

October 2, 2017

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on October 2, 2017 at 7:00 pm in the New Borough Hall, 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 March 13, 2017 was published in *The Ocean Star* on March 17, 2017 and the *Asbury Park Press* on April 12, 2017.

The roll was called for attendance. Present were Mayor Curtis and Councilmembers Green, Hein, Barnes, Glass, Magory, Lyons and Jean Cipriani, Borough Attorney.

Councilmember Glass moved to approve the regular and executive minutes of September 11, 2017. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Barnes, Glass, Magory, Lyons. NAYS: None. ABSTAIN: Green and Hein.

Mayor Curtis read the following Proclamations:

Teen Dating Violence Prevention and Awareness Month  
Fire Prevention Week  
United Nations Week

A copy of each Proclamation is attached to these minutes.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds and Recreation: As a reminder, the 32<sup>nd</sup> Annual Beach Sweeps will take place on Saturday, October 21<sup>st</sup> from 9 am to 12:30 pm meeting at Howe Street Beach.

The Summer Recreation Program was very successful with 44 children registering for the program, attendance ran from a minimum of 22 to maximum of 32.

Kelley reported that for 2017 we sold the following Memberships:

Single – 12 - \$300.00  
Family – 15 - \$750.00  
Senior – 11 - \$165.00

Councilmember Green introduced Dan Paulus, Chairman of the Environmental Commission to give a brief report.

Mr. Paulus: I am Chairman of the Commission and we meet the 2<sup>nd</sup> Tuesday of each month at 5:30 pm. We welcome everyone and are looking for members. You can be a full member or a volunteer. Every town in New Jersey has an Environmental Commission. We keep an eye on our open space and all environmental concerns. We also review our Land Use Codes and have worked on the Master Plan. We review the water quality report submitted by New Jersey American Water Company. We also post an annual report on the Borough website, under Environmental Commission. We also submit a monthly tip to Council which relates to the environment. This summer we implemented Recycling Used Tennis Balls with baskets located at our tennis court and Bay Head School. The used balls are recycled for court surfaces. All items recycled in Bay Head are in conjunction with Ocean County. We are always looking to recycle more items but are restricted as to what the county takes. We held two bike tours this summer conducting an environmental audit of our open spaces mapped on a tour we put together. We plan to have more outreach educational sessions in the future. We work with Clean Ocean Action and their spring and fall Beach Sweeps. We also clean up the lake. Please come out to our meetings. It is only one hour every month and will be a wonderful opportunity to get involved in your environment.

Councilmember Green introduced Diana Kitchen, Bay Head Beautification.

Diana Kitchen: Our goal is to keep Bay Head beautiful. We work with the Council, Public Works employees, Seaweeders, and the Police Department. We always use native plants. We have planted trees in the parking lot, created a wonderful park on the lake at the end of the parking lot beside the Post Office. We also did the plants on the border of Scow Ditch by the new municipal building. We are working to camouflage the hot box with plants.

Councilmember Green: Brian and I share Buildings and Grounds. Howe Park is a concern to a lot of people and we are working on it. It will be have to be part of our budget cycle.

I would also like to remind everyone of the Dedication of the Wini Applegate Garden this Saturday at 11 am. She is a great leader and a very important local, state and national garden club member.

Councilmember Hein, read the Construction Official, Zoning and Rental/Transfer Reports for the month of September. Copies of the report are attached to these minutes.

Councilmember Barnes, Legal and Planning: We continue to discuss personnel matters and review contracts. One item we have been working on is the return of garbage pickup to twice a week in the fall/winter months. This will be discussed later.

Councilmember Glass, Public Safety, read the Police, Fire Company and OEM report for the month of September. A copy of the report is attached to these minutes.

Drug Enforcement Administration (Operation Drug Take Back) will take place here on Saturday, October 28<sup>th</sup> from 10 am to 2 pm at Police Headquarters.

OEM – Tip of the Month:

Hurricane season is not over yet. Stay prepared!

Fire Department – Tip of the Month: October is Fire Prevention Month. This year's theme is \*\*\*EVERY SECOND COUNTS \*\*\* PLAN TWO WAYS OUT\*\*\*  
Plan two ways out of your home in case of an emergency.

Councilmember Magory, Public Works: I would like to thank Councilmember Hein for his work in Team Rubicon. Clayton Avenue – we have had success with Verizon and JCP&L stating they will relocate the poles at their expense. This is the first step in installing a sidewalk on the west side of Clayton Avenue. We don't have a firm schedule from them at this time. We are still working with the State on the agreement concerning the east side. A letter will be sent to all property owners on Clayton Avenue. We will be submitting a grant application for Osborne Avenue sidewalks and curbs.

Councilmember Lyons, Finance: Last month we approved the salary resolution for 2018. This allows us to now start on the 2018 budget. We received official confirmation that we will be receiving \$299,700.00 for the generator. We are very happy about that. The deadline for filing for Homestead rebate should you qualify will be November 30, 2017. This is for you 2015 property taxes.

The Technology Committee is reviewing the 1<sup>st</sup> draft from our web designer. We will be asking for individuals to sending their pictures of Bay Head to keep the site fresh. We are hoping to have something to roll out by the beginning of 2018. We are also adding GovPilot to our web site.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following request:

Application for Raffles License from Deborah Hospital Foundation  
Point Pleasant Chapter drawing to be held at monthly meetings  
In 2018 at 640 Lake Avenue

Request from the Bay Head Business Association for their annual  
Halloween parade on Sunday, October 29<sup>th</sup> with line up time of  
11:45 at Mount Street ending at Centennial Park

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

Mayor Curtis called for Unfinished Business, there was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Lyons offered Resolution 2017-124 providing for the insertion of a Special Item of Revenue in the Budget of the Borough of Bay Head pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) – Drive Sober or Get Pulled Over 2017 Labor Day Crackdown - \$500.00.

Councilmember Glass offered Resolution 2017-125 authorizing payment to Employees for Hours of Accrued Compensatory Time from the Budgetary provision approved as Police Salary and Wages.

Councilmember Lyons offered Resolution 2017-126 providing for the insertion of a Special Item of Revenue in the Budget of the Borough of Bay Head pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) – NJ OEM 966 Grant - \$2,570.00.

Councilmember Glass offered Resolution 2017-129 authorizing the Mayor as signing authority of the Municipal Rate Agreement between the Borough of Bay Head and Aftermath for Biohazardous Remediation Services.

Councilmember Lyons offered Resolution 2017-130 authorizing the Cancellation of Sewer Billing.

Councilmember Magory offered Resolution 2017-131 authorizing the charges from Vector Security for a variety of minor projects with the Bay Head Police Department.

Councilmember Hein offered Resolution 2017-132 authorizing execution of Amendment to contract to Suburban Disposal, Inc. for Solid Waste Collection Services. This will reinstate a second pickup for the fall/winter months. We will have pick up twice a week year round.

Councilmember Lyons offered Resolution 2017-133 authorizing the execution of a Software Services Agreement between Property Pilot, LLC d/b/a GovPilot and the Borough of Bay Head. This will not start until January 2018 but to get the 2017 price we have to sign now – which saves us half the cost.

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

Councilmember Magory offered Resolution 2017-127 authorizing approval to submit a Grant Application and execute a Grant Agreement with the NJ Department of Transportation for the Twilight Lake Walkway Construction Project. The motion was seconded by Councilmember Glass.

Councilmember Magory: This is to construct a walkway around Twilight Lake. We submitted an application last year but it was not approved.

Councilmember Green: Will there be meetings as to the design should Bay Head be awarded the grant? It would be helpful to let the residents know.

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

Councilmember Magory offered Resolution 2017-128 authorizing the submittal of a Grant Application and execute a Grant Agreement with the NJ Department of Transportation for the Osborne Avenue Curb and Sidewalk Reconstruction Project. The motion was seconded by Councilmember Green.

Councilmember Magory: If approved we will work with the residents of Osborne Avenue.

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

Mayor Curtis opened the meeting to the public.

Stan Niedzwiecki, 42 Johnson Street: This is for the Chairman of the Environmental Commission – what is being done in the past three years about the landscapers in town?

Mr. Paulus: As far as the Environmental Commission, we can issue summons. The blowers would fall under the noise ordinance. We have been working with the police to put a mailing out to the landscapers concerning the mulch piles in the street and the blowing of grass clippings into the street. We are also going to invite them to be part of the process. I would be happy to work with you.

Mr. Niedzwiecki: Some days there are three different landscapers working on our block at the same time – it is not fair to the residents.

Councilmember Green: We as the Environmental Commission have looked at these issues – we need a device to measure noise.

Mr. Paulus: They want to get in and out – they try to be there for as short a time as possible.

Mr. Niedzwiecki: The old equipment they use doesn't meet the decibel level.

Mr. Paulus: We also encourage homeowners to talk to the landscapers to make sure they are following the rules – you sign the checks.

Mr. Niedzwiecki: They all blow into the bay or down the storm sewer.

Mr. Niedzwiecki: Why don't we have a sprinkler system in front of Borough Hall – why do we have an employee doing in by hand?

Mayor Curtis: He can direct the water where it needs to go – we will look at that.

Councilmember Green: We are grateful that Bill has been dispatched to care for the front garden. Public Works is on the job and it is essential with a brand new garden.

Mr. Niedzwiecki: Resolution 2017-127 concerning the Twilight Lake Walkway Construction – will the public have some open discussion and when would that be?

Mayor Curtis: Yes, and it would be in 2018 if we get the funding

Councilmember Magory: We don't have any funding at this time.

Helene DeFilippis, 78 Goetze Street: I missed the Council meeting when garbage pickup was discussed. I understand as of October 1 we went to only one day per week – that doesn't work well for me.

Councilmember Barnes: Resolution 2017-132 just returned the pick up to twice a week year round.

Ms. DeFilippis: I approve.

Ms. DeFilippis: Clayton Avenue – there are 101 signs posted what we do need is sidewalks. Bikers have to stop at the stop signs – it is very dangerous at the corners of Lake and Johnson and Lake and Clayton.

Councilmember Lyons: I agree – we need to look at that intersection.

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

Councilmember Barnes offered the following Resolution to go into executive session.

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, the 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 discussions of an actions upon the hereinafter specified subject matter.
2. The following subject involve:  
Personnel
3. It is anticipated at this time the above subject matters will not be made public.

4. This Resolution shall become effective immediately. No action will be taken following the session.

Councilmember Barnes moved this resolution be approved. The motion was seconded by Councilmember Magory and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory Lyons. NAYS: None.

The Governing Body went into Executive Session at 7:54 pm. At 8:52 pm the Governing Body came out of Executive Session and resumed the meeting.

There being no further business Mayor Curtis adjourned the meeting.

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Patricia M. Applegate, Municipal Clerk

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William W. Curtis, Mayor