up on the check point on Bridge Avenue but they will be here through December 9th.

Ms. Kellogg: Seeing the Marine Police on the bay is very comforting.

Mayor Curtis: Yes, we have had one of our officers on the boat.

Deborah Shannon, 18 Bridge Avenue: We have mounds of sand and debris on our property. How do I know it will get taken away?

Mayor Curtis: The sand will be sifted before it is placed back on the beach. We have a monitor looking at Ash Britt – he is on our side and will make sure it is done properly.

Ms. Shannon: Can we contact them?

Mayor Curtis: Just let us know if it is not removed and we will take care of it.

Ms. Kellogg: How much longer will Ash Britt be picking up debris?

Mayor Curtis: Three or Four more weeks.

Eclert, 94 Osborne Avenue: What are the procedures for raising our homes? I contacted FEMA and they said the how has to do something first.

Mayor Curtis: A new Flood map was to be released in July 2013. Due to the storm I am sure they will be looked it. A Bay Head committee has just been formed to look at our zoning and codes. We may change before the new mapping from FEMA comes out. There will be a conference call tomorrow concerning lazier and GPS as far as floodplain.

Ms. Cipriani: Regarding FEMA – Atlantic, Monmouth and Ocean maps should be released in the coming weeks.

94 Osborne Avenue: FEMA is requiring the towns to determine if there has been substantial damage to the home and that a reimbursement plan would have to be in place with the town.

Ms. Cipriani: Assessment is a good place to start. The town would make assessment to repair or replacement. This only applies to areas that have been deemed inappropriate.

Jeanne Sasse, 136 Main Avenue: COBRA stands for Coastal Barrier Resource Act 1982.

Susan Bristol, 200 East Avenue: Are Blue Acres funding available?

Ms. Cipriani: That program doesn't exist anymore.

Ellen Akersten, 128 Cranberry Avenue: The water table in the lake has risen and it is a concern to us.

Mayor Curtis: We are looking to get it done.

Mr. Urner: Thank you Mayor and all of Council.

Russell Anderson, Building Contractor: Do I need a special pass to get into town?

Mayor Curtis: Homeowners who contract with you will get you in.

Jane Petrillo, 844 East Avenue: Will the committee meetings be open to the general public?

Mayor Curtis: Not t first but as they move along they will be open to the public. There definitely will be public meetings.

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

The meeting was adjourned.

A Special Meeting of the Bay Head Planning Board followed the adjournment of this meeting.

Patricia M. Applegate, RMC

Municipal Clerk

William W. Curtis, Mayor