

May 7, 2018

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on May 7, 2018 at 7:00 pm in the Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor Curtis called the meeting to order and welcomed everyone and asked everyone to stand and join 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 a schedule of meetings of this Governing Body which was posted on the bulletin board at 83 Bridge Avenue on January 3, 2018 and was published in *The Ocean Star* on January 12, 2018 and the *Asbury Park Press* on January 11, 2018.

The roll was called for attendance. Present were Mayor Curtis and Councilmembers Hein, Barnes, Magory, Cornell, Lyons; Christopher Parlow, Borough Administrator and Jean Cipriani, Borough Attorney. Councilmember Glass was absent.

Councilmember Barnes moved to approve the regular minutes of April 2, 2018. The motion was seconded by Councilmember Hein and passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell, Lyons. NAYS: None.

Mayor Curtis appointed Peter Doane, Fire Police to the Bay Head Fire Department.

Ms. Cipriani administered the Oath of Office to Mr. Doane.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Hein, read the Construction Official, Code Enforcement and Zoning Reports for the month of April. Copies of the reports are attached to these minutes.

Bulk Pick-Up will be Monday, June 4, 2018. Please place your items out the night before.

Councilmember Barnes: We will be acting on a couple of ordinances tonight that we have been working on. We continue to review and revise various codes. I am also working with Councilmember Cornell on a letter to be mailed this spring reminding residents of some of the rules and regulations in town.

Councilmember Lyons, read the Police and OEM report for the month of April. Copies of the reports are attached to these minutes.

OEM – Tip of the Month:

Reduce Your Risk of Lightning Injuries with These Tips – If Thunder Roars,

Go Indoors

Councilmember Hein, read the Bay Head Fire Company report for the month of April. A copy of the report is attached to these minutes.

Fire Department – Tip of the Month:

OUTDOOR ENTERTAINING

Have an adult present at all time when a portable fireplace is burning.

Use sturdy candle holders that won't tip over easily.

Keep anything that can burn, as well as children and pets, at least three feet away from open flames.

Use battery-operated flameless candles and solar-powered patio (tiki) torches in place of an open flame. Flameless candles come in all colors, shapes and sizes, and many are scented. Flameless candles look and feel like the real ones, and add a beautiful soft glow to any outdoor event.

Councilmember Magory, Public Works: Five streets have been repaved. Clayton Avenue sidewalks and curbs will be completed by the end of this week. We will then start working on Osborne Avenue. Osborne Avenue curbs and sidewalks will be done in the spring of 2019.

Councilmember Cornell, Parks, Grounds and Recreation: The Environmental Commission will be meeting tomorrow night at 5:30 pm in this room.

Tip of the Month:

Spring is finally here which means it's officially tick season. Ocean County has three major ticks; Dog tick, Deer tick and the Lone Star tick. Daily tick checks on family and pets are key to keeping tick and disease free.

Two handouts concerning ticks are available outside this room on the table. Please pick them up on your way out.

Councilmember Lyons, Finance and Technology: This crosses both. You will be able to pay taxes on line through our website. This will be up and running within the next week or two. There will be a fee to do so: Card Fee – 2.95%, Debit Fee – Flat \$3.95, ACH Fee – Flat \$1.05. This option for payment of taxes and sewer bills will be very convenient for those who aren't here year round.

New Jersey Senior Freeze (Property Tax Reimbursement) Application

You must have been age 65 or older as of December 31, 2016, OR actually receiving federal Social Security disability benefit payments on or before December 31, 2016, and on or before December 31, 2017.

This form is available in the Tax Office and must be filed by October 31, 2018.

Also available is the Homestead Rebate - there are certain income qualifications. You apply for that on line and it is for the 2015 Rebate Program.

Veteran's can also qualify for a property tax deduction of \$250.00. You must submit a copy of your DD219 to the Tax Office.

