

April 1, 2024

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on April 1, 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, Cornell, Gates, MacPherson, Borough Administrator, Frank Pannucci and Borough Attorney Jean Cipriani. Absent: Barnes, Jones.

Council President Shaning moved to approve the Minutes of March 4, 2024. The motion was seconded by Councilmember Gates and passed on roll call vote. YEAS: Shaning, Gates, MacPherson, Cornell. NAYS: None. ABSENT: Barnes, Jones.

Mayor Curtis read the Proclamation entitled "April is Child Abuse Prevention Month".

Mayor Curtis read the Proclamation entitled "National Library Week – April 7-12, 2024".

Mayor Curtis called for Ordinances:

Ms. Jones read Ordinance 2024-06 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, OCEAN COUNTY, STATE OF NEW JERSEY, TO EXCEED THE 2024 MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Council President Shaning moved this ordinance be adopted on first reading. The motion was seconded by Councilmember Gates.

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

Mayor Curtis called for Committee Reports.

Councilmember Gates, Finance: Stated tonight we are Introducing the 2024 Budget. Public discussion will be at the May 6, 2024, meeting. Our CFO, Bill Antonides, will be present at the meeting to answer any questions you might have.

Councilmember Cornell, DPW: Read the Public Works report. Stated the new sweeper has been registered with the MVC and has been greased and tested and is ready for use when it stops raining. She stated on tonight's agenda we are awarding two bids tonight. The first project will include road improvements to Grove Street, Strickland Street and Wyndham Drive, which is being awarded to Mecor, Inc. The second project is the Moisture Barrier Improvements to Borough Hall and that is being awarded to George Koustas Painting and Construction, LLC. She stated she has been in constant contact with the County and NJAW to make sure Bridge Avenue is done by Memorial Day.

Councilmember Barnes, Legal and Planning: Was absent, so no report was given.

Councilmember Jones, Land Use: Was absent, so no report was given.

Councilmember MacPherson, Recreation: Stated Bay Head Recreation has a lot of events for the summer season on tonight's agenda. Pickleball has been very active. There are 136 paid members. The courts have new nets. Bay Head Summer Camp will start the first week of July and continue for six weeks. Sign-ups are on the Borough website. They have been busy doing work around the municipal building.

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 we are finishing the 2024 budget, and it is up for Introduction this evening. The County is supposed to be out here on April 8th to access Bridge Avenue and depending on the weather everything should be done by Memorial Day.

Ms. Cipriani, Borough Attorney: Had no comment.

Mayor Curtis called for Clerk's Correspondence.

Ms. Jones offered Resolution 2024-068

Resolution 2024-068

- Mayor's Cup Races – Saturday August 3, 2024, 4:00 PM (check-in) 5:00 PM Race.
- Mayor's Chili Cook-off – Saturday, September 14, 2024, from 12:00 PM–2:00 PM.
- Mayor's Walk & Talks – June 12, July 10, and August 14, 2024, at 9:00 AM.
- Mayor's Sunset Gathering on Twilight Road and Lake Avenue on April 7, May 5, June 2, July 7, August 4, September 1, and October 6, 2024, at dusk.
- Movie Night – Saturday, July 13, 2024, and Saturday, August 3, 2024.
- Music in the Park – Saturday, July 6, 2024, and August 10, 2024.
- Bay Head Bonfire – Saturday, September 7, 2024.
- Fourth of July Bike Parade on July 4, 2024.
- Founder's Day Speaker Series on Saturday, June 29, 2024, from 4:00 PM – 5:00 PM.
- Bike MS: Coast the Coast Event, starting in Deal and riding through Bay Head on Saturday, May 11, 2024.
- Point Pleasant Boro 8U Travel Baseball Team, Using field at the corner of Club Drive and Metcalfe Street on Mondays, Thursdays, and Saturdays from 5:00 PM until dark.

- Beach House Classic Boardshop Annual Old School Surfboard Display, 517 Main Avenue, Sunday, April 24, 2024, from 8:00 AM – 5:00 PM (rain date May 5, 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 Gates and passed on roll call vote. YEAS: Shaning, Cornell, Gates, MacPherson. NAYS: None. ABSENT: Barnes, Jones.

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

Resolution 2024-069

Introduction of Municipal Budget – Fiscal Year 2024

Resolution 2024-070

Authorizing Budget to be Read by Title Only

Resolution 2024-071

Self-Examination of Budget

Resolution 2024-072

Authorizing Execution of a Schedule “C” Agreement with the County of Ocean for Engineering Services and Road Department Services for the Year 2024

Resolution 2024-073

Confirming 2023 Length of Service Award List (LOSAP)

Resolution 2024-074

Authorize Purchase of a Quadient IX3 Mail Postage Machine through State Contract #A41267

Resolution 2024-075

Authorizing Execution of a Shared Services Agreement Between the Bay Head Board of Education and the Borough of Bay Head to Provide a School Resource Officer

Resolution 2024-076

Amending Section 2.11 (Entitled Holidays) of the Borough of Bay Head Employee Handbook

Resolution 2024-077

Awarding a Contract for the Grove Street, Strickland Street and Wyndham Drive Road Improvements Project to Meco, Inc.

Resolution 2024-078

Awarding a Contract for the Moisture Barrier Improvements Project to George Koustas Painting & Construction, LLC

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

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, Cornell, Gates, MacPherson. NAYS: None. ABSENT: Barnes, Jones. A copy of each resolution is attached to these minutes.

Mayor Curtis called for Ordinances:

Ms. Jones read Ordinance 2024-07 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR WEST LAKE AVENUE, MOUNT STREET AND FORSYTH STREET ROAD IMPROVEMENTS IN THE BOROUGH OF BAY HEAD AND APPROPRIATING \$420,000 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$90,000 IN BONDS OR NOTES OF THE BOROUGH OF BAY HEAD TO FINANCE THE SAME.

Council President Shaning moved this ordinance be adopted on first reading. The motion was seconded by Councilmember Gates.

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

Ordinance No. 2024-08

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, AMENDING BOND ORDINANCE 2019-13 ADOPTED ON AUGUST 19, 2019 IN ORDER TO REVIEW THE DESCRIPTION REFERRED TO IN THE ORDINANCE TITLE AND SECTION 3a(2).

Council President Shaning moved this ordinance be adopted on first reading. The motion was seconded by Councilmember Gates.

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, Cornell, Gates, MacPherson. NAYS: None. ABSENT: Barnes, Jones. A copy of the ordinance is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Resident, Lake Avenue asked the timeframe for his sprinklers to be repaired.

Councilmember Cornell stated the sprinklers are on the contractor's punch list.

Rick McGoeey stated he received a letter stating you can contact your own sprinkler company and bill the Borough. Letters explaining this process will be mailed shortly to all the affected residents.

The resident also commented on the lack of dog waste bags at the beach and requested they be filled.

Councilmember Cornell stated that Larry Gilman will replace the bags.

Mr. McGoeey complimented the Council on the new sweeper. He stated it is the first all-electric sweeper east of the Mississippi. He stated the bulkhead at Scow Ditch should be replaced with a new one that is 4 foot 6 inches high instead of the standard 3 feet.

Mr. Pannucci stated we are a long way from that. He is just now trying to get funding from Ocean County.

Resident, Woodland Avenue asked for details on the bonfire.

Councilmember MacPherson stated the bonfire will be a collaboration between DPW, the Fire Department and Council and that it is for residents only. There will be registration to attend, and you must show a card. It will be on North Street Beach. She has been trying to do this for two years.

Resident, 80 Bridge Avenue questioned the road raising on Club Drive and Bridge Avenue. She was concerned that if they raise the road in the middle where will the water go. Her husband has spoken with Ocean County Engineering, and they assured them the surrounding properties weren't going to flood anymore.

Mr. Pannucci stated the County will be putting in extra drainage.

Mr. Gilman stated there will be a new pipe going out to Twilight Lake.

Councilmember Cornell stated that there have been numerous discussions regarding this to make sure they resolve this issue.

Mr. Pannucci stated he will be happy to relay her concerns to the Ocean County Engineers.

Mr. McGoeey stated that the Environmental Commission Flood sub-group has looked at this area and the new design will not make that area worse.

Resident, 325 Lake Avenue if scow ditch would be dredged.

Mayor Curtis replied no.

Mr. Pannucci stated not at this time but maybe in the future.

Chief Hoffman alerted residents that on April 20th NJ Transit will be doing an extensive drill from 7:30 AM – 11:00 AM at the train station.

Seeing no further hands, Mayor Curtis closed public discussion.

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, MacPherson, Cornell. NAYS: None. ABSENT: Barnes, Jones. A list of vouchers is attached to these minutes.

Mayor Curtis stated the Council was going to go into Executive Session to discuss Personnel, Contractual and Possible Litigation.

Council Member President Shaning made a motion to go into Execution Session.

RESOLUTION OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY
EXCLUDING THE GENERAL PUBLIC FROM A MEETING PURSUANT TO THE OPEN PUBLIC
MEETINGS ACT.

Ms. Cipriani, Esq., read the following statement.

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bay Head, in the County of Ocean, State of New Jersey, as follows:

1. The public shall be excluded from discussion of any actions upon the hereinafter specified subject matter.
2. The following subjects involve: Contractual, Possible Litigation
3. It is anticipated at this time the above stated subject matter will be made public in 90 days.
4. This Resolution shall become effective immediately.

The motion was seconded by Council Member Gates and passed on roll call: YEAS: Gates, Shaning, MacPherson; Cornell NAYS: None; ABSENT: Barnes, Jones.

Council returned from Executive Session at 8:30 PM.

Ms. Cipriani stated that there was formal action to be voted on tonight. She read the following Resolution:

Resolution 2024-079

Authorize Entering into a Contract with Princeton Hydro, LLC for the Biochar Grant

Council President Shaning moved this resolution be adopted. The motion was seconded by Councilmember Gates.

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

There were none.

Mayor Curtis called for a vote on the motion.

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

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

Antoinette Jones, Municipal Clerk

William W. Curtis, Mayor