

**January 2, 2018
REORGANIZATION/REGULAR MEETING**

The reorganization meeting of the Mayor and Council of the Borough of Bay Head was held on Tuesday, January 2, 2018 at 6:00 PM in the Bay Head Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

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.

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 was published in *The Ocean Star*, December 15th and *The Asbury Park Press* on December 14th posted on the bulletin board at the Municipal Building located at 83 Bridge Avenue, on December 11, 2016

The roll was called for attendance. Present were Mayor Curtis, Councilmembers Green, Hein, Barnes, Glass, Magory, Lyons, Borough Administrator, Christopher Parlow; CFO, William Antonides and Borough Attorney, Jean Cipriani.

Jean Cipriani, Borough Attorney administered the Oath of Office to the following:

**Jennifer Barnes-Gambert, Councilmember
Brian Magory, Councilmember**

Councilmember Barnes: Thank you and I am happy to be back. I hope to save us some money in the coming year. We are here for you. I am your delegate so any concerns you have please let me know. I am also looking forward to utilizing the website more this year.

Councilmember Magory: Thank you, the community for electing me to my third term. I am especially proud of this building and the infrastructure work done this past year. The grants we have received made that possible. I am looking forward to another term.

Jean Cipriani, Borough Attorney administered the Oath of Office to the following to the Bay Head Fire Company:

**Stephen Fitzpatrick, Chief
James Nolan, Assistant Chief
Will Jamarino, Captain
Jessie Uhl, Lieutenant
Glen Brown, Lieutenant**

Councilmember Green moved to elect Councilmember Glass as Council President for the year 2018. This motion was seconded by Councilmember Hein and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis made the following appointments to Council Standing Committees for 2018. The first person is Chairman.

Parks, Grounds & Rec	<u>GREEN</u>, Hein, Glass
Legal and Planning	<u>BARNES</u>, Lyons, Magory
Public Services	<u>HEIN</u>, Glass, Barnes
Public Safety	<u>GLASS</u>, Lyons, Barnes
Public Works	<u>MAGORY</u>, Green, Hein
Finance	<u>LYONS</u>, Magory, Green

Councilmember Glass moved to approve Mayor's appointments of the 2018 Standing Committee and Chairpersons. This motion was seconded by Councilmember Green and passed on roll call vote: YES: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis made the following appointments to the Planning Board:

Class II	Christopher Parlow	One Year term
Class IV	Kathleen Tell	Four year term
Class IV	Thomas S. Charlton	Four year term
Alternate #2	John Henry Morris	Two year term
Alternate #4	Richard McGoey	Two year term

Councilmember Magory moved to appoint Councilmember Hein as Council's representative to the Planning Board. The motion was seconded by Councilmember Glass and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor made the following appointments to the Environmental Commission:

Carol Tassini	Two year term
Heather Robertson	Three year term
Sharon Shaning	Three year term

Councilmember Green moved to approve Mayor's appointments to the Environmental Commission. The motion was seconded by Councilmember Hein and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Councilmember Glass moved to appoint Councilmember Green as Council's representative to the Environmental Commission. The motion was seconded by Councilmember Lyons and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Councilmember Barnes moved to appoint Councilmember Hein as the Safety Coordinator. The motion was seconded by Councilmember Magory and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons.

Mayor Curtis made the following appointments to the following committees:

IT Committee – Councilmember Lyons, Barnes and Magory.

Quality of Life Committee – Stan Niedzwiecki and Beverly Furze

Mayor Curtis: I will hold off on the Beautification Committee. Councilmember Green will be checking to see if the existing members still want to serve and will also submit some new names to be added.

Councilmember Barnes moved to approve the regular minutes of December 4, 2017. The motion was seconded by Councilmember Magory and passed on roll call vote: YEAS: Hein, Barnes, Glass, Magory, Lyons. NAYS: None. Not Voting: Councilmember Green.

Mayor Curtis read the attached Proclamation proclaiming January 2018 as Radon Action Month.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds and Recreation: 2017 was a very good year. We worked very closely with the Department of Public Works and are very grateful for the leadership of Brian Magory. We are hopeful, in terms of grounds, to look very seriously at Howe Field – it needs proper renovation. We will also be looking to preserving the limited open space such as Centennial Park for tennis, walking – just enjoy the open space. We are in the planning stages of our summer recreation program and feel some changes will be made though we have had much success in the past. We worked with the Beautification Committee and the Seaweeders on the Wini Applegate Garden – the cost of which was donated by the Seaweeders. We also had the task of bring this building alive and close to nature. I am hopeful that the Quality of Life Committee could be expanded this year – that is why we live here in Bay Head. Each resident has a vested interest in that. We are hopeful to find solutions to any issues that exist.

Councilmember Hein, Public Services, read the Zoning Officer and Construction Official reports for the month of December. Copies of the report are attached to these minutes.