Christopher Parlow, Borough Administrator: Two weeks ago I attended a CRS meeting concerning flood maps. We are currently using the preliminary map which should have been adopted in 2014 or 2015. It hasn't because New York City has filed an appeal. FEMA hired a third party and they found there were some issues with the maps. So, FEMA is doing a study. We won't see another preliminary map until 2021 with adoption in 2022. This is not bad because your flood insurance rates are based on the 2006 adopted map. Elevations are a lot lower than the preliminary maps. We require new construction to comply with the preliminary maps. We are pretty safe building to those standards.

Region II had on the website elevation requirements which could be obtained by entering your address. They took it off line but it is now back up. So you can receive the information concerning your property by putting in your address.

Beach Renourishment Project – This information is on our website and is updated weekly. The posting of May 2, 2018 places them in Bay Head late August through October. The time is based on productivity levels so keep in mind it could go either way.

Mayor Curtis: The hopper dredge that was to be used in Bay Head is in dry dock with a hole in it.

Mr. Parlow: Every other town has executed the State Aid agreement but it hasn't been signed by Bay Head. There is a legal battle but the Agreement is somewhat critical for the municipality to operate and maintain its beaches. BHIA has requested some modifications to the plan. There can be some give and take. I should receive it sometime this week and it should be adopted as quickly as we can. I will distribute and send it to legal for review.

Report a Concern – There is a whole list of items you can use this for. Just follow the step by step directions. We hope to have a demonstration at the next meeting. Police matters are directed to Chief Hoffman. Public Works matters are directed to Larry Gilman, Public Works Supervisor. If you file a concern you will receive a response once it has been finalized. Report a Concern has been up for 2 months. Please start utilizing it. It will be a lot quicker than reaching out to the Mayor.

Tip of the Month – Taxes are due May 10th to avoid 18% interest.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following:

Request from Point Pleasant First Aid and Emergency Squad for permission to hold two coin toss events at the intersection of Bridge and Lake Avenue on Saturday, June 16th and August 18th from 9 am to 4 pm.

Request from Bay Head Business Association for permission to hold a town wide sidewalk sale in front of their business locations

the third Friday and Saturday of every month from 10 am to 5 pm, June 15th through October 19th.

Request from Bay Head Business Association for permission to hold their Farmers Market in the grass area next to Manasquan Bank every Thursday from June 7th through September 27th from 3 to 7 pm.

Request from Steve Kimbrough to exhibit paintings of Sarah Kimbrough "A Salute to Sailing" in the front lobby of Borough Hall from Sunday, July 29th until August 9th with a reception on August 5th.

An application for Raffles License from the Church of the Sacred Heart for an Off-Premise 50/50 cash raffle with the drawing to be held on September 3, 2018 at 9 am on church grounds.

An application for Raffles License from the Bay Head Fire Co. #1 for an Off-Premise 50/50 cash raffle with the drawing to be held on August 18, 2018 at the Firehouse.

An application for Raffles License from the Bay Head Fire Co. #1 for an On-Premise 50/50 cash raffle with the drawing to be held on August 18, 2018 at 1 , 2 and 3 pm.

Request from St. Paul's United Methodist Church to use Centennial Park on Sunday mornings from June 3 thru Sept. 2, 2018 from 7 to 9:30 am for early worship services.

Mayor Curtis: Chief, have we had two coin toss in the past?

Chief Hoffman: Yes.

Mayor Curtis: Steve and Sarah Kimbrough were long time residents of Bay Head. Sarah passed away. Last year's exhibit was a huge success. I encourage everyone to attend.

Councilmember Magory moved to approve the request which was seconded by Councilmember Hein and passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell, Lyons. Nays: None.

Mayor Curtis called for Resolutions.

Councilmember Hein offered Resolution 2018- 64 authorizing submission and acceptance of Grant application to the New Jersey Department of Highway Traffic Safety for the FY 2019 Pedestrian Safety Grant.

Councilmember Hein offered Resolution 2018-65 authorizing submission of the Statewide Grant Click It or Ticket 2018 Seat Belt Mobilization

Councilmember Barnes offered Resolution 2018-66 Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decision under Title VII of the Civil Rights Act of 1964"

Councilmember Lyons offered Resolution 2018-67 authorizing payment to employees for hours of Accrued Compensatory Time from the budgetary provision approved as Police Salary and Wages.

Councilmember Lyons offered Resolution 2018-68 authorizing the Borough to enter into a Cooperative Pricing Agreement with the Township of Stafford for Member Participation in the Stafford Township Cooperative Pricing System (33-OCCPS).

Councilmember Barnes offered Resolution 2018-69 designating certain parking spaces within the Municipal Parking lot for Restricted Use as per 222-14B of the Code of the Borough of Bay Head.

Councilmember Lyons offered Resolution 2018-70 providing for the Insertion of a Special Item of Revenue in the Budget of the Borough of Bay Head pursuant to N.J.S.A. 40A:4-87 (Chapter 150, P.L. 1948)

Councilmember Hein offered Resolution 2018-71 appointing Todd J. Morgano as Alternate Part-Time Sub-Code Plumbing Inspector for the Borough of Bay Head.

Councilmember Barnes offered Resolution 2018-72 appointing Douglas S. Applegate Emergency Management Coordinator.

Mayor Curtis: The Coordinator has to be a resident. Silke Stutz filled as the Coordinator for a couple of year. She submitted a letter of resignation. I would like to thank her for her service.

Councilmember Cornell offered Resolution 2018-73 opposing Offshore Oil and Gas Exploration and Drilling Activities that would affect the Atlantic Ocean and the Coast of New Jersey.

Councilmember Magory offered Resolution 2018-74 authorizing the Sale of Surplus Property no longer needed for public use VIA Internet Auction Website.

Councilmember Magory offered Resolution 2018-75 appointing Waleed M. Ebeid as Seasonal Laborer in Public Works.

Councilmember Magory offered Resolution 2018-76 awarding a Parts & Labor contract for services to the heating and air conditioning units in the Municipal Building to NJRHS Commercial Services in the amount of \$3,099.60.

Mayor Curtis: Bill Resotko, our summer public works employee, moved out of town. He was one of the hardest workers we have had and helped out through the summer and on weekends. He will be sorely missed. He will continue to work some weekends.

Councilmember Lyons offered Resolution 2018-77 amending Resolution 2017-121 providing for Salaries and Compensation of Borough Officials and Employees for 2018.

Councilmember Hein offered Resolution 2018-78 denying Verizon Wireless Request to use the Utility Poles erected with the Public Right of Way.

Councilmember Lyons offered Resolution 2018-79 Capital Budget Amendment.

Councilmember Lyons offered Resolution 2018-80 approving the Insertion of a Special Item of Revenue in the Budget of the Borough of Bay Head pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) – Click It or Ticket - \$5,500.00.

Councilmember Hein offered Resolution 2018-81 approving the Municipal Access Plan.

Councilmember Hein offered Resolution 2018-82 designating Patrolman Robert K. Sherman as Detective in the Borough of Bay Head Police Department.

Councilmember Barnes moved the above resolutions be adopted. The motion was seconded by Councilmember Magory.

Mayor Curtis asked if there were any questions from the public concerning the Resolutions presented.

Stan Niedzwiecki, 42 Johnson Street: Is the plumber hired a master plumber?

Mayor Curtis: I don't know.

Mr. Parlow: Mr. Morgano is being hired as the Alternate Part-Time Sub-Code Plumbing Inspector and will only be acting on behalf of the Plumbing Inspector.

There being no further questions, Mayor Curtis closed the discussion by the public.

The motion passed on roll call vote: YEAS: Hein, Barnes, Glass, Magory, Cornell, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis: Stan Niedzwiecki is leaving Bay Head. Stan, we are going to miss you. You always presented us with very good questions. Good luck to you and Mary.

Mayor Curtis called for vote on Ordinance 2018-03.

Councilmember Barnes offered Ordinance 2018-03 entitled:

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF
BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING
CHAPTER 126 OF THE MUNICIPAL CODE ENTITLED "FLOOD DAMAGE
PREVENTION"

On April 2, 2018 Ordinance 2018-03 was moved to be adopted on second reading and final passage by Councilmember Barnes. The motion was seconded by Councilmember Hein and the Public Hearing was held.

Mayor Curtis called for vote on Ordinance 2018-03.

The motion passed on roll call vote: YEAS: Hein, Barnes, Magory, Cornell, Lyons. NAYS: None. A copy of this ordinance is attached to these minutes.

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

Councilmember Lyons offered Ordinance 2018-09 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF OSBORNE AVENUE SIDEWALKS AND CURBS INCLUDING RELATED EXPENSES IN AND FOR THE BOROUGH OF BAY HEAD AND APPROPRIATING \$300,000 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$60,000 IN BONDS OR NOTES OF THE BOROUGH OF BAY HEAD TO FINANCE THE SAME

Councilmember Lyons moved to approve this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Cornell.

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

John VanSchoick, 111 Meadow Avenue: Doesn't the homeowner pay for the sidewalk? I did three times.

Mayor Curtis: The homeowner has to maintain the sidewalk.

Mr. Parlow: The Borough obtained \$240,000.00 Grant to do this work on Osborne Avenue.

Mayor Curtis: I understand a number of people have paid for their curbs and sidewalks.

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

The motion passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell, Lyons. NAYS: None. A copy of this ordinance is attached to these minutes.

Councilmember Barns offered Ordinance 2018-10 entitled:

ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF BAY HEAD, SO AS TO CREATE CHAPTER 134 OF THE BOROUGH CODE ENTITLED, "INVASIVE PLANT SPECIES"

Councilmember Barnes moved to approve this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Magory.

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

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

The motion passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell, Lyons.
NAYS: None. A copy of this ordinance is attached to these minutes.

Mayor Curtis called for Ordinance, First Reading:

Councilmember Barnes offered Ordinance 2018-11 entitled:

ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER
104 OF THE BOROUGH CODE, ENTITLED "CONSTRUCTION CODES,
UNIFORM" SO AS TO ADJUST THE FEES CHARGED FOR THE
ISSUANCE OF VARIOUS PERMITS

Councilmember Barnes moved this ordinance on first reading, which motion was seconded by Councilmember Magory.

The motion passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell, Lyons.
NAYS: None. A copy of this ordinance is attached to these minutes.

This ordinance is scheduled for second reading and public hearing on May 7, 2018.

Councilmember Lyons offered Resolution 2018-12 entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
OF THE BOROUGH OF BAY HEAD, IN THE COUNTY OF OCEAN, NEW
JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$185,000
THEREFORE AND AUTHORIZING THE ISSUANCE OF \$175,750 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Councilmember Lyons moved this ordinance on first reading, which motion was seconded by Councilmember Magory.

The motion passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell, Lyons.
NAYS: None. A copy of this ordinance is attached to these minutes.

This ordinance is scheduled for second reading and public hearing on May 7, 2018.

Mayor Curtis called for Unfinished Business. There was none.

Mayor Curtis called for New Business.

Mr. Parlow: Council received correspondence from the Bay Head Business Association requesting permission to install a sign identifying/directing to Centennial Park by the entrance to the parking lot. The sign would measure approximately 5' in height with the sign being 4' X 2'.

Mayor Curtis: This was to come up at the last meeting but after discussion we thought why limit to just directing to Centennial Park. Why not have one sign listing the Municipal Office, Police Department and Centennial Park. We decided not to address this through the Business Association. Council will place a sign directing to all three but we would like your thoughts. Please reach out to us or contact Chris Parlow, Borough Administrator.

Mr. Parlow: I will place something on the website so you can post your suggestions.

Councilmember Cornell: The Beautification Committee is looking at the location as to site lines. We will all work together.

Mayor Curtis: Your feedback could be appreciated.

Mayor Curtis opened the meeting to the public.

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

The meeting was adjourned.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor