

March 4, 2024

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on March 4, 2024, at 7:00 pm in the Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor Curtis 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 an annual schedule of meetings of this Governing Body which was posted on the bulletin board at 83 Bridge Avenue on January 15, 2024; was published in *The Ocean Star* on January 15, 2024, and the *Asbury Park Press* on January 14, 2024.

The roll was called for attendance. Present were Mayor Curtis, Council President Shaning, Councilmembers, Barnes, Cornell, Gates, MacPherson, Jones, Borough Administrator, Frank Pannucci and Jean Cipriani.

Council President Shaning moved to approve the Minutes of February 5, 2024. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Shaning, Gates, MacPherson, Jones. NAYS: None. ABSTAIN: Barnes, Cornell.

Mayor Curtis read the Proclamation entitled "March 2024 – A Month of Celebrating Senior Nutrition Programs and presented it to Heather DeJong, Community Relations Specialist for Meals on Wheels in Ocean County.

Mayor Curtis stated that on February 28, 2024, Mayor Bob Sabosik and himself met with eight other Mayor's from the Barrier Island, reaching from the Brielle Inlet to Island Beach State Park. Along with these Mayors were each of the town's Borough Engineers. Everyone was brought together to discuss ways to mitigate the flooding that is occurring all over the Barrier Island. Mayor Curtis stated while we will never be able to stop the flooding, pooling the knowledge from all these towns may help mitigate the problem. This is a great step in the right direction.

Mayor Curtis called for Committee Reports.

Councilmember Gates, Finance: Thanked the Mayor for his update on the flooding. He stated the Finance Committee met three weeks ago and there are no real surprises in the budget, since they review it on a quarterly basis. The budget will be introduced on April 1, 2024, and voted on at the May 6, 2024, meeting.

Councilmember Cornell, DPW: Stated that Larry Gilman was out sick today so she didn't have a DPW report but on Thursday, March 7, 2024, they will be meeting with the County to go over their "wish" list for next year.

Councilmember Barnes, Legal and Planning: Explained two of the ordinances that are on for final reading tonight. The first is regarding the Animal Control Officer. There was some confusion regarding this ordinance and this ordinance specifically outlines what we expect of him.

The parks and wildlife ordinance outlines each of the parks and puts certain restrictions on the park such as hours of operation which are 6:00 AM – 8:00 PM, no pets on the tennis courts and all animals must be leashed in the parks. There are also no bonfires allowed in the park.

Councilmember Jones, Land Use: Read the Land Use reports. A copy of the reports is attached to these minutes.

Councilmember MacPherson, Recreation: Stated that they are in the process of finalizing dates for this upcoming season and once everything is confirmed the dates will be added to the Borough website. Also, Community Pass is up and running for pickleball.

Council President Shaning, Public Safety: Read the Police and Fire Department Report. A copy of the report is attached to these minutes.

Frank Pannucci, Borough Administrator: Stated he will be meeting with the County regarding the final timeframe to pave Bridge Avenue and tonight we are adopting a resolution awarding a contract to Oswald Enterprises, Inc., for the construction of drainage improvements on Bay Avenue between Club Drive and West Lake Avenue.

Ms. Cipriani, Borough Attorney: Had no comment.

Mayor Curtis called for Clerk's Correspondence.

Ms. Jones offered Resolution 2024-058

Resolution 2024-058

- Off-Premise Raffle License #542, Bay Head Fire Company No. 1, Annual Clam Bake, August 17, 2024, at 4:00 PM.
- On-Premise 50/50 Raffle License #543, Bay Head Fire Company No. 1, Annual Clam Bake, August 17, 2024, at 1:00 PM, 2:00 PM and 3:00 PM.
- Town Wide Garage Sale on Saturday, May 4, 2024, sponsored by the Point Pleasant Beach High School PTO, (rain date May 5, 2024).
- Bay Head Business Association requests the use of the meeting room at Borough Hall every Second Wednesday of the month from 5:30 PM – 7:00 PM, except on November 13, 2024.
- Glimmer of Hope Event at Twilight Lake on August 10, 2024, at 7:30 PM. (rain-date August 11, 2024).

Mayor Curtis opened the meeting to the public for questions or comments on the resolutions.

There were none.

Mayor Curtis called for a vote on the motion.

Council President Shaning moved to approve the requests which was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Shaning, Barnes, Cornell, Gates, MacPherson, Jones. NAYS: None.

Mayor Curtis called for Resolutions. The title of each Resolution was read by the Clerk.

Resolution No. 2024-059

Authorizing Agreement with Primepoint, LLC for Payroll & Time Solution

Resolution No. 2024-060

Appointing Special Law Enforcement Officer II (SLEO II) – Sulzer

Resolution No. 2024-061

Providing for Salaries and Compensation of Borough Officials and Employees 2024

Resolution No. 2024-062

Authorizing Submission of the 2024 Distracted Driving Crackdown U Drive. U Test. U Pay Grant

Resolution No. 2024-063

Providing for the Transfer of Funding Between 2023 Current Appropriations Pursuant to NJSA 40A:4-58

Resolution No. 2024-064

Authorizing Oswald Enterprises to Locate the Sewer Laterals for the Bridge Avenue Drainage Project

Resolution No. 2024-065

Authorizing Refund of Escrow Deposits – Richard Tell

Resolution No. 2024-066

Authorizing a Local Recreation Improvement Grant Application to the NJDCA

Resolution No. 2024-067

Authorizing the Entrance into a Shared Service Agreement with the Borough of Point Pleasant

Council President Shaning moved the resolutions be adopted. The motion was seconded by Councilmember Barnes.

Mayor Curtis opened the meeting to the public for questions or comments on the resolutions.

There were none.

Mayor Curtis called for a vote on the motion.

The motion to approve was passed on roll call vote: YEAS: Shaning, Barnes, Cornell, Gates, MacPherson, Jones. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis called for Ordinances:

Ms. Jones read Ordinance 2024-01 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO AMEND CHAPTER 69, ENTITLED "ANIMALS" SECTION 69-13, "CERTIFIED ANIMAL CONTROL OFFICER; POWERS AND DUTIES; COMPENSATION"

Council President Shaning moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Barnes.

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

There were no comments.

The motion to approve was passed on roll call vote: YEAS: Shaning, Barnes, Cornell, Gates, Jones, MacPherson. NAYS: None. A copy of the ordinance is attached to these minutes.

Ordinance No. 2024-02

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO AMEND CHAPTER 21 ENTITLED "ENVIRONMENTAL COMMISSION," SECTION 21-4 ENTITLED "TERMS; VACANCIES" OF THE MUNICIPAL CODE

Council President Shaning moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Barnes.

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

There were no comments.

The motion to approve was passed on roll call vote: YEAS: Shaning, Barnes, Cornell, Gates, Jones, MacPherson. NAYS: None. A copy of the ordinance is attached to these minutes.

Ordinance No. 2024-03

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE OF THE BOROUGH OF BAY HEAD, SO AS TO AMEND CHAPTER 169, ENTITLED "PARKS AND WILDLIFE SANCTUARIES"

Council President Shaning moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Barnes.

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

There were no comments.

The motion to approve was passed on roll call vote: YEAS: Shaning, Barnes, Cornell, Gates, Jones, MacPherson. NAYS: None. A copy of the ordinance is attached to these minutes.

Ordinance No. 2024-04

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO ADD CHAPTER 82, PART II GENERAL LEGISLATION TO BAY HEAD BOROUGH CODE, WHICH WILL BE ENTITLED "RULES, REGULATION AND FEES FOR MUNICIPAL TENNIS COURTS"

Council President Shaning moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Barnes.

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

There were no comments.

The motion to approve was passed on roll call vote: YEAS: Shaning, Barnes, Cornell, Gates, Jones, MacPherson. NAYS: None. A copy of the ordinance is attached to these minutes.

Ordinance No. 2024-05

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE ADQUISITION OF A FIRE CHIEF VEHICLE IN THE AMOUNT OF \$80,000 AND PROVIDING FOR THE ISSUANCE OF \$76,000 IN BONDS OR NOTES OF THE BOROUGH OF BAY HEAD TO FINANCE THE SAME

Council President Shaning moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Barnes.

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

There were no comments.

The motion to approve was passed on roll call vote: YEAS: Shaning, Barnes, Cornell, Gates, Jones, MacPherson. NAYS: None. A copy of the ordinance is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Resident, Park Avenue asked for an update on the beach erosion.

Mayor Curtis responded there is nothing new to report at this time. The Army Corp. is preparing to have bids go out again in the near future.

Councilmember Gates moved to approve the vouchers for payment. The motion was seconded by Council President Shaning and passed on roll call vote. YEAS: Shaning, Gates, Jones, MacPherson, Barnes, Cornell. NAYS: None. A list of vouchers is attached to these minutes.

Mayor Curtis stated we would not be entering into Executive Session this evening.

There being no further business, Council President Shaning moved the meeting be adjourned. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Shaning, Barnes, Cornell, Gates, MacPherson, Jones. NAYS: None.

Antoinette Jones, Municipal Clerk

William W. Curtis, Mayor