

June 4, 2018

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on June 4, 2018 at 7:00 pm in the Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor Curtis called the meeting to order and welcomed everyone and 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 a schedule of meetings of this Governing Body which was posted on the bulletin board at 83 Bridge Avenue on January 3, 2018 and was published in *The Ocean Star* on January 12, 2018 and the *Asbury Park Press* on January 11, 2018.

The roll was called for attendance. Present were Mayor Curtis and Councilmembers Hein, Barnes, Glass, Magory, Cornell; Christopher Parlow, Borough Administrator and Jean Cipriani, Borough Attorney. Councilmember Lyons was absent.

Councilmember Barnes offered Resolution 2018-92 appointing James J. Gluck, Esq. as Municipal Judge of the Court for the Borough of Bay Head. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Barnes, Hein, Glass, Magory, Cornell. NAYS: None. A copy of the resolution is attached to these minutes.

Ms. Cipriani administered the Oath of Office to James J. Gluck.

Councilmember Barnes moved to approve the regular minutes of May 7, 2018. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Hein, Barnes, Magory, Cornell. NAYS: None. NOT VOTING: Glass.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Hein, Public Services, read the Construction Official, Code Enforcement and Zoning Reports for the month of May. Copies of the reports are attached to these minutes.

Ordinance 2018-02 amending Chapter 93 entitled "Buildings, Numbering Of" goes into effect July 1, 2018. Please check your home to make sure you comply with the new requirements.

Mayor Curtis: Beach Replenishment in Bay Head is to start— mid to late September. They will start at Mount Street and move north then return to Mount and move south.

Councilmember Barnes, Legal and Planning: We continue to review and revise various codes. We interviewed candidates for the position of Judge. I am also

working on a letter to be mailed the end of the month. It will be a reminder to every one of rules and regulations concerning: garbage placement, recycling, bulk pick-up etc. If you feel something should be brought to residents attention please let me know so it can be included in the mailing.

Councilmember Hein: The letter will cover existing rules and regulations – these are not new.

Councilmember Barnes:

On Friday, I attended a seminar concerning opioid abuse with one of the speakers tying in gamblers anonymous. He stated it starts with video gaming. The session was very informative and I would like him to come and speak to everyone. It was quite an eye opener and is definitely worth hearing. I hope to have him come in August or September.

Councilmember Glass, Public Safety, read the Police, OEM and Fire Department report for the month of May. Copies of the reports are attached to these minutes.

OEM – Tip of the Month:

Have a Plan for Hurricane Season – Collect, Share, Practice
Handouts were available

Fire Department – Tip of the Month:

Propane Tank Use and Storage

Cylinder tanks for equipment such as stoves and ovens must be located outside of the home.

Never store or use propane gas cylinders larger than one pound inside the home.

Never operate a propane-powered gas grill inside the home.

Use of propane-powered gas grill shall be at least 5 feet away from the home.

If you smell a strong odor of gas, leave the area immediately and call the fire department from outside the home.

Chief Hoffman: As of June 1 there is no longer an ASPCA. All complaints will be handled by our department. I have two officers who are certified.

Councilmember Magory, Public Works: We had a good month. Clayton Avenue sidewalk is finished. We will now start on Osborne Avenue with work to start in the spring of 2019. We have also been busy reviewing the exterior lighting of this building. We have LED lighting. The reason for the lights around the building is because the Police Department operates 24/7. We also have surveillance cameras around the building and they also need the lights. I talked to the architect and have received the lighting plan. It was designed by a lighting engineer and is the minimum for roadways and pathways. I have toured the facility at night. The only light that is shining on one of our neighbors, is onto their open front porch, which we hope to have redirected. Some of the lights on the building and in the park are off. We will be working on this. The building is

complete but changes will also be needed. I want to make sure everyone understands that we can always talk and tweak the lights.

Councilmember Cornell, Parks, Grounds and Recreation: We invite everyone to come out on Friday June 8, 2018 at 9:30 am to participate in the 2018 Barnegat Bay Blitz. We will meet at the Bay Head Firehouse at 9:30 am. NJ DEP sponsors this program and will provide bags and gloves. Please dress appropriately.

The Summer Recreation Program will run from July 9th to August 9th. We aren't sure if it will be held at the Bay Head School or a local church. As soon as we know the location it will be posted on our website.

Extra dog stations are been located around town. Your feedback would be welcomed so please contact me.

Christopher Parlow, Borough Administrator: Reviewed with the audience the Borough website – www.bayheadnj.org. He discussed the following items:

Report a Concern: This is not for 911 calls. Follow the menu, you must complete all blocks with an * - must supply your name, phone number and email address. Your concern will be directed to the proper department (Police, Code Enforcement, Construction Official, Public Works Supervisor, Garbage and you will receive a response. You can also Download an APP to use on your smart phone.

Announcement: Beach Fill Project linked to Army Corps which gives schedule of their project and is updated every two weeks. Alerts are posted as soon as the go out.

Upcoming Events – located on the left side of the Home Page Click to obtain more information.

Gov Pilot Map – information is from Google Earth Map – specific to property with drop down information – the data provided is 2015 map layers including flood zone, show BFE, traffic, location of Police Department, Fire Department.

Government: Draft Agendas are posted the Friday prior to the Monday meetings.

Borough Ordinances – can search with a few key words.

Budget Information for 2017 and 2018 - Annual Financial Statements

Under Departments – Municipal Clerk – forms are posted.

Shortly you will be able to make payments on line. You will be charged the following: Card Fee – 2.95%; Debt Fee – Flat \$3.95; ACH Fee – Flat \$1.05.

I am leaving up the sign rendering to be discussed later in the meeting for your review.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following:

Request from New Logic Marine Science Camp to meet at Centennial Park July 16th – 20th and August 20th – 24th

Request from Bay Head Historical Society to use the meeting room in Borough Hall on Saturday June 23, 2018 from 9 am to 12 noon for their General Meeting.

An application for Raffles License from the Women's Guild of All Saints Church for an On-Premise gift raffle and 50/50 cash raffle with the drawing to be held at the Bay Head Yacht Club on July 26, 2018 from 11:30 am to 3 pm.

Councilmember Magory moved to approve the request which was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Cornell. Nays: None.

Mayor Curtis called for Resolutions.

Councilmember Barnes offered Resolution 2018- 83 opposing the Enactment of Legislation to Legalize the Recreational Use and Sale of Marijuana.

Councilmember Barnes offered Resolution 2018-84 approving the Renewal of a Club License issued to Bay Head Yacht Club, Inc. for the 2018/2019 License Term.

Councilmember Barnes offered Resolution 2018-85 approving the Renewal of a Plenary Retail Distribution License issued to Burke's Market LLC for the 2018/2019 License Term.

Councilmember Barnes offered Resolution 2018-86 approving the Renewal of a Plenary Retail Distribution License issued to And Bottles Too, Inc. for the 2018/2019 License Term.

Councilmember Barnes offered Resolution 2018-87 approving the Renewal of a Plenary Retail Consumption License issued to Shoppers Wharf LLC t/a Charlie's of Bay Head for the 2018/2019 License Term.

Councilmember Barnes offered Resolution 2018-88 certification of the Annual Audit.

Councilmember Magory offered Resolution 2018-89 enter into a Cooperative Pricing Agreement with the Educational Services Commission of New Jersey for Member Participation in CO-OP #65 MCECCPS.

Councilmember Magory offered Resolution 2018-90 awarding a Professional Services contract to Remington & Vernick Engineers to provide Design, Administration and Observation Services for the NJDOT 2018 Municipal Aid Project – Osborne Avenue Sidewalks in the amount not to exceed \$60,651.00.

Councilmember Magory offered Resolution 2018-91 authorizing the purchase of a 2018 Kubota for the Bay Head Public Works Department from Cherry Valley Tractor Sales under the Educational Services Commission of New Jersey Cooperative Pricing System

Councilmember Hein offered Resolution 2018-93 awarding a Professional Services contract to Mott MacDonald Engineers to provide Development Application assistance and other Engineering services as a Non-Fair and Open Contract pursuant to the provisions of N.J.S.A. 19:44A-20-5.

Councilmember Magory offered Resolution 2018-94 amending Resolution 2017-121 providing for Salaries and Compensation of Borough Officials and Employees for 2018.

Councilmember Magory offered Resolution 2018-95 re-authorizing the Sale of Surplus Property no longer needed for Public Use VIA Internet Auction Website.

Councilmember Barnes offered Resolution 2018-96 recognition of World Elder Abuse Awareness Day.

Councilmember Glass moved the above resolutions be adopted. The motion was seconded by Councilmember Magory.

Mayor Curtis asked if there were any questions from the public concerning the Resolutions presented. There were none.

There being no further questions, Mayor Curtis closed the discussion by the public.

Councilmember Cornell abstained from voting on Resolution 2018-84. The motion passed on roll call vote: YEAS: Hein, Barnes, Glass, Magory, Cornell. NAYS: None. Councilmember Cornell abstained from voting on Resolution 2018-84. A copy of each resolution is attached to these minutes.

Mayor Curtis called for Ordinance for Second Reading, Public Discussion and Vote.

Councilmember Barnes offered Ordinance 2018-11 entitled:

ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER
104 OF THE BOROUGH CODE, ENTITLED "CONSTRUCTION CODES,
UNIFORM" SO AS TO ADJUST THE FEES CHARGED FOR THE
ISSUANCE OF VARIOUS PERMITS

Councilmember Barnes moved to approve this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Hein.

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

There being no further comments or questions the public hearing was closed.

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

Councilmember Barnes offered Ordinance 2018-12 entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF BAY HEAD, IN THE COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$185,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$175,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Councilmember Barnes moved to approve this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Glass.

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: Hein, Barnes, Glass, Magory, Cornell.
NAYS: None. A copy of this ordinance is attached to these minutes.

Mayor Curtis called for Ordinance, First Reading:

Councilmember Glass offered Ordinance 2018-13 entitled:

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 222, ENTITLED, "VEHICLES AND TRAFFIC" TO ESTABLISH A LOADING ZONE ON BRIDGE AVENUE

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

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

This ordinance is scheduled for second reading and public hearing on July 2, 2018.

Mayor Curtis called for Unfinished Business.

Mayor Curtis: The Bay Head Business Association approached the Borough requesting permission to erect a sign, at the front of the parking lot, directing to Centennial Park. Council discussed their request and thought the Borough logo needed to be added and that the sign should also direct to the Borough Hall and the Police Department with an arrow.

Mr. Parlow: The proposed size is 4' X 5' plus the posts. The cost is \$2,200.00. The Business Association will contribute \$1,500.00 and are looking for the consent from the Council to proceed. If approved, the Council will contribute \$700.00. The sign will be double sided.

Councilmember Magory moved to approve the placement of a direction sign in the grassy area beside of Manasquan Bank and accepting the donation of \$1,500.00 from the Bay Head Business Association toward the cost of \$2,200.00. The motion was seconded by Councilmember Barnes.

Councilmember Barnes: I think it is very tasteful and it is very important to show direction to the Police Department for people that are unfamiliar with town. Also a number of vendors, who participated in "Art in the Park" last year didn't know where Centennial Park was.

Councilmember Glass: I am in favor as a business owner and as a Councilwoman.

Mayor Curtis opened the discussion of the proposed sign to the public.

Chief Hoffman: The Police Department is fully in favor of this sign. We continue to have people come to our back door to gain entrance to the Police Department.

Mr. Meakem, 66 Howe Street: It should have a lot of character. I agree to add Borough Hall and Police Department to Centennial Park.

Councilmember Magory: It will be white.

There being no further comments or questions the public discussion was closed. The motion passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Cornell. NAYS: None.

Mayor Curtis called for New Business.

Councilmember Glass: The Bay Head Historical Society will kick off the summer with an opening reception on Sunday, June 10th from 3 to 6 pm everyone is welcome. Surfing The Jersey Shore will be co-curated by Loveland Homestead Museum and Beach House Classic Boardshop, Bay Head, NJ.

