

December 17, 2012

Special Meeting

A special meeting of the Mayor and Council of the Borough of Bay Head was held on December 17, 2012 at 7 p.m. in the Point Pleasant Beach Municipal Building, Council Chambers located at 416 New Jersey Avenue, Point Pleasant Beach, 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 Councilmember's DeFilippis, Green, Barnes, Glass, Magory, Lyons and Borough Attorney, Jean L. Cipriani.

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 was published in the Ocean Star on December 14, 2012 and posted on the bulletin board at 106 Bridge Avenue, Bay Head on December 11, 2012.

Councilmember Glass moved to approve the minutes of November 5th, November 14th, November 28th and December 3rd, 2012. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: DeFilippis, Green, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis: I would like to thank everyone for coming and we look forward to your comments and concerns. If you are dissatisfied with your insurance company, there are public adjusters who will work to see that you get what you deserve from the insurance companies. Generally they charge 10%, it is an avenue you can pursue. The Borough of Bay Head doesn't endorse any particular individual or company.

We are usually the ones giving but on December 21, 2012 a donation of books will be made to the Bay Head School. The donation is being made by a granddaughter of the Rosen's who reside on East Avenue. She hoped to collect 12 to 15 books and ended up with 500.

Mayor Curtis called for Committee Reports.

Councilmember DeFilippis, Public Works, had no report.

Councilmember Green, Parks, Grounds and Recreation: Clean up of debris in town is nearing completion and sand removal is ongoing. Should residents see sand coming off the beach – it is being brought off to be sifted and then returned. Now it has to be cleaned before it can be placed back on the beach and distributed to the natural dune system in front of the homes. A strategy has been designed for this placement by Bob Mainberger, Engineer.

Councilmember Barnes, Legal and Planning, had no report.

Councilmember Glass, Public Safety, had no report.

Councilmember Magory, Public Services: I am very happy that focus is going to sand and not removal of debris. We presently have 100 building permits and we usually do 200 per year. Many have to do with restoring power. 57 homes were posted with red stickers indicating significant damage. Letters were sent to the homeowners asking them to notify if they planned to restore or demolish the structure. At this point in time 23 believe they will rebuild. The preliminary flood maps are out and range in an increase of 1 to 5 feet. You can view a copy of the map at 106 Bridge Avenue, Suite #2.

Councilmember Lyons, Finance, had no report.

Mayor Curtis: Residents are pushing leaves into the street. They will not be picked up by anyone. Ash Britt will only pick up limbs and tree branches. Please take your leaves to the recycle center – we are trying to keep the streets clean.

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Lyons offered Resolution 2012-142 extending the Statutory Grace Period of the Fourth Quarter 2012 Tax bills.

Councilmember Green offered Resolution -2012-143 authorizing a Professional Services Agreement with Princeton Hydro, LLC for services in connection with the restoration of Twilight Lake following Super Storm Sandy.

Councilmember DeFilippis offered Resolution 2012-144 authorizing Emergency Contract for Replacement of Sanitary Sewer Lines and Laterals pursuant to N.J.S.A. 40A:11-6.

Councilmember Lyons offered Resolution 2012-145 authorizing Transfer #3 in the 2012 Municipal Appropriations Budget.

Councilmember Lyons offered Resolution 2012-146 authorizing the issuance of a Five-Year Special Emergency in the amount of \$2,125,000 to cover the costs of Extraordinary Expenses associated with Hurricane Sandy.

Councilmember Barnes offered Resolution 2012-147 authorizing the execution of a Lease Agreement with Ocean Ventures, Inc. for property known and designated as 106 Bridge Avenue, Unit 2 on the tax map of the Borough of Bay Head.

Councilmember Barnes offered Resolution 2012-148 to allow employees to carry over unused vacation days and personal days into 2013.

Councilmember Barnes offered Resolution 2012-149 authorizing the Borough Police Department utilization of Point Pleasant Borough Police facilities.

Councilmember Barnes moved the above resolutions be adopted. The motion was seconded by Councilmember Green and passed on roll call vote. YEAS: DeFilippis, 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.

John Repsher, Landscaper: The clean up folks have done a great job but there are small bits of debris. Can we collect it in a single pile for them to cart it away?

Mayor Curtis: It needs to be raked and bagged to be picked up. If not we will ask you to cart it away. Hopefully it will disappear.

Mr. Repsher: I only wanted clarification. I represent a number of landscapers and I want clear answers to give my customers.

Maria Ritter, 46 Karge Street: A lot of sidewalks are still full of sand. Is it the responsibility of the homeowners? It is very hard to walk around and a lot of people aren't around.

Mayor Curtis: It is the homeowner's responsibility to get the sand to the curb. We will figure a way to get in touch with them.

Councilmember Green: Ash Britt will go through and pick up the sand. They are working on what is in the streets now but will then move on to what has been placed at the curb by the homeowners.

Mitchell Shivers, 68 Egbert Street: I am pleased to hear that some parts of town will only be raised 1 to 5 feet. I am presently in an A zone and with the new map will go to a V Zone. To comply with the new elevation I would have to raise my home five feet and place it on pilings.

Councilmember Magory: You only have to raise your home if you want to lower your premium.

Mr. Shivers: It is my understanding that the FERM will not be established until July.

Councilmember Magory: The standards are released to give people a heads up. DEP may add to the FIRM.

Mr. Shivers: They say this new map is not based on Hurricane Sandy. It is hard to believe that a 500 year storm would produce such a sharp increase – if Sandy was a 500 year storm and the base is 100 year storm – how did we end up like this?

Councilmember Magory: Lazer measurements in the last month – did they really have these figures prior to Sandy?

Mr. Shivers: I would hope that we push back on some of this – very few homes have not been affected – my home is assessed a lot of money and it is now a lot less – the rate will go up and my assessment will go down.

Councilmember Magory: There is a meeting of Mayor's on Thursday in Ocean County to discuss this map.

Mr. Shivers: It is in our interest to try and influence FEMA.

Mayor Curtis: I haven't had a chance to talk with Council – it will drastically change Bay Head – some will chose not to rebuild. The town needs to be represented and voice our displeasure. The map is so new that it is not understood – we will discuss and take the appropriate steps.

Councilmember DeFilippis: If you raise the house you have to consider the roof height.

Mr. Shivers: I anticipated 2 to 3 feet but with the new map I have to go up 4 ½ feet. They say the bay front is subject to 1 to 3 foot waves. The town will have to consider raising the height from 35' to 37' to 38' – now it would have to take it up to 40'.

Councilmember Barnes: We are looking at that.

Mr. Shivers: There is no assurance that the advisor map will not be higher. I find it troubling. We will do whatever we can to rebuild just as other towns have – post Catrina towns.

Councilmember Green: Jean could you explain recommendations as to mandates.

Ms. Cipriani: FEMA is putting this advisory map out to be helpful but also saying Sandy is not part of this and it is for guidance. The permanent map will be released in June. Municipalities should adopt these regulations so residents can get funding assistance from FEMA. FEMA is no longer going to be a subsidized program – assessed on property per property basis. How they prepare for the 100% rate is on the municipalities overall rating. These standards are information and not binding on anyone. It is a catch 22 – can comply and not have higher standard in June – it is a very difficult situation. I can say, if it will help you make a decision, FEMA has not historically made adjustments in New Jersey. The standards will protect you from higher premiums.

Kelley Mickle, Deputy OEM: Just an update – the National Guard will be moving to Mantoloking on Saturday - we will have them until then. After Saturday we will have two officers from the NJ State Police on patrol until the end of the month. Can goods and water still at Public Works will be given to Mantoloking and the barrier island towns.

Mayor Curtis: We will have a minimum of two and maximum of four State Police every night – the streets are well patrolled.

Ms. Ritter: FEMA is no longer a subsidized program – also you don't qualify for FEMA is it is not your primary residence.

Ms. Cipriani: I don't know all of FEMA criteria for second homes.

Peter Doane, 325 Lake Avenue: I am getting a lot of different stories concerning FEMA. I understand the map will not be adopted by FEMA for 18 to 20 months – if I wait 3 months it is a good chance FEMA will give \$30,000 to raise the home. I have a contract to lift in January and been told that if you aren't on the list now you will have to wait. Everyone is given a different answer.

Councilmember Magory: We are going to invite FEMA to give a presentation.

Councilmember Lyons: One of the conference calls gives the following website which talks about a number of different issues – www.region2coastal.com.

Ms. Cipriani: Compliance grants come to the state and filter down to municipalities – to accept you must be compliant with local and state requirements.

Mr. Doane: There is no incentive to rebuild now.

Mayor Curtis: Correct.

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

Mayor Curtis: Thank you all for coming to all our meetings. We will fight hard to you no matter what. I wish each and every one a Merry Christmas and Happy New Year. Enjoy family and friends.

The meeting was adjourned.

Patricia M. Applegate, RMC

Municipal Clerk

William W. Curtis, Mayor