An update on the west side of Clayton Avenue – the poles have been moved and JCP&L have moved their wires. Verizon still has to move their wires then the old poles will be removed. They are really close to finishing the

project but are being held up with the weather.

I have Radon test kits. We are not in a high risk zone but the test is free. I would encourage you to do it – it is a very simple process. The results will only be submitted to you.

Councilmember Lyons: Have there been any incidents of radon found in Bay Head? I know it is required before a closing in north Jersey.

Councilmember Hein: I don't know of any – we are in the yellow zone which is low. If you do have a problem the DEP website has links to vendors you can contact.

Councilmember Barnes, Legal and Planning: I hope to have the DART group come out again in February or March. They will give us an update about the opioid problem in Ocean County. An ordinance concerning marijuana is on the agenda tonight for introduction. It will ban the selling within the borders of the Borough of Bay Head. The position we are taking is that the Federal law trumps the State. We are working on ordinances concerning drones, urinating in public and house numbers. The vendor ordinance is also being reviewed. We are working on wording to be placed on the website to gather your opinions as to vendors and issues on East Avenue.

Councilmember Green: Don't we have something on the books about urinating in public?

Chief Hoffman: It falls under unlawful acts. We just need to tighten it up – other Boroughs have it.

Councilmember Green: Is there any data on that – do they show up? Do they pay?

Councilmember Green: I am confused about the number on houses.

Councilmember Barnes: There is an existing ordinance but it needs to be cleaned up. It needs to state the size of the numbers and the placement on the property.

Councilmember Green: What are the issues on East Avenue?

Councilmember Barnes: The poll would have to do with the markings and signs.

Councilmember Green: How do you guarantee that the person completing the poll is a resident and we are hearing their comment?

Councilmember Hein: Can't we request an address.

Councilmember Lyons: I think you may be mistaken as to what the website can do as far as surveys. I feel it is best to get out in the community and talk to people.

Councilmember Barnes: I agree but the website is an option.

Councilmember Glass: I received many emails as to the vendor ordinance and East Avenue, only one didn't give their address.

Mayor Curtis: Jean, could you explain the ordinance for introduction tonight.

Ms. Cipriani: The law currently in effect in New Jersey covers the dispensary of medical marijuana. The general statement made by the governor elect, which we have not seen, is for recreational use. Once we have the State law you may have to amend the ordinance going forward. The sale of alcohol is heavily regulated. There are a lot of unknowns at this time concerning the sale of marijuana.

Councilmember Glass, Public Safety, read the Police, OEM and Code Enforcement report for the month of December. A copy of the report is attached to these minutes.

OEM Tip of the Month: Get Ready! Winter Storms and Extreme Cold:

Most of the United States is at risk for winter storms. Severe storms can cause dangerous or life-threatening conditions. The dangers include blinding wind-driven snow, extreme cold, ice road conditions, avalanches, and downed trees and power lines. It's important to prepare before the winter storm season.

Councilmember Magory, Public Works: We received our new snow plow truck just in time for our winter season. The old dump truck will be put up for auction by Chris Parlow, Borough Administrator.

We will be going out to bid to resurface five streets and install handicapped sidewalk access on Clayton Avenue. All of these projects will be paid with grants we have received. The comfort station is closed for the season because there is no heat.

The Recycle Center is back up and running. Public Works has started brining the roads prior to a snow fall and it seems to work. Other improvements have been made at Public Works, that you won't see but are to keep the equipment up and running.

Councilmember Lyons, Finance: I will start with IT. A draft agenda will be posted on the website on Friday prior to the Council meeting on Monday. Christopher Parlow had the one for this meeting posted. This is a great step forward in letting our residents know what is to be discussed. Please call me if you have comments on the website.

Finance: We would have turned the page on 2017 but with the State extending tax payments to 12-31-17 we have had to keep our books open. This is delaying our process to move into 2018.

Councilmember Lyons introduced Bill Antonides, CFO.

Mr. Antonides: The Governor required all towns to keep their books open but we are hopefully we can close them after Friday. We started our 2017 Budget process in September and are hopeful to complete it with maybe one more Finance meeting. The State went to a new electronic system for submitting budgets this year. Last year we introduced in February which I am not sure the State will be ready to receive even though we will be ready to submit. We are still on target to pay down this building in ten years.

Councilmember Lyons: We are hopeful to share the 2018 Budget with you in February.

Councilmember Green: Under IT – I was wondering if it would be possible to have our meetings broadcasted.

Councilmember Magory: It would require addition cameras – it is a whole separate project.

Councilmember Lyons: It can be costly. If that is something the citizens think is important we could look into it.

Christopher Parlow, Borough Administrator: Thanks to everyone for welcoming me to Borough Hall. There is no shortage of topics to deal with. I am dealing with grants, GovPilot and an eminent domain case.

JCP&L has hired a tree trimming company so please be aware of that.

Posting of concerns will be up within the next two weeks on the website through GovPilot. I am looking forward to seeing it up and working because I haven't worked with it before. Just know you can still call us.

Tomorrow I will be attending Safe Sidewalks Grant meeting in Trenton at the Department of Transportation.

Mayor Curtis: Our agenda is set by ordinance. We are looking to amend it. I will be meeting with Council Members to discuss.

Councilmember Green introduced Dan Paulus, Chairman of the Environmental Commission.

Mr. Paulus: The 2017 Annual Report was submitted at the last meeting. I just want to let everyone know that we meet the 2nd Tuesday of each month at 5:30 pm here. We act on coordinating and investigating issues which are passed on to Council. We focus on

recycling but are limited as to what the County accepts. We are looking at ways to keep things out of the landfill. We started recycling tennis balls this year. We work at public outreach and education. This year we also had a bike tour of the Borough. We also have a link on the Borough website.

Mayor Curtis called for Ordinance, First Reading.

Councilmember Barnes offered Ordinance 2018-01 entitled:

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
PROHIBITING APPROVAL OF APPLICATIONS WITHIN
THE BOROUGH OF BAY HEAD THAT REQUIRE
BOROUGH GOVERNMENT APPROVAL WHICH ARE
VIOLATIVE OF FEDERAL LAW AND AMENDING
CHAPTER 147 SO AS TO PROHIBIT SALE OR
DISPENSING
OF MARIJUANA OR ANY CANNABIS-BASED PRODUCTS**

Councilmember Barnes moved this ordinance on first reading, which motion was seconded by Councilmember Hein.

The motion passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of this ordinance is attached to these minutes.

Mayor Curtis called for New Business and Resolutions.

Councilmember Hein: The radon test kits can be picked up at Borough Hall from the Clerk.

The following resolutions were presented as a consent agenda by Mayor Curtis:

**Resolution 2018-01 appointing Jean L. Cipriani, Esq. as
Municipal Attorney.**

**Resolution 2018-02 appointing Robert A. Hulsart as Municipal
Auditor.**

**Resolution 2018-03 appointing Jeffrey R. Surenian, Esq. as
Special Counsel, COAH.**

**Resolution 2018-04 appointing Bonnie Peterson, Esq. as
Municipal Prosecutor.**

**Resolution 2018-05 appointing Victoria R. Emanuele, Esq. as
Alternate Prosecutor.**

**Resolution 2018-06 providing dates of Borough Council
meetings and designating official newspapers.**

Resolution 2018-07 fixing the rate of interest to be charged on delinquent taxes or assessments.

Resolution 2018-08 appointing Municipal Search Officers.

Resolution 2018-09 authorizing the Tax Assessor to file an assessor's appeal to correct certain errors made on assessments.

Resolution 2018-10 authorizing certain people to sign Borough checks.

Resolution 2018-11 approving the Cash Management Plan of the Borough of Bay Head.

Resolution 2018-12 authorizing cancellation of minimal balances and overpayments.

Resolution 2018-13 authorizing the cancellation of miscellaneous charges and outstanding checks.

Resolution 2018-14 permitting Pre-Payment of certain items.

Resolution 2018-15 approving Temporary Budget for 2018.

Resolution 2018-16 appointing Roberta A. Burze, Esq. as Public Defender.

Resolution 2018-17 appointing Carmine R Villani, Esq. as Alternate Public Defender.

Resolution 2018-18 amending Resolution 2017-121 providing for payment of salaries and compensation of Borough Officials and Employees for 2018.

Resolution 2018-19 appointing Joy Bragen-Edly as Recycling Coordinator.

Resolution 2018-20 authorizing the execution of a Shared Services Agreement between the Borough of Bay Head and the Township of Freehold for Information Technology Services.

Resolution 2018-21 appointing John R. LeCompte, Engineer.

Resolution 2018-22 providing for salaries and compensation of the Police Chief, William Hoffman for 2018.

Resolution 2018-23 providing for salaries and compensation of the Police Department of the Borough of Bay Head for 2018.

Resolution 2017-24 authorizing the execution of a contract with John Neary for Animal Control Services for the Borough of Bay Head.

Resolution 2018-25 authorizing the execution of an Employment Agreement with William Antonides, Jr. as Chief Financial Officer.

Resolution 2018-26 authorizing the execution of a Schedule “C” Agreement with the County of Ocean for 2018.

Resolution 2018-27 authorizing the reimbursement to William Furze for expenses incurred due to sewer block under street at 2 Wyndham Drive, Bay Head, NJ.

Resolution 2018-28 accepting the retirement of Douglas S. Applegate, Robert Hoffman, Jr. and Charles Tillson and authorizing payment of accumulated leave time.

Councilmember Green moved the consent agenda resolutions be approved. The motion was seconded by Councilmember Glass and passed on roll call vote: YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of each resolution is attached to these minutes.

Mayor Curtis opened the meeting for Public Discussion.

There being no comments Councilmember Lyons moved to adjourn. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor