

June 5, 2017

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on June 5, 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. We just completed the Bay Head School Government Day mock meeting at 6:30 pm. They did an outstanding job. 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 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 Hein, Barnes, Glass, Magory, Lyons and Borough Attorney, Jean Cipriani. Councilmember Green was absent.

Councilmember Barnes moved to approve the regular and executive minutes of May 1, 2017. The motion was seconded by Councilmember Glass and passed on roll call vote. YEAS: Hein, Barnes, Glass, Magory, Lyons.

Mayor Curtis read and presented a Proclamation to Bart Petrillo, retiring Zoning Official, Code Enforcement Officer and Dune Inspector. A copy of the Proclamation is attached to these minutes.

Mayor Curtis appointed the following to the Bay Head Planning Board:

Kirsten L. Hinds – Alternate #1

Kevin A. Feehan – Alternate #3

Mayor Curtis called for Reports of Standing Committees.

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

We are now in hurricane season. To keep up to date on all storms please visit the following website: [www.noaaweatherforecast.com](http://www.noaaweatherforecast.com).

If you lose power please report to JCP&L by going on line – you will also be told their best estimate of time to restore power.

IDT Electric Co-op will be lowering your rates from June to September with a Resolution that will be acted on tonight. The rates will increase in October.

Councilmember Barnes, Legal and Planning: Ordinance 2017-06 which is on the agenda will be tabled until the July meeting. We need to spend more time researching both sides.

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

A long gun was left at the Recycle Center. If you have any firearms you want to dispose of please bring them to the Police Department.

Fire Safety Tip of the Month:

Summer is coming and we spend more time outside. Take the time to check ALL your outside yard areas to be used. The deck including steps, hand rails, furniture, chairs, electrical outlets, tripping hazards, fire pits, Bar B Que equipment and swimming pools. Any winter damage found should be corrected before summer usage begins. Have a SAFE summer.

Old fire equipment such as hose, fire gear; helmets are donated to people outside our area. Turn out gear was donated to the 911 Fund and most recently to Argentina.

Councilmember Magory, Public Works:

Chip our director of Public Works will be leaving us at the end of this month for a well deserved retirement after over 30 years. He grew up and lives in Bay Head along with his wife another local Bay Header. The town is losing a valuable resource that must know the location of every sewer pipe, clean out, and storm drain. He volunteers as a fire fighter and has contributed thousands of volunteered hours to the community. He is an avid outdoors man and environmentalist who has helped guide our community plantings, parks & open spaces. I wish him a long, productive and enjoyable retirement. His loyalty & services will be missed.

Councilmember Lyons, Finance: We are working on the Capitol Budget which will be addressed tonight. The operating Budget has been adopted. Our CFO, Bill Antonides has reviewed our Shared Services Agreements and reports close to a \$40,000 savings by having a part-time CFO and Tax Collector. We are also saving \$4,000 by sharing IT personnel with Freehold Township rather than hiring our own.

Mayor Curtis called for Clerk's Correspondence.

Ms. Applegate offered the following request:

Request from Mary Correll for permission to close Twilight Road for a Block Party between Lake Avenue and Birch Place on Saturday, July 15 with rain date of Sunday, July 16 from 3:30 to 11:00 pm.

Request from Andrea Booth for permission to close Cranberry Avenue for a Block Party between West Lake Avenue and Holly Avenue on Sunday, July 16 from 3 to 9 pm.

Request from David Lewis, Marine Science Camp to have Campers meet in Centennial Park on the following dates: July 17-21 and August 21-25 from 9 am to 2 pm Monday thru Friday.

Request from Bay Head Business Association to use Borough Hall Conference Room for their meetings on June 7, September 13, October 4, and November 8 from 5 to 7 pm.

Application for Raffles License from the Women's Guild of All Saints Church for an On Premise 50/50 Cash and Gift Raffle to be held at the Bay Head Yacht Club on August 10 from 11:30 am to 3 pm.

Application for Raffles License from the Bay Head Fire Co. No. 1 for 50/50 On Premise and Off Premise Cash Raffle with the drawing to be held at 81 Bridge Avenue on August 19.

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

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

Councilmember Barnes offered Ordinance 2017-05 entitled:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 50-6 OF THE BOROUGH CODE ENTITLED "SPECIAL LAW ENFORCEMENT OFFICERS"

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

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

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

Councilmember Barnes stated that Ordinance 2017-06 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 69, ENTITLED "ANIMALS"

would be carried to the July 10, 2017 meeting of Council.

Mayor Curtis called for Ordinances, First Reading.

Councilmember Lyons offered Ordinance 2017-07 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 \$823,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$411,350 BONDS OR  
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

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

Mayor Curtis called for Unfinished Business.

Councilmember Hein: Voting will take place tomorrow in the Bay Head Firehouse.

Mayor Curtis called for New Business and Resolutions.

Mayor Curtis pulled Resolution 2017-87.

Councilmember Lyons offered Resolution 2017-72 authorizing payment to  
employees for hours of accrued compensatory time from the budgetary provision  
approved as Police Salary and Wages.

Municipal Clerk: Councilmember Green requested Resolution 2017-73 be carried  
to the July 10<sup>th</sup> Council meeting.

Councilmember Lyons offered Resolution 2017-74 - Capital Budget Amendment.

Councilmember Barnes offered Resolution 2017-75 approving the Renewal of a  
Club License issued to the Bay Head Yacht Club, Inc. for the 2017/2018 License  
Term.

Councilmember Hein offered Resolution 2017-76 authorizing the execution of an  
Addendum to the Contract with IDT Energy Supply Services under the Morris Area  
Energy Cooperative.

Councilmember Barnes offered Resolution 2017-77 granting the Renewal of  
Plenary Retail Consumption License No. 1502-33-004-004 held by Shoppers  
Wharf, LLC.

Councilmember Magory offered Resolution 2017-78 authorizing the First Amendment to Service Agreement with Vector Security for Fire and Security Alarm Monitoring Services for the New Municipal Building.

Councilmember Lyons offered Resolution 2017-79 approving the Renewal of a Plenary Retail Distribution License issued to And Bottles Too, Inc. for the 2017/2018 License Term.

Councilmember Barnes offered Resolution 2017-80 authorizing a “Walk Your Wheels” Pilot Program on a section of the north side of Bridge Avenue for the Summer Season.

Councilmember Lyons offered Resolution 2017-81 rescinding Resolution 2017-67 which provided for the Insertion of a Special item of Revenue in the Budget of the Borough of Bay Head.

Councilmember Glass offered Resolution 2017-82 permitting the Borough of Bay Head to purchase Radio Equipment from Lake Como.

Councilmember Barnes offered Resolution 2017-83 approving the renewal of a Plenary Retail Distribution License issued to Shri Om Namah Shivay LLC t/a Curtis Central market for the 2017/2018 License Term.

Councilmember Lyons offered Resolution 2017-84 – Governing Body Certification of the Annual Audit.

Councilmember Lyons offered Resolution 2017-85 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)

Councilmember Barnes offered Resolution 2017-86 appointing John Henry Morris as Part-Time Code Enforcement Official for the Borough of Bay Head.

Resolution 2017-87 was amended to only cover the Part-Time salary of John Henry Morris.

Councilmember Lyons offered Resolution 2017-87 amending Resolution 2017-24 providing for payment of Salaries and Compensation of Borough Officials and Employees for 2017.

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

Mayor Curtis opened the meeting to the public.

Councilmember Glass: When will Walk Your Wheels start?

Mayor Curtis: It is available to start tomorrow. We have received a number of calls reporting people riding their bikes on the sidewalk – which is very congested with walkers. This is only a pilot program through Labor Day.

Councilmember Lyons: Great trial but as someone who lives on the west side and travels on bike, I would suggest bikers to be encouraged to ride on the south sidewalk or the street on Bridge Avenue. We should also put up “Yield to Pedestrians/Bikers” signs at the corner of Club and Bridge.

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

Councilmember Glass 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, this 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 stated subject matters will not be made public with the next thirty days.
4. This Resolution shall become effective immediately.

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

The Governing Body went into Executive Session at 7:51 pm. At 9:03 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

