

September 8, 2009

The regular meeting of Mayor and Council of the Borough of Bay Head was held on September 8, 2009 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 with him in the Pledge of Allegiance to the Flag.

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

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 Ocean Star*.

Councilmember Barnes moved to approve the minutes of August 17, 2009. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Barnes, Glass, Urner. NAYS: None.

Councilmember Glass moved to approve the minutes of August 19, 2009. The motion was seconded by Councilmember Barnes and will be placed on the agenda for the next meeting because Councilmember Urner abstained on the vote.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Barnes, Public Services, read the monthly Zoning Officer and Construction Official report for the month of August. A copy of the report is attached to these minutes. She reported the following results to the poll taken on the website concerning Lake Avenue:

- 67% voted to make no changes to Lake Avenue**
- 19% voted to restrict parking to only one side of Lake Avenue**
- 7% voted to impose alternate side of the street parking restrictions on Lake Avenue**
- 3% voted to alter Lake Avenue from two-way traffic to one-way traffic heading northbound**
- 1% voted to restrict all parking on Lake Avenue**

This is just one piece of the puzzle to consider.

Councilmember Glass, Public Safety, read the Police Activity Report for the month of August. A copy of the report is attached to these minutes. Chief Grace has informed me that the Police Department will be enforcing the helmet law. A warning will be given for the first offense.

The second offense will receive a \$25.00 fine with a mandatory court appearance and the third offense will receive a \$100.00 fine with a mandatory court appearance. They will be watching so everyone even adults wear your helmets.

Councilmember Urner: What is the age requirement?

Councilmember Barnes: 17 and under.

Mayor Curtis: This is a very serious matter. There was a death in Point Pleasant from a girl riding on the handle bars of bike without a helmet. Adults should wear them as well.

Councilmember Barnes: Is it a violation to ride on the handle bars?

Chief Grace: Yes, and we would probably issue a summons to both the operator and the rider and have them both come to court and let the Judge talk to them.

Councilmember Urner, Finance: We have started the budget process and will be scheduling another meeting soon.

Mayor Curtis called for Clerk's Correspondence.

Mrs. Applegate offered an application from Sacred Heart Holy Name Society for Off Premise Raffles License to be held at the 2010 monthly meeting at Msgr. Casey Hall. Councilmember Urner moved to approve the application which was seconded by Councilmember Glass and passed on roll call vote. YEAS: Barnes, Glass, Urner. NAYS: None.

Mrs. Applegate offered a request from Seaweeders Garden Club of Bay Head and Mantoloking to use the Council Room on September 21, 2009 from 10 am to noon. Councilmember Glass moved to approve the request which was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Barnes, Glass, Urner. NAYS: None.

Mrs. Applegate offered a request from Frances Kunz for permission to have Bay Head children participate in UNICEF Trick or Treat for Halloween. Councilmember Urner moved to approve the request which was seconded by Councilmember Glass and passed on roll call vote. YEAS: Barnes, Glass, Urner. NAYS: None.

Mayor Curtis called for Unfinished Business.

Councilmember Barnes: Is the raccoon issue calming down?

Chief Grace: Yes, but we did have one cat that came back positive. Please be careful with you animals.

Mayor Curtis: Fred and Sharon, we haven't taken any action on your requested request.

Fred Applegate: It is a mute subject at this point, the Freeholders have taken action on the matter.

Mayor Curtis called for New Business and Resolutions.

Councilmember Urner offered Resolution 2009-80 authorizing an agreement with Ocean County Recycling Center Use and Revenue Sharing between the Borough of Bay Head and the County of Ocean and moved it be adopted. This motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Barnes, Glass, 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 Barnes and passed on roll call vote. YEAS: Barnes, Glass, Urner. NAYS: None. A list of vouchers is attached to these minutes.

The meeting was adjourned.

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

William W. Curtis, Mayor