Mayor Curtis opened the meeting to the public.

Heather Robertson, 161 Bridge Avenue: Are the hours of work for contractors going to be enforced? I would suggest adding that information in the letter to go out.

Mayor Curtis: As of June 15th there will be no work on Saturday by commercial contractors. Enforcement will be done by the police. Homeowners can work on their own home. We are also looking into equipment left on properties during construction. The ordinance isn't clear. They can go to the Code Enforcement officer to get permission but it is not clear as to what criteria they have to meet. In my opinion, if work is constant on the property it would make no sense to have it removed everyday. In the mean time we will tighten up the ordinance.

Councilmember Cornell: You can use Report a Concern on the website.

Mayor Curtis: The Code Enforcement officer doesn't work on weekends. He is only part-time during the week.

Joanne Pehlivanian, 332 Western Avenue: Ordinance 2018-13 concerning the loading zone on Bridge Avenue. Will it take away parking spaces?

Councilmember Glass: No – the lines are already painted for it – there will be no addition of space added.

Ms. Pehlivanian: What is it about then?

Mr. Parlow: The roadway was stripped yellow but there isn't an ordinance to support that yellow line. The only people to park there is if they are loading for the businesses.

Ms. Pehlivanian: If I recall the loading and unloading should have to take place early in the morning as per their variance approval. They also double park there.

Mayor Curtis: The unions don't care as to deliveries. There is no way to regulate.

Councilmember Glass: Many businesses get deliveries on Bridge Avenue.

Mr. Pehlivanian: The area is very jammed all the time.

Chief Hoffman: We noticed it was being used by personal vehicles. Delivery trucks have no place to park and are double parking. If the loading zone is covered by ordinance we can then write a summons.

Lois Johnson, 818 Main Avenue: Will the loading zone interfere with the Fire Department?

Mayor Curtis: No, they looked at it.

George Schweickert, 70 Osborne Avenue: The website looks terrific. The biggest issue is always maintaining the accuracy over a period of time. Beach replenishment is now from mid to late September to start?

Mr. Parlow: The source of information from our website is the Army Corps website.

Mr. Meakem, 66 Howe Street: I would like to give a shout out to the Chief. Two of his officers came over and helped with our smoke alarm. They couldn't have been more helpful. I come tonight to discuss making changes to the lighting around and on the building. There are three on the west side and seven on the east side – clear globes, LED bulbs, very bright. These lights are different than the street lights around town. In the front of the building there are four lights and eight lights in the park – some of which are not always on. They are very different lights. Seven lights from the east side of this property shine into our home. I suggest some solutions – dimmers, change the bulbs, reduce the number of lights, change the globes or combination would be better than none. I have spoke about this issue a number of times. Mayor has come to my home at night. There are just too many lights. Bottom line I am willing to pay for this, for the town and the Meakem's. I am willing to take it on and will work with all of you to make it better for the town and for us.

Councilmember Magory: I will take a walk over to your home tonight.

Mayor Curtis: I feel it is way over light.

Councilmember Glass: I will meet with Brian and the Chief. There are safety concerns. Maybe frosted glass could be used – maybe some of your suggestions can be taken.

Peter Doane, 325 Lake Avenue: Charlie's valet parking lot – how can that be when it is an active construction site? They are using the lot as a valet parking lot.

Councilmember Hein: Do you want them to park on the street?

Mr. Doane: I don't want them to use it as a valet parking lot. They are been working on their property for five years. Three homes on Lake Avenue are affected by this use. The bar closes at 10 pm but people continue to leave until 10:30 – 11 pm.

Councilmember Cornell: Is the concern noise or the going in and out of the cars?

Mr. Doane: Both. The lights from the cars shine in the windows – the property is not to be used as a valet parking lot. It is a construction site and permits have been issued. At this rate it will be six years before they are complete with their project. It is a problem.

Mayor Curtis: We will look into it.

There being no comments Councilmember Magory moved to approve the vouchers for payment. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Cornell. NAYS: None. A list of vouchers is attached to these minutes.

The meeting was adjourned.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor

