

December 4, 2023

The regular meeting of the Mayor and Council of the Borough of Bay Head was held on December 4, 2023, at 7:00 pm in the Municipal Building, 83 Bridge Avenue, Bay Head, New Jersey.

Mayor Curtis asked everyone to stand and join in the Pledge of Allegiance to the Flag.

Council President asked everyone to continue standing for a moment of silence for Stevie Curtis.

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 83 Bridge Avenue on January 4, 2023; was published in *The Ocean Star* on January 6, 2023, and the *Asbury Park Press* on January 7, 2023.

The roll was called for attendance. Present were Mayor Curtis, Council President Shaning, Councilmembers Barnes, Gates, Cornell and MacPherson, Borough Attorney and Jean Cipriani. Councilmember Jones and Borough Administrator, Frank Pannucci, were absent.

Council President Shaning moved to approve the regular minutes of November 6, 2023. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Barnes, Gates, MacPherson, Shaning, Cornell. NAYS: None. ABSENT: Jones.

Mayor Curtis called for Committee Reports.

Councilmember Gates, Finance: Stated it is the end of the year and the Finance Committee is busy preparing for next year. He explained November and December are the only time of the year you can do appropriation transfers. There is a resolution on tonight's agenda transferring money from one account to another.

Councilmember Cornell, DPW: Stated DPW has been busy this month, they've cut the grass twice and three times around the school. They've made 10 trips to the Ocean County recycling center. They've winterized the parks to get ready for the winter months. They are also starting to get the snow equipment ready for winter.

Councilmember Barnes, Legal and Planning: Stated Ordinance No. 2023-15 regarding the parks had some substantial changes and will be reintroduced in January, along with an amended Animal Control Officer ordinance. She stated that in total there were only 16 ordinances this year and out of the 16 most were amendments to an existing ordinance.

Councilmember Jones, Land Use: Was absent. Council President Shaning read the Land Use reports. A copy of the reports is attached to these minutes.

Councilmember MacPherson, Recreation: Thanked Larry Gilman, Adam Curtis and the Beautification Committee for the beautiful decorations for the holiday season. She also thanked Christine Hess for donating the Christmas tree. Next year there will be a collaborative effort for

the holidays between the Beautification Committee, the businesses, the Board of Education and the Borough. There are no meetings this month. The last Mayor's walk will be Saturday, December 9<sup>th</sup> from 2:00 PM – 4:00 PM.

Council President Shaning, Public Safety, read the Police and Fire Department Report. A copy of the report is attached to these minutes.

Ms. Cipriani, Borough Attorney: Stated Ordinance No. 2023-15 was advertised for public hearing but due to the number of changes it will need to be reintroduced next year. She advised the council not to respond when the motion is called, and this will let the ordinance drop. Once the ordinance is ready for introduction next year it will be reintroduced.

Mayor Curtis called for Clerk's Correspondence.

Ms. Jones offered Resolution 2023-146

Resolution 2023-154

National Multiple Sclerosis Society Coast to Coast Bike Ride, Saturday, May 11, 2024.

Mayor Curtis opened the meeting to the public for questions or comments on the resolutions.

There were none.

Mayor Curtis called for a vote on the motion.

Council President Shaning moved to approve the requests which was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Barnes, Gates, MacPherson, Shaning, Cornell. NAYS: None. ABSENT: Jones.

Mayor Curtis called for Resolutions. The title of each Resolution was read by the Clerk.

Resolution No. 2023-155

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 Grant)

Resolution No. 2023-156

Awarding a Professional Services Contract to Van Cleef Engineering Associates, LLC to Provide Professional Engineering Services for Design Revisions, Bidding and Construction and Inspection Services for the Meadow Avenue CDBG Sidewalk Project

Resolution No. 2023-157

Requesting the State Department of Banking and Insurance to Reject All Automobile Rate Hike Requests and Freezes for the Next 18 Months

Resolution No. 2023-158

Authorizing Shared Services Agreement with the Township of Freehold for Information Technology Services

Resolution No. 2023-159

Authorizing Shared Services Agreement with the Office of the Ocean County Prosecutor  
Pursuant to N.J.S.A. 40A:65-1 Et. Seq.

Resolution No. 2023-160

Transfer Resolution

Council President Shaning moved the resolutions be adopted. The motion was seconded by Councilmember Barnes.

Mayor Curtis opened the meeting to the public for questions or comments on the resolutions.

There were none.

Mayor Curtis called for a vote on the motion.

The motion to approve was passed on roll call vote: YEAS: Barnes, Gates, MacPherson, Shaning, Cornell. NAYS: None. ABSENT: Jones. A copy of each resolution is attached to these minutes.

Mayor Curtis called for Ordinances:

Ms. Jones read Ordinance 2023-15 by title:

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 169, ENTITLED "PARKS AND WILDLIFE SANCTUARIES"

Council did not respond, and ordinance was dropped.

Mayor Curtis called for Ordinances, Second Reading:

Ms. Jones read Ordinance 2023-16 by title:

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 222 OF THE BOROUGH CODE ENTITLED "VEHICLES AND TRAFFIC" SO AS TO CREATE SECTION 222-17.1, REGULATING LOW SPEED ELECTRIC VEHICLES

Council President Shaning moved this ordinance be adopted on second reading and final passage. The motion was seconded by Councilmember Barnes.

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

There were none.

Mayor Curtis closed the public portion.

The motion to approve was passed on roll call vote: YEAS: Barnes, Gates, MacPherson, Shaning, Cornell. NAYS: None. ABSENT: Jones. A copy of the ordinance is attached to these minutes.

Mayor Curtis opened the meeting to the public.

Resident, Osborne Avenue, thanked Councilmember Barnes for writing the letter to the County regarding street sweeping on county roads.

Councilmember Barnes stated she knows that the County has not provided a schedule yet, but she will keep following up with them until they do.

Resident, Osborne Avenue also thanked Councilmember MacPherson for all her hard work on the holiday decorations, he stated the town looks great.

Councilmember MacPherson stated he will be a welcome addition to the Beautification Committee.

Resident, Osborne Avenue stated he went to the library at Borough Hall, and it is just a room and questioned why the Borough library had been shut down.

Mayor Curtis explained the Borough was only leasing the space from the Board of Education and the Board of Education asked to have it back.

Ms. Cipriani stated that she has worked extensively with the Library Commission, and they are looking for a new space in the Borough. She also explained that in the next year or two the State will be requiring all school districts to have mandatory Pre-K and that is why the BOE asked for the space back.

There being no other comments, the public discussion was closed.

Councilmember Gates moved to approve the vouchers for payment. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Barnes, Gates, Jones, MacPherson, Shaning, Cornell. NAYS: None. ABSENT: Jones. A list of vouchers is attached to these minutes.

Mayor Curtis stated we would not be entering into Executive Session this evening.

There being no further business, Council President Shaning moved the meeting be adjourned. The motion was seconded by Councilmember Barnes and passed on roll call vote. YEAS: Barnes, Gates, MacPherson, Shaning, Cornell. NAYS: None. ABSENT: Jones.

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Antoinette Jones, Deputy Municipal Clerk

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William W. Curtis, Mayor