

March 6, 2017

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on March 6, 2017 at 7:00 pm in the New Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor called the meeting to order and welcomed everyone to the first meeting in the New Municipal Building. He 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 106 Bridge Avenue, Unit 2 on January 4, 2017 and was published in *The Ocean Star* on January 13, 2017 and the *Asbury Park Press* on January 7, 2017. Notice was posted on the Bay Head Firehouse as to the relocation of this meeting from the Bay Head Firehouse, 81 Bridge Avenue to the New Municipal Building, 83 Bridge Avenue.

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

Councilmember Magory moved to approve the regular minutes of February 6, 2017. The motion was seconded by Councilmember Hein and passed on roll call vote. YEAS: Green, Hein, Barnes, Magory, Lyons. Abstain: Glass.

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

Councilmember Lyons offered Ordinance 2017-03 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE 2017 MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:45-14)

Councilmember Lyons moved to approve the ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Green.

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

Stan Niedzwiecki, 42 Johnson Street: What is the percentage on the cap?

William Antonides, CFO: 3.5%

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

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 introduced Robert Hulsart, Auditor and William Antonides, CFO. I would like to thank Bill, Doug and his committee for all their work in having the budget ready for adopted this early. It is the earliest I can remember.

Councilmember Lyons: Bill is our CFO and a pleasure to work with and helping us to understand the finances of the Borough.

Mr. Antonides made the following statement concerning the 2017 Municipal Budget:

This is the public hearing on the 2017 Budget which was introduced on February 6<sup>th</sup>. The State reviewed and approved the budget for adoption late Friday, March 3<sup>rd</sup>. That allows you to adopt if you chose.

The budget is within the appropriations cap, which is \$4,053,493. The operating budget is \$3,769,283 - \$284,210 or 7.54% under the caps.

The budget is within the levy cap, which is \$3,873,750. The tax levy is \$3,375.225 - \$495,524 or 12.79% under the caps.

The budget as introduced is \$.2125 per hundred. The budget adopted last year was \$.2075 per hundred. That is a \$.005 tax increase of \$111,610. These funds will be utilized to reduce the debt service.

Mayor Curtis opened the meeting to the public for public hearing on the 2017 Municipal Budget.

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

Councilmember Lyons offered Resolution 2017-45 adopting the 2017 Budget which was seconded by Councilmember Green and passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None. A copy of this resolution is attached to these minutes.

Mayor Curtis called for Reports of Standing Committees.

Councilmember Green, Parks, Grounds and Recreation: Dan Paulus, Chairman of the Bay Head Environmental Commission would like to welcome new members to join the commission. If you are interest please let me know. The Beautification Committee met and are involved in the landscaping around the new municipal building. They are committed to using only native plants. Everyone is excited we are moving forward. It will feel more like home once the plants are in.

The Spring Beach Sweep will be held on Saturday, April 22 from 9 am to 12 pm. Registration will take place at Harris Street beach. Please come out to clean up the beach.

We are also moving forward with the remediation of Howe Park. If anyone is interested please contact me.

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

On the Safety side – the State has given approval for the installation of sidewalk/bike path to be located on the east side of Clayton Avenue in the old railroad right of way. I would like to thank Mayor for all his work in obtaining this approval.

Mayor Curtis: We also had help from our Senator Jim Holzphel.

Councilmember Barnes, Legal and Planning: We are still monitoring COAH. It is a wait and see at this point. I have been working on revising the Employee Handbook with Councilmember Hein. We will also be meeting with Ocean County Health Department and the Prosecutor to discuss drug abuse, which is a huge problem in Ocean County.

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

OEM Tip of the Month: Lithium Ion batteries supply power to many devices. Take care when using them, in rare cases; they can cause a fire or explosion.

Councilmember Magory, Public Works read the following statement:

I am pleased to welcome you to our new Borough Hall. We moved in two weeks ago led by the Police Department followed by the administrative staff. I was amazed at how smooth and prepared everyone packed/unpacked we were up and running within a couple of hours. The Borough Hall Project has been a long and arduous Project. We started the project by determining that the old building required demolition, we then authorized funding, prepared a bid package for the construction and submitted grants to obtain FEMA funding. Our goal was for the proposed new building to capture the historical flavor of the Borough and promote the late-nineteenth-early twentieth century resort community for which Bay Head is known.

I need to thank all our town employees, IT staff, Borough engineer, lawyer, contractor, architect and council members for assisting me to bring this 10,000 sq. ft. facility to a successful conclusion.

I will also be offering a resolution tonight for a new employee to replace Doug Applegate better known as “Apple” who has announced his retirement. Apple is always moving and the only time seated is in the truck on the way to another project. His carpentry skills and good humor will be missed. Apple has spent his

entire life in Bay head except for time with the US Marines in the late 60's visiting points of interest in South East Asia.

Councilmember Lyons, Finance: We passed the budget.

Councilmember Green: Thanks to everyone who participated in this amazing rebuild. Brian thank you for leading the project, it was not easy at times. We are happy to have finally come home.

Mayor Curtis: The address of this building is 83 Bridge Avenue we are no longer 81 Bridge Avenue Rear. We will have an official open house the end of May or first of June. We will keep you apprised to that.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following request:

Request from Bay Head School Association for permission to hold their annual Shark Run 5K on Saturday, September 23, 2017.

Request from Bay Head Business Association permission to have a Sidewalk Sale on the third Friday and Saturdays of the month during May thru October.

Request from Bay Head Business Association for permission to host the Farmer's Market every Thursday in June thru October from 2 to 8 pm.

Request from Special Olympics New Jersey and the Jersey Shore Running Club to have participants in the Jersey Shore Relay Olympics run through Bay Head on Saturday, April 22, 2017.

Request from Clean Ocean Action for permission for resident to participate in the Spring Beach Sweeps on Saturday, April 22<sup>nd</sup> and the Fall Beach Sweeps on Saturday, October 21<sup>st</sup> from 9 am to 12:30 pm.

Request from Allison Feehan, owner of Integrative Healing and Wellness, 523 Main Avenue to hold an open house on April 30<sup>th</sup> with soft music Outside and maybe wine/beer served to adults inside.

Councilmember Hein moved to approve the request which was seconded by Councilmember Magory.

Councilmember Barnes questioned the request of soft music by Ms. Feehan.

Council discussed the request for soft music. After discussion the motion passed on roll call vote. YEAS: Green, Hein, Barnes, Glass, Magory, Lyons. NAYS: None.

Mayor Curtis called for Ordinances for Second Reading and Public Discussion and Vote.

Councilmember Barnes offered Ordinance 2017-02 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF BAY HEAD, SO AS TO AMEND CHAPTER 114 ENTITLED "FEES"

Councilmember Barnes moved to approve the 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 public hearing on the ordinance.

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

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 Unfinished Business. There was none.

Mayor Curtis called for New Business and Resolutions.

Councilmember Magory offered Resolution 2017-46 authorizing the execution of an Agreement with the New Jersey Department of Transportation and the New Jersey Department of Treasury for a Permanent License to Place and Maintain Rail Trail Facilities on State owner property.

Councilmember Magory offered Resolution 2017-47 appointing Adam Curtis as Skilled Laborer and authorizing the execution of an Employment Agreement.

Councilmember Lyons offered Resolution 2017-48 authorizing payment to Employees for hours of Accrued Compensatory Time from the Budgetary provision approved as Sick Leave Trust.

Councilmember Lyons offered Resolution 2017-49 authorizing the execution of annual Software Maintenance Agreement with Edmunds & Associates.

Councilmember Magory offered Resolution 2017-50 authorizing the submission of the 2017 Community Development Block Grant Program Application.

Councilmember Lyons offered Resolution 2017-51 amending Resolution 2017-24 providing for payment of Salaries and Compensation of Borough Officials and Employees for 2017.

Councilmember Green offered Resolution 2017-52 appointing Class I Special Law Enforcement Officers for the Borough of Bay Head and authorizing attendance at Ocean County Police Academy.

Councilmember Lyons offered Resolution 2017-53 providing for the Sale of Personal Property pursuant to N.J.S.A. 40A:11-36.

Councilmember Lyons offered Resolution 2017-54 authorizing the donation of a 2012 Chevrolet Tahoe which is no longer needed for Public Use to the Borough of Point Pleasant Beach.

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

Councilmember Barnes: Why not sell the Tahoe?

Chief Hoffman: Point Pleasant Beach is adding a 2<sup>nd</sup> canine unit to the Police Department and they also need a vehicle to do so. By donating we won't have to wait for the County Sheriff's Department canine unit. We need them more than they need us.

Councilmember Lyons: This will provide a lot of good will.

The motion 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: Welcome everyone here to our new building. I would like to recognize the presence of John DeFilippis who is constantly helping us and served many years on Council. I would also like to recognize Anna Mae Green, D'Arcy's daughter and her adopted son Bo who attends the Hill School.

Thanks to everyone for coming out.

Mayor opened the meeting to the public.

Helene DeFilippis, 78 Goetze Street: I think we should give a big hand to Brian Magory and his committee. It was a beautiful job and wasn't easy.

Mayor Curtis: After the first week he fired his committee and did it himself. He did a thankless job over many months.

Stan Niedzwiecki, 42 Johnson Street: I will pick up where the Chief left off – sharing of other municipalities?

Mayor Curtis: We do a lot of sharing. We are looking very closely at sharing public works services with Point Pleasant Borough.

Councilmember Lyons: It will be maintenance of our vehicles. If they are repaired on site we won't have to pay to have them towed.

Councilmember Magory: They will also do oil changes on vehicles which will save on mileage and cost of fuel.

Mr. Niedzwiecki: Could the sharing of services be incorporated in your reports?

Councilmember Lyons: Where we have recognizable savings I will make you aware.

Mr. Niedzwiecki: The environmental impact – DOT on Route 35. You are probably aware that Mantoloking is being made to put parking on Route 35. With the traffic situation – exhaust fumes and parking on the side of the highway – we will have nothing but a major back up of traffic. I don't know what can be done.

Mayor Curtis: We will have to monitor it very closely. The new traffic lights are to move traffic along rather than sitting at the light for a period of time. We aren't adding any parking. They had to add parking for the steel wall and beach renourishment.

Councilmember Green: I will ask the Environmental Commission to look into it and if there is a way to monitor it.

You also reached out to me concerning the taxes paid to the County. We will analyze the information you gave me. We have asked for a full and complete analysis hopefully I will report back at the next meeting.

Mr. Niedzwiecki: We are getting short changed – the only service we are getting is three streets plowed.

Gina Davis, 380 Western Avenue: Congratulations to you and the new building. I am still displaced by Sandy. In regard to Twilight Lake is it owned by the town?

Councilmember Green: It is State owned.

Ms. Davis: Are there any activities on the lake?

Councilmember Green: Yes, windsurfing, canoe races, kayaks, Sun Fish.

Ms. Davis: I have an idea for the lake but until it is finalized I don't want to bring it up.

Councilmember Green: I will be happy to meet with you and we can't wait to have you back.

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 the vouchers is attached to these minutes.

The meeting was adjourned.

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Patricia M. Applegate, Municipal Clerk

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William W. Curtis, Mayor

