

August 2, 2021

The regular meeting of the Mayor and Council of the Borough of Bay Head was conducted on August 2, 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, Lyons; Borough Administrator, Frank Pannucci and Borough Attorney, Jean Cipriani. Councilmember MacPherson was absent.

Councilmember Lyons moved to approve the regular minutes of July 12, 2021. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Gates, Cornell, Barnes, Shaning, Lyons. NAYS: None.

Mayor Curtis called for Committee Reports.

Councilmember Gates, Public Services, read the Construction Official and Code Enforcement report for the month of July. A copy of each report is attached to these minutes.

Warning letters have been left on garbage cans that have not been hidden or in a protected area. About 100 notices have been given. The next step will be letters to individuals. People feel they are helping by pulling their cans out to the end of the driveway but please leave them in the approved location for pick up.

Within a couple of weeks, the new IPADS for the Construction Department will be received. This will allow the inspectors to be live with their inspections and be allowed to download pictures and log in their inspections.

Councilmember Cornell, Public Works, read the Public Works Report for the month of July. A copy is attached to these minutes. We have really been busy: There were 19 trips to Ocean County Recycling, the gate was reinstalled on the North Street Beach Access, speed limit signs were install on Lake Avenue and we had a rotten tree removed on Holly Avenue. Next month we will be installing a check valve on Johnson Street and making repairs to the street sweeper.

We are moving forward with Mantoloking to address the flooding on Barnegat Lane and Clayton Avenue. Frank will present a resolution for consideration tonight.

We will also be moving forward with Princeton Hydro for the development of a Lake/Watershed Management Plan for Twilight Lake.

Concerning your flood complaints in your backyards we are hopeful to get some answers from our engineers.

The Bay Head Board of Education has installed a sidewalk on the south side of Meadow Avenue for student drop off. We are entering a shared service agreement with them to install the fence that runs between Meadow Avenue and Johnson Brothers Boat Works.

The Lake Avenue survey is finished and will be part of the 2022 repaving project from Osborne Avenue to just north of Forsyth Street.

Ocean County has made some changes with recycling. They will be taking more items. We will get the information out to you as soon as possible.

Councilmember Barnes, Legal and Planning: We had a quiet month. We are still working on updating a couple of ordinances.

Councilmember Shaning, Public Safety, read the Police Activity report for the month of July. A copy of the report is attached to these minutes.

Last week, Chief Hoffman stopped by the bagel shop on Bay Avenue and saw a man sitting shaking his head. In speaking with him he found out the guy stopped to get coffee and left his range rover running. He came out and it was gone. His vehicle was found in Newark after being in several accidents. I urge you to lock your vehicle and take your fob out of the car. These guys who are stealing cars are driving around casing the joint. They are driving around our neighborhoods scouting it out for later time to come back and steal your vehicles. This incident took place at 6:10 am. Be careful and lock your doors.

Councilmember Cornell reported on Parks, Grounds and Recreation:

4th of July Parade – 176 people registered and attended. There were walkers with strollers, and bikers.

The next Mayor's Walk & Talk will be Wednesday, August 11th at 9 am to the Historical Society Museum to view the William Schoettle Photographic Retrospective of Old Bay Head.

Beach Walkers meet Monday mornings at 7 am at Bridge Avenue. Attendance has doubled in the last two weeks and dolphins were spotted 2 weeks in a row.

The Annual Mayor's Cup Race went well with six canoes, one kayak and three paddle boards participating.

Tomorrow evening at 7 pm will be our first Speaker Event with Lisa Feiner speaking on Better Brain Better Life, in the Council Meeting Room. Please join us for this event.

Councilmember Lyons, Finance and Technology:

Finance: You should have received in the mail today your new tax bill. Just a reminder that you have until August 30th to pay. If you pay after the 30th interest will be charged back to August 1st.

IT: The Construction Department will be shortly using handheld devices to log into our system for construction and code enforcement.

Our website was redesigned 4 or 5 years ago and needs to be freshened and cleaned up. Our Boro Administrator will be contacting Department Heads to look at their page and review items posted.

Mr. Pannucci: I am asking Council to consider the addition of Resolution 2021-126 to the agenda. This resolution would approve a Shared Services Agreement between the Borough of Mantoloking and the Borough of Bay Head for improvements to Barnegat Lane and Clayton Avenue not to exceed \$50,000.00.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following requests:

Request from Sally Younghans for permission to use Holly Park, Butterfly Garden for Monday Meditation from 7 to 7:30 am; and Friday Flow 8 am to 9:15 am from July 23rd thru September 3rd

Request from St. Paul's United Methodist Church to close West Lake Avenue from Bridge Avenue to Willow Drive on Sunday, September 12th from 10:00 am to 2:00 pm

Application from Northern Ocean Habitat for Humanity, Inc. for On Premise Gift Basket and 50/50 Raffle for an event to be held at the Grenville, 345 Main Avenue on October 8, 2021

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

Mayor Curtis called for Resolutions.

The title of each Resolution was read by the Clerk:

Resolution 2021-118

Authorizing the Appointment of Christopher Parlow as Community Rating System Coordinator

Resolution 2021-119

Approving the Mayor's Appointment of Christopher Parlow as Class II Member of the Bay Head Planning Board

Resolution 2021-120

Extending Temporary Outdoor Dining at all Eating Establishments within the Borough of Bay Head in Accordance with P.L. 2021, C.103

Resolution 2021-121

Authorizing Payment to Employees for Hours of Accrued Compensatory Time from the Budgetary Provision approved as Public Works Salary and Wages for Thomas Linton - \$5,309.50

Resolution 2021-122

Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Reconstruction of Strickland Street, Howe Street and Wyndham Drive

Resolution 2021-123

Authorizing the Execution of a Professional Services Agreement with Princeton Hydro for the Development of a Lake/Watershed Management Plan for Twilight Lake

Resolution 2021-124

Authorizing the Execution of a Reimbursement Agreement with the Bay Head Board of Education

Resolution 2021-125

Awarding a Contract to Pizzo Contracting Inc. for Fencing.

Mr. Pannucci offered Resolution 2021-126:

Authorizing the Execution of Shared Services Agreement with the Borough of Mantoloking for the Barnegat Lane Clayton Avenue Project

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.

Shannon Curtis, 1500 Bay Avenue: I would like to thank you on behalf of the Board of Education for working with us on the fence to be installed between the Bay Head School and Johnson Brothers Boat Works.

There being no further questions or comments Mayor Curtis closed the Public discussion.

The motion passed on roll call vote: YEAS: Gates, Cornell, Barnes, Shaning, Lyons. Councilmember Lyons did not vote on Resolution 2021-120. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis called for Ordinance, Second Reading, Public Hearing, Vote.

Ms. Applegate read Ordinance 2021-12 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY, AMENDING BOND ORDINANCE 2011-03 ADOPTED MAY 2, 2011 IN ORDER TO REVISE THE DESCRIPTION REFERRED TO IN SECTION 3A(2)

Councilmember Lyons 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 public hearing on this ordinance. There being no questions or comments the public hearing was closed.

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

Mrs. Applegate Ordinance 2021-13 by title:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, NEW JERSEY,
APPROPRIATING THE AGGREGATE AMOUNT OF \$121,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$114,950 IN BONDS OR NOTES
OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Councilmember Lyons 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 public hearing on this ordinance. There being no questions or comments the public hearing was closed.

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

Mrs. Applegate read Ordinance 2021-14 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN,
STATE OF NW JERSEY, AMENDING AND SUPPLEMENTING
ORDINANCE 2021-09

Councilmember Lyons 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 public hearing on this ordinance. There being no questions or comments the public hearing was closed.

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

Mrs. Applegate read Ordinance 2021-15 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD COUNTY OF
OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING
CHAPTER 41 OF THE BOROUGH CODE OF THE BOROUGH OF BAY
HEAD ENTITLED "OFFICERS AND EMPLOYEES"

Councilmember Lyons 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 public hearing on this ordinance. There being no questions or comments the public hearing was closed.

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

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.

Mary Billick, 84 Bridge Avenue: I am having a serious problem with people blocking the opening to our parking lot. I have called the Police Dept. but they have no authority because the property from where we enter is State property. Trucks can't access for deliveries and tenants can't access their parking spaces. They park across the entire opening to my property and go to the beach for the day.

Councilmember Lyons: You are referring not to the entrance off Bridge Avenue but the entrance to your lot off the parking lot.

Ms. Billick: Yes – I am asking for your help and your advice.

Chief Hoffman: About 2 years ago we checked this out and there is nothing on paper to show the access to her property from the parking lot. The parking lot is State owned but maintained by the Borough. I spoke with Councilmember Barnes.

Ms. Cipriani: Councilmember Barnes was discussing this with me prior to the start of the meeting but I now have a better idea of the issue. I would like to take a look and craft some type of ordinance to cover this issue. Ms. Billick do you have cross access with the State?

Ms. Billick: No.

Ms. Billick: I would be willing to pay for the signs.

Ms. Cipriani: We will take a look at the property to understand the situation.

Bill Barr, 442 Lake Avenue: Two years ago I submitted a Proclamation on Climate Change for your consideration. I would ask again that you consider this request.

Rick McGoey, 50 Harris Street: The Master Plan is also addressing climate change and flooding. The Master Plan is being review by the Planning Board.

I applaud you that Chris Parlow is back on a part-time basis as an employee of the Borough. When will he be back on the Planning Board?

Ms. Cipriani: He is back as of tonight – it was affective once approved by the Governing Body.

Mr. McGoey: We commented on the design drawings for the Barnegat Lane/Clayton Avenue project. Have we received any feedback on those comments or that they may consider our suggestions?

Councilmember Cornell: As you are aware, the project went out to bid prior to our comments being received. I will check with Will to follow up with them.

Ms. Curtis: The train loop – trains are idling all night. I feel this in total retaliation to what is going on. It is very bad and I am sure my neighbors hear it also. I just wanted you to know.

Councilmember Barnes: There is way more activity going on there.

Chief Hoffman: I am on the email with the Mayor and we are trying to get fencing in that area. They have promised that all the cars will be removed this fall. The fence is part of their grant project. The Sheriff will be installing cameras at the station.

There being no further comments the public discussion 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, Lyons. NAYS: None. A list of vouchers is attached to these minutes.

Mayor Curtis: I would like to thank you for coming out and for your good questions.

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, Lyons. NAYS: None.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor