

August 16, 2021

The regular meeting of the Mayor and Council of the Borough of Bay Head was conducted on August 16, 2021 at 7:00 pm.

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 7, 2021 and was published in *The Ocean Star* on January 15, 2021 and the *Asbury Park Press* on January 14, 2021.

The roll was called for attendance. Present were Mayor Curtis, Councilmembers Gates, Cornell, Barnes, Shaning, MacPherson, Lyons; William Antonides, CFO, Frank Pannucci, Borough Administrator and Jean Cipriani, Borough Attorney.

Councilmember Lyons moved to approve the regular minutes of August 2, 2021. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Gates, Cornell, Barnes, Shaning, Lyons. Not Voting: MacPherson. NAYS: None

Mayor Curtis called for Resolutions.

The Title of each Resolution was read by the Clerk:

Resolution 2021-127
Authorizing the purchase of a 2022 Ford Interceptor for the
Bay Head Police Department from Winner Ford under State Contract

Resolution 2021-128
Appointing Sabrian Fioretti as Part Time Alternate Police Matron for
the Bay Head Police Department

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

Mayor Curtis asked if there were any questions from the public concerning the resolutions presented. There being no questions or comments the public portion was closed.

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

Mayor Curtis called for Clerk's Correspondence.

Request from Daniel Connolly, 445 West Lake Avenue to close Grove Street between West Lake and Holly Avenue on Saturday September 4th from 5 to 7 pm for their 2nd Annual Block Party

Request from J. McLaughlin, 84 Bridge Avenue to hold a Warehouse Sale October 8th thru October 11th

Councilmember Lyons: The items will be out on the sidewalk?

Mayor Curtis: Yes, they moved from the space beside the Cheese Shop.

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

Mayor Curtis called for Committee Reports. Since we don't have reports mid-month I will ask each one to explain their area of government.

Councilmember Gates, Public Services: I am the most recent addition to Council starting my first term in January. I appreciate you coming out. I am liaison to water, electric, gas and trash - taking the initiative to get things moving and we know you appreciate the response to your concerns and follow up. I report monthly to Council as to Construction, Zoning and Code Enforcement. Currently we are getting into the electronic world with having all construction inspections logged through an iPad. If you need to reach me, reach out to Patty. I also serve on the Planning Board as Council Representative which gives me additional insight as to what is going on and how things go from A to B.

Councilmember Cornell, Public Works: I am the liaison to Public Works and work with Larry Gilman, Public Works Supervisor, our town engineer, and Frank our Administrator. Holly and Dennis are also on my committee. We oversee the infrastructure of the town. Recently we have been concentrating on flooding, working with our engineer to work out of the box on how we can handle it. We apply for DOT Grants which are used to repave our roads. We currently are looking at our sewer system. Our employees work very hard. Ocean County Recycling have made some new changes to the items they will accept. We will be getting the information out to you. I am also liaison to the Bay Head Environmental Commission, chaired by Dan Paulus. They are concentrating on flooding and improving the environment. We are also looking at the water quality of Twilight Lake and have received a grant to do so. If you have any issues, please contact Patty, or send an email. Our email addresses are on the website.

Councilmember Barnes, Legal and Planning: I have been in town 20 years with my husband and three children. I came on Council in 2009. I am Chairman of Legal and Planning dealing with litigation, ordinances, resolutions, contracts and personnel issues. I also serve on Public Services and Public Safety. A lot of the work is confidential and I work closely with our stellar attorney, Jean. If you have any questions, please feel free to contact me.

Councilmember Shaning, Public Safety: I work with the Fire Department and the Police Department. The Fire Department is independent and capable of running themselves. If they need support, I am the guy. I work with Doug and Jen. I give monthly reports for the Fire Dept. and Police Dept. Chief Hoffman has prepared a report for the year to date. This report was read and is attached to these minutes. Chief Hoffman is a delight to work with and he has served us for many years. As you all know, the Jersey Shore has been hit with an unprecedented amount of car thief's. The police can use your help. Nine cars were stolen last year and three this year. Keep your cars locked and do not leave the keys or fobs in your car. If they are locked the mirrors fold in. There was an attempt at the corner of Twilight Road and Lake Avenue – the car was unlocked but the fob was not in the car. The scary thing to me is that they are running around our streets looking for these cars to steal. Brick, Point Pleasant Beach and Point Pleasant have been hit very hard in the areas of upscale houses with upscale cars. Do not engage these people, call 911. They are really bad guys and many have used guns to commit crimes in other towns with the vehicles they have stolen here. They use them and then either sell to chop shops or send them overseas. One of our police officers worked with the FBI and State Police on the group working out of Newark. There is also a group working out of Atlantic City. Lock your cars, take the key or fob in the house but not by the front door. Don't allow easy pickings of your vehicles. Last year there was a camera at the corner of Route 35 and Osborne Avenue. It could be checked for plates but most of the cars they are using to even get here are stolen.

Councilmember MacPherson, Parks, Grounds and Recreation: I have been on Council 1 ½ years. Bay Head Life is part of recreation and is Co-Chaired by Meryl Clement and Sara Erbe. Part of that program is beach walks and Mayor's walk. Bay Head Life has a website, face book and Instagram – check it out for all their activities. I also work with the Beautification Committee who oversee the parks and grounds working with our Public Works Department who do a lot of the maintenance work. Doug and Diane are on my committee. Also working with us are the Myth Group who oversee Tranquility Park located north of the parking lot beside Muellers. A number of community members have taken on the maintenance of areas in town, which is wonderful. Recreation program just wrapped up and was a huge success. It was held at the Bay Head School with 40 to 50 kids attending. A lot is coming up so if you want to help plan or just be involved please email me. I also work on the Finance and Public Works committees.

Councilmember Lyons, Finance and Technology: I head up Finance and Technology working with Jim and Holly. Technology is the newest and a lot of enhancements have been done to our website. We welcome your input and would love to hear from you. Our phone number and email addresses are on the website. Shortly, the construction department will be using tablets to log their inspections which will be a big help out in the field. We have a Shared Service Agreement with Freehold Township for all our computer needs.

I would like to introduce Bill Antonides our CFO who will talk about our town finances.

Mr. Antonides: Your tax dollars are collect not only for the municipality but for school and county by statute. \$.278 of every dollar collected goes to the Borough and covers police, public works, fire, trash collection and municipal building operations. \$.252 of every dollar collected goes to the local school and covers all aspects of the school district. \$.470 of every dollar collected goes to the county and this covers general county, roads, bridges, parks, library, health and open space. This year the overall rate increased by 2/10 of a cent which works out to be for an average home assessed at \$1,585,342 the increase will be \$31.71 per year. The 2021 Budgets biggest increases were due to special litigation, NJ Transit and the Cell Phone Tower. We also had \$100,000 emergency from 2020 which had to be raised in 2021. The overall decrease in the total budget was \$166,359 or 2.68%. We use our savings to avoid permanent debt and related costs and avoid subsequent SEC reporting requirements which could cost up to \$10,000 per year. This building which costs \$3,000,000, will have remaining balance of \$384,900 by the end of the year and we expect to have it paid off by 2023.

Councilmember Lyons: We have one of the lowest taxes in Ocean County and the State. I tell everyone that you get a tremendous value for the dollar. Our CFO and Borough Administrator have given us a lot of great advice and we have great people on our committees. Last year was a tough budget year with legal and engineering costs.

Mayor Curtis: Doug has a financial background which is very helpful and Bill does a superb job.

Mayor Curtis: I would like to introduce Frank Pannucci our Borough Administrator as of July 1, 2021. In a way to share services and save dollars we entered into a Shared Services Agreement with Point Pleasant Borough for Administrative Services. We are very happy to have him.

Mr. Pannucci, Borough Administrator: I run and oversee the day to day operations. My main function is to carry out the vision of the Governing Body. They are very good at their jobs and take them seriously. My goal is to keep Bay Head as it is and to carry out their vision for the community. I can be contacted by email which address is on the website.

Ms. Cipriani, Borough Attorney: I have served the Borough for 13 years and it has been a pleasure and honor. You have a very hard working Governing Body. Hopefully, 2022 will bring a reduction in legal activity. My role as Borough Attorney is to prepare ordinances, resolution, contracts and to come up with ways to handle issues the public bring up.

Mayor Curtis: Planning Board has Steven Zabarsky as their attorney and Sue Brasefield as their engineer.

Mayor Curtis called for Unfinished Business, there was none.

Mayor Curtis called for New Business, there was none.

Mayor Curtis opened the meeting to the public.

Mayor Curtis: Larry could you explain the change in the items we are to recycle.

Larry Gilman, Public Works Supervisor: We are in the process of also learning the changes that Ocean County has adopted and will get that information out to you as soon as possible. They have added a lot of new plastics and they are now taking cereal boxes. We will have a display at the Recycle Center. Please make sure that all items you recycle are clean with no food product left in them.

Councilmember Lyons: The numbers are on the bottom of the plastic containers. Please read all the signs when you are recycling.

Thomas Burckhardt, 214 Osborne Avenue: Are the purification trucks still running at the NJ Transit work site?

Mayor Curtis: Yes. They are entering and exiting their property using Twilight Road, as per our requested.

Mr. Burckhardt: Where do they stand with the courts?

Ms. Cipriani: Save Barnegat Bay joined the Borough and also filed on their own for a stay on the Osprey nesting which was rejected by the court. We are pretty much at the end – the court was not receptive of the other issues. I wish I had better news.

Duke Habernickel, 537 East Avenue: My home was built in 1880. I am a non-voting resident and have been for 48 years. Bay Head is a nice town. I wonder how many other towns have meetings like this. I appreciate the chance to speak up. The Fire and Police Dept. have both helped us with 2 fires and 3 police events. For all my 48 years I have the annual concern and complaint with bicycles and their disregard for their safety and the safety of others. They go the wrong way, on the sidewalk off the sidewalk through stop signs, without lights. We also have skateboarders weaving their dance up and down. Everybody is aware of this but doesn't give a darn. Coming out of my driveway I have no right of way. I would like some courtesy of others. How best can we help you with the recycle problems? I would like to thank you all.

Chief Hoffman: Just so you know – it is not illegal to ride bikes on the sidewalk. As to them riding the wrong way – it is an impossible task to enforce. Fortunately, we do not have the statistics that show we have a bike or pedestrian problem on East Avenue. You do have the right of way to back out of your driveway. They have to stop for you. Also, a bike is handled as a vehicle if there is an accident.

Jon Younghans, Mount Street: For non-voting residents it will be helpful and a benefit to dial into your meetings. I think everyone got use to the zoom or go to meetings. If it can't be two way at least live stream the meetings. Do you have any plan to do so moving forward?

Councilmember Lyons: We have looked into it and it is very expensive. We also looked into it when the building was designed. I am not sure we could have it where the public couldn't ask questions but only listen.

Ms. Cipriani: We could not have a meeting with only the Governing Body with no opportunity for questions. An alternative would be to have a public meeting and do a live stream. There have been many changes in the law during COVID.

Councilmember Lyons: We will investigate the live stream.

Chief Hoffman: Point Pleasant Beach does a live stream.

Mr. Pannucci: It would have to be worked into the budget. We need to plan long range.

Mr. Younghans: I understand the dollars and cents but if you ask every taxpayer to raise a few dollars I am sure they would agree.

Ms. Cipriani: If you did a live stream, questions could be submitted in writing and could be responded to at the meeting.

Lisa Baney, 421 Lake Avenue: Thank you – Council has worked so hard this year. Welcome to the new administrator. I don't know if you are aware of how many people are concerned about parking, deliveries and the number of trucks in town and that is not only in the summer season. People are working from home so there are a lot more people in town year round. Businesses are thriving which is good but it is very crowded and the streets are really dangerous. I would request you to take time and think creatively to get some of the trucks off the street. Is there any way to provide more parking or loading and unloading zones? Some people are having to go to Point Pleasant Beach to mail a letter because there is no parking here. It is very congested. Please think creatively. Thank you for your hard work.

Mr. Younghans: Just to add onto Lisa's traffic concerns and congestion. We understand that deliveries have to be made but no one is even asking them to move when they park in the middle of the street or at the yellow curbs. Police cars are right there.

Chief Hoffman: It has been a problem. We have had public works paint yellow lines and we have reached out to the businesses. The businesses have reached out to their distributors but with different drivers they don't always get the word. Just so you know 400 parking tickets have been issued this year. The biggest problem with the deliveries is that there is nowhere for them to go. I don't know what the answer is.

Mayor Curtis: We will do the best we can. With no further comments or questions the public session was closed.

Councilmember Lyons moved to approve the vouchers for payment. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS:

Gates, Cornell, Barnes, Shaning, MacPherson, Lyons. NAYS: None. A list of vouchers is attached to these minutes.

Mayor Curtis: I would like to thank you for coming out.

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

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor