

**REGULAR MEETING OF MAYOR AND COUNCIL April 12, 2017**

**THE CAUCUS MEETING** of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7<sup>th</sup> Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 4, 2017 and transmitting a copy of the notice to the Beach Haven Times and which will be published on January 12, 2017, a newspaper designated by Mayor and Council on January 4, 2017 to receive such notice, and by filing a copy of the notice with the Acting Borough Clerk on January 4, 2017.

**ROLL CALL:** Spark, Sharpless, Wellington, Reynolds, Mikuletzky (absent), Warr

**Also present:** Mayor Larson, Brenda Kuhn, Brian Logan, (Terry Brady and Kathleen Flanagan arrived later)

**Discussion:** Mayor and Council discussed the three letters from taxpayers regarding raising the building height restrictions. After a lot of discussion Mayor Larson asked if the Council wanted to introduce an ordinance by title to amend the zoning code for the height restriction and to have an open public hearing at the next meeting. Then the mayor asked if everyone was happy with the budget.

Mayor Larson asked for a motion to close the Caucus. On a motion by Spark, seconded by Sharpless and carried by all the Caucus Meeting was closed.

**THE MEETING** of the Mayor and Council was called to order by Mayor Larson at 5:00pm at the Borough Hall, on East 7<sup>th</sup> Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 4, 2017 and transmitting a copy of the notice to the Beach Haven Times and which will be published on January 12, 2017, a newspaper designated by Mayor and Council on January 4, 2017 to receive such notice, and by filing a copy of the notice with the Acting Borough Clerk on January 4, 2017.

**PLEDGE OF ALLEGIANCE**

**The Acting Clerk** stated that the meeting was being recorded and that a written copy would be available in the Clerk's office.

**ROLL CALL:** Spark, Sharpless, Wellington, Reynolds, Mikuletzky (absent), Warr

**ALSO PRESENT:** Mayor Larson, Terry Brady, Brenda Kuhn, Brian Logan, Kathleen Flanagan

**APPROVE MINUTES:** Mayor Larson asked for a motion to approve the minutes of March 8, 2017 regular meeting.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds	X		X			
Mikuletzky						X
Warr			X			

**TREASURER'S REPORT:** Mayor Larson asked for a motion to approve the Treasurer's Report.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds			X			
Mikuletzky						X
Warr	X		X			

**BUILDING AND ZONING REPORT:** Councilman Spark asked for a motion to approve the Building and Zoning Report.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless	X		X			
Wellington			X			
Reynolds		X	X			
Mikuletzky						X
Warr			X			

**PROCLAMATION:** National Library Week. Linda Feaster, Branch Manager of the Long Beach Island Branch of the Ocean County Library was in attendance. She said that the new digital sign was a gift from the Friends of the Island Library. She said there is a lot of resources and programs available at the library and that it is a very important institution for the community. She said that they were very concerned about President Trumps proposed budget cuts for the elimination of the Institute for Museum & Library Services and the National Endowment for the Humanities. She said that this would be a loss of \$250,000 and many of the

library's offerings would be eliminated. Mayor Larson presented Ms. Feaster with the signed Proclamation.

**COMMITTEE REPORTS:**

**WATER/SEWER: Councilman Spark** stated that he wanted the water/sewer monthly report to be a part of the minutes. He talked about the water meter project. He said that the cost would be 100% the responsibility of the Borough with the exception if the property owner's meter pit was under paver or other inaccessible material.

**PUBLIC WORKS: Councilman Sharpless** said that Public Works have been busy getting ready for summer. He said that the Easter Bunny will be at the Easter Egg Hunt on Saturday at 10am.

**DOCKS AND HARBORS: Councilman Wellington** said that the ramp is open for business and \$640 in revenue has been collected. He said that the docks are in with the exception of one of the floating docks. He said we were waiting for a new floating dock to be delivered that we will be trying out. Councilman Wellington talked about the new pavilion. He said that the structural engineer hasn't reported back to what is needed for construction of the pavilion. He estimated that it would be the middle of summer before we start construction.

**BEACHES AND PARKS: Councilwoman Reynolds** said that the beaches will be ready by Memorial Day. She said that the beach badge preseason price is good until June 9<sup>th</sup>. June 10<sup>th</sup> the beaches will be open with limited guards. She said that the tennis courts may be used with a seasonal beach badge or by \$10.00 per hour. She said the dog park now has access with a key card. To obtain a pass you had to present a current dog license or rabies vaccination certificate.

**FINANCE: Councilman Warr** said that our bills for the month were a lot less than last month. He pointed out that there was a handout showing how the tax dollars are spent and a comparison budget since 2013.

**PUBLIC SAFETY: Mayor Larson**, in Councilman Mikuletzky's absence, said that the court report showed that \$1064.00 was collected in fines and \$591.50 stayed in Barnegat Light. He said that the Barnegat Light court is now being held in the Township of Long Beach. Their courtroom has all the safety features that are required by the court system.

**Mayor Larson** said we would have the 2017 Budget Hearing prior to the Open Public Session. Resolution 2017-065 was read by title.

**RESOLUTION 2017-065**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE BUDGET BEING READ BY TITLE ONLY AT THE TIME OF THE PUBLIC HEARING**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Borough Hall and copies have been made available by the Clerk to persons requiring same; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

1. That the budget can be read by title only if the above conditions have been met at the time of the public hearing.

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless	X		X			
Wellington		X	X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**RESOLUTION 2017-066** The 2017 Budget was read by title.

**BUDGET PUBLIC HEARING:** On a motion by **Wellington**, seconded by **Spark** and carried by all the Budget Hearing was open to the public.

The CFO said the budget reflected a half cent increase over last year. The half cent would mean an increase of \$42.96 on a property with an average assessed value of \$785,009. Barry Mescolotto asked for an outline the purpose of the half cent increase and wanted to know if the building of the pavilion was part of the increase. Mayor Larson told him that it was insurance, salaries, etc.

On a motion by **Warr**, seconded by **Reynolds** and carried by all the budget public hearing was closed.

**BUDGET ADOPTION:**

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds			X			
Mikuletzky						X
Warr	X		X			

**OPEN PUBLIC SESSION:** Mayor Larson asked for a motion to open the public session. On a motion by **Wellington**, seconded by **Spark** and carried by all the public session was open. John Tennyson asked how the pavilion was being funded. He was told that some is coming from the Capital Surplus Fund and we would bond for the remainder. Rich Rodman, 4 E 10<sup>th</sup> St. asked Councilwoman Reynolds if there were any plans for the kiddie/bay beach. Councilwoman Reynolds said the flooding there is a problem and no clear plan has been made. There was discussion about options for correcting the problem. Barry Mescolotto wanted to know if the height restriction ordinance if it would apply to single family or multifamily homes. Rich Rodman asked what the capacity of the pavilion would be and reply was 357. Mayor Larson said that sprinklers will have to be installed because the capacity is over 300.

**CLOSE PUBLIC SESSION:** Mayor Larson asked for a motion to close the public session. On a motion by **Warr**, seconded by **Spark** and carried by all the public session came to an end.

**RESOLUTION 2017-062**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING DEPOSITS FOR ROAD OPENING PERMITS #14-017W & #15-0057**

**WHEREAS**, Road Opening Permit #14-017W was issued to Stonehenge, for Block 52 Lot 8, 5 West 27th Street that required a bond/deposit of \$850.00 ; and

**WHEREAS**, Road Opening Permit #15-0057 was also issued to Stonehenge, for Block 8 Lot 6, 3 West 5th Street that required a bond/deposit of \$300.00; and

**WHEREAS**, Stonehenge has asked, in writing, for the deposits to be returned and:

**WHEREAS**, inspections were performed by Edward Sulecki, Superintendent, and his recommendation was to refund the deposits.

**THEREFORE, BE IT RESOLVED** as follows:

1. That Stonehenge will be refunded \$850.00 for permit #14-017W.
2. That Stonehenge will be refunded \$300.00 for permit #15-0057
3. That the Finance Department will issue the check(s) to:  
Stonehenge Building and Development  
168 N Main Street  
Manahawkin, NJ 08050

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Sharpless			X			
Wellington			X			
Reynolds			X			
Mikuletzky						X
Warr	X		X			

**RESOLUTION 2017-063**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENDORSING SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION**

**WHEREAS**, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102. has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, A resolution authorizing this municipality to apply for such tonnage grants (for calendar year 2016) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the

Recycling Act and recycling regulations; and

**WHEREAS**, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Kathy Guerrero to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky						X
Warr			X			

**RESOLUTION 2017-064**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING SEASONAL WORKERS**

**WHEREAS**, the Borough of Barnegat Light is in need of seasonal employees for the 2017 season; and

**WHEREAS**, the following people are employed as noted with the compensation listed below:

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Barnegat Light approves the list of seasonal employees.

**BADGE CHECKERS:**

Dennis Pantzer	\$13.25	hr
Warren Halbling	\$ 8.88	hr
Kelsey Waltz	\$ 8.63	hr
Daniel Ramazzotto	\$ 8.63	hr

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless	X		X			
Wellington			X			
Reynolds		X	X			
Mikuletzky						X
Warr			X			

**RESOLUTION 2017-0067**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE CREATION OF MUNICIPAL ZONING BOARDS OF ADJUSTMENT AND FOR THE APPOINTMENTS OF MEMBERS THERETO**

**WHEREAS**, NJSA 40:55D-1 et seq, provides for the creation of municipal Zoning Boards of Adjustment and for the appointment of members thereto; and

**WHEREAS**, the Zoning Board of Adjustment consists of a seven (7) member board and two (2) alternates; and

**WHEREAS**, one regular board members has resigned; and

**WHEREAS**, a new member is being appointed; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Barnegat Light as follows:

- The terms of the regular membership of the Barnegat Light Zoning Board of Adjustments as follows:

Nancy Manookian	existing term - to expire December 31, 2020
Owen Caffrey	existing term - to expire December 31, 2017
Marie Stone	existing term - to expire December 31, 2017
Kevin Wark	existing term - to expire December 31, 2018
Lee Ann Oros	existing term - to expire December 31, 2018
Nancy Spark	existing term - to expire December 31, 2019
Kathleen Clark	existing term - to expire December 31, 2019
- The terms of the alternate membership of the Barnegat Light Zoning Board of Adjustments as follows:

Alternate #1-Paul Sulock	existing term - to expire December 31, 2017
Alternate #2-Kevin Walsh	existing term - to expire December 31, 2018

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark					X	
Sharpless		X	X			
Wellington	X		X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**RESOLUTION 2017-068**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A WATER/SEWER REFUND IN THE AMOUNT OF \$3.77**

**WHEREAS**, Block 56 Lot 13, account #1233 also known as 10 West 28<sup>th</sup> Street had a cut and cap; and **WHEREAS**, the account was adjusted for the cut and cap which left an overpayment of \$3.77; and **NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Barnegat Light, that the Tax and Utility Collector be authorized to make the necessary adjustments on the account and the CFO to process a refund in the amount of \$3.77 for the overpayment on the account.

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky						X
Warr			X			

**RESOLUTION 2017-069**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY “PAINT THE TOWN PINK MONTH” 2017**

**WHEREAS**, the Borough of Barnegat Light desires to recognize the Month of May 2017 as “Paint the Town Pink Month”; and **WHEREAS**, since its inception in 2007, in a community-wide effort presented by Meridian Health, “Paint the Town Pink” has expanded to a month-long event from May 1, 2017 through May 31, 2017; and **WHEREAS**, the Borough of Barnegat Light desires to join other local entities in Ocean and Monmouth Counties in raising awareness of the importance of annual mammography; and **WHEREAS**, early detection is the best defense against breast cancer and the Borough of Barnegat Light would like to spread awareness through distribution of brochures, wearing pink, decorations and other activities at no additional cost to the borough. **NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Barnegat Light that it proclaims the month of May as “Paint the Town Pink Month” and honors and endorses all programs in Ocean County which encourage the importance of raising awareness of annual mammography. **BE IT FURTHER RESOLVED** that certified copies of this resolution will be forwarded to the Ocean County Board of Chosen Freeholders, all Ocean County Municipalities and Meridian Health.

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington			X			
Reynolds		X	X			
Mikuletzky						X
Warr	X		X			

**RESOLUTION 2017-070**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY EMPLOYING CONSTRUCTION LEADER AND CONSTRUCTION HELPERS**

**WHEREAS**, the Borough of Barnegat Light is in need of two temporary Construction Leaders and one Construction Helper; and **WHEREAS**, Ordinance 06-02 allows for the hiring of a Construction Leader and Construction Helper; and **NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Barnegat Light approves the hiring of the employees with the compensation as:

- Construction Leader     Al Morisson             \$45.00
- Construction Leader     Robert W. Brown        \$55.00
- Construction Helper     Kyle Schneiber

**DATED: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington	X		X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**RESOLUTION 2017-071**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$299,902.59**

**WHEREAS**, the Finance Committee of the Borough of Barnegat Light has examined the vouchers presented for payment,

**NOW, THEREFORE, BE IT RESOLVED**, that the approved vouchers amounting to \$299,902.59 be authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

**DATED: APRIL 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds			X			
Mikuletzky						X
Warr	X		X			

**RESOLUTION 2017-072**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT OF BIDS FOR THE RECONSTRUCTION OF WEST 19<sup>th</sup> STREET.**

**WHEREAS**, the Borough of Barnegat Light is in need of the reconstruction of West 19<sup>th</sup> Street; and

**WHEREAS**, the anticipated cost of said services is expected to exceed \$40,000.00 so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to advertise for and receive bids for the West 19<sup>th</sup> Street Reconstruction project in accordance with the specifications prepared by the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

**1.** That the Borough of Barnegat Light does hereby authorize the receipt of bids for the West 19<sup>th</sup> Street Reconstruction project, said bids to be received at the time and place specified in the advertised notice to bidders. The following line item appropriations or ordinances constitute the availability of funds for this contract:

2017-003 Barnegat Light Bond Ordinance

**2.** That the Borough of Barnegat Light does hereby reserve the right to reject any and all bids as permitted by law.

**3.** That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and the Borough Engineer.

**DATED: APRIL 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Sharpless	X		X			
Wellington			X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**ORDINANCES:**

**Second Reading:**

The Acting Clerk read Ordinance 2017-003 by Number and title..

**ORDINANCE 2017-003**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECONSTRUCTION OF WEST 19<sup>th</sup> STREET IN THE BOROUGH OF BARNEGAT LIGHT AND APPURTENANCES THERETO, AND APPROPRIATING \$175,000.00 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$166,250.00 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME.**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The capital project described in Section 3 of this Ordinance is hereby authorized to be made by the Borough of Barnegat Light, in the County of Ocean and State of New Jersey. For said capital project, there is hereby appropriated the sum of \$175,000.00, said sum being inclusive of all appropriations heretofore made and including an \$117,500.00 grant expected to be received from the New Jersey Department of Transportation and a \$8,750.00 down payment for said capital project required by law and now available therefor by virtue of a provision in the Capital Improvement Fund in a previously adopted budget or budgets of the Borough.

**SECTION 2.** In order to finance the cost of the project, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$166,250.00 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3. (a)** The capital project hereby authorized and the purpose for the financing of which the bonds are to be issued is the reconstruction of West 19<sup>th</sup> Street and appurtenances thereto, including all work and material necessary therefore or incidental thereto.

**(b)** The estimated maximum amount of bonds or notes to be issued for the capital project is as stated in Section 2 hereof.

**(c)** The estimated cost of the capital project is equal to the amount of the appropriation herein made therefor.

**SECTION 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at not less than par, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

**SECTION 5.** The capital budget or temporary capital budget (as applicable) of the Borough of Barnegat Light is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

**SECTION 6.** The following matters are hereby determined, declared, recited and stated:

**(a)** The capital project described in Section 3 of this Bond Ordinance is not current expense. It is capital project that the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereto

**(b)** The period of usefulness of the capital project within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this Bond Ordinance, is ten (10) years.

**(c)** The Supplemental Debt Statement required by the Local Bond Law has been duly-prepared and filed in the office of the Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$166,250.00. The obligations authorized herein will be within all debt limitations prescribed by that law.

**(d)** An aggregate amount not exceeding \$35,000.00 for the items of expense listed in and permitted under NJSA 40A:2-20 (Section 2-20 expenses) may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

**SECTION 7.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the

principal of and the interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all taxable property within the Borough for the payment of the obligations and the interest thereon without limitations of rate or amount.

**SECTION 8.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**SECTION 9.** The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**SECTION 10.** To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adopted as provided by the Local Bond Law.

Passage on First Reading: Date: **March 8, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**PUBLIC HEARING:** Mayor Larson asked for a motion to open the Public Hearing. On a motion by Sharpless, seconded by Reynolds, the ordinance was open to the public.

Mayor Larson asked for a motion to close the Public Hearing. On a motion by Wellington, seconded by Reynolds, the ordinance was open to the public.

**ADOPTION:**

Final Passage: Date: **April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless	X		X			
Wellington			X			
Reynolds		X	X			
Mikuletzky						X
Warr			X			

#### **NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Mayor and Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, on March 8, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at Borough Hall, 10 East 7<sup>th</sup> Street, Barnegat Light, NJ, on April 12, 2017 at 5 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Borough Clerk's Office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

**Title:** AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECONSTRUCTION OF WEST 19<sup>th</sup> STREET AND APPURTENANCES THERETO, AND APPROPRIATING \$175,000.00 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$166,250.00 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME.

**Purpose(s):** reconstruction of West 19<sup>th</sup> Street and appurtenances thereto  
**Appropriation:** \$175,000.00



**Bonds/Notes Authorized:** \$166,250.00  
**Grants (if any) Appropriated:** \$117,500.00  
**Section 20 Costs:** \$35,000.00  
**Useful Life:** 10 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

#### **BOND ORDINANCE STATEMENTS AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Mayor and Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, on April 12, 2017 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Borough Clerk's Office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

**Title:** AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECONSTRUCTION OF WEST 19<sup>th</sup> STREET AND APPURTENANCES THERETO, AND APPROPRIATING \$175,000.00 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$166,250.00 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME.

**Purpose(s):** reconstruction of West 19<sup>th</sup> Street and appurtenances thereto

**Appropriation:** \$175,000.00

**Bonds/Notes Authorized:** \$166,250.00

**Grants (if any) Appropriated:** \$117,500.00

**Section 20 Costs:** \$35,000.00

**Useful Life:** 10 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

**BRENDA KUHN**, Acting Municipal Clerk, Borough of Barnegat Light, Ocean County, NJ

#### **ORDINANCE 2017-004**

#### **AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE FEES AND ACCESS RULES FOR VARIOUS PUBLIC RECREATIONAL FACILITIES.**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Section 57-18.1 of the Borough Code of the Borough of Barnegat Light, entitled "Municipal Dog Park," is hereby amended and supplemented to provide revised subsections C and D to read as follows:

##### **§ 57-18.1. Municipal Dog Park.**

- C. Any person desiring to use the Borough's dog park for any dog(s) owned and licensed by him may do so only after registering said dog(s) with the Borough of Barnegat Light by completion of access card application form, acceptance of risk and release of liability form and payment of fee. Any person who has been issued a license for his/her dog(s) in another municipality may register his/her dog(s) by completion of access card application form, acceptance of risk and release of liability form, payment of fee and by producing a copy of the other municipality's license and/or valid rabies certificate. The Borough shall issue to said registrants one keycard for entry into the dog park and an ID tag for each registered dog.
- D. Proof of licensing and registration with the Borough shall be required annually. There shall be no fee for residents and homeowners, and for nonresidents a \$30 annual fee or a weekly fee of \$10 payable to the Borough of Barnegat Light. Passes are not transferrable between owners. The annual keycards will expire on January 31<sup>st</sup> of the next ensuing year and the weekly passes will expire 7 days from the date of issue. Applications and passes may be obtained from the Barnegat Light Borough Hall offices weekdays from 8:00am to 3:00pm or at the beach badge booth when in operation. The application may also be obtained from the Borough website and mailed in with the required documents and fee. The keycard and ID tag may be picked up at Borough Hall offices weekdays from 8:00am to 3:00pm or at the beach badge booth when in operation. If necessary the card and tag can be mailed to applicant when a self addressed stamped envelope is provided by applicant.
- E. Lost or replacement keycard passes may be issued upon payment of a \$10 fee for the same. Only the registered card holder will be issued replacement cards. The lost card will be deactivated and no longer valid.

All other subsections, paragraphs and provisions of Borough Code § 57-18.1 shall remain in full force and effect.

**SECTION 2.** Article II of Chapter 144 of the Borough Code of the Borough of Barnegat Light, entitled

“Municipal Tennis Courts,” is hereby amended and supplemented to provide a revised Section 144-20, to be entitled “Fees, reservations,” to read as follows:

**§ 144-20. Fees, reservations.**

- A. Municipal tennis courts may be accessed by presenting a current Barnegat Light pre-season or seasonal beach badge. In lieu of a pre-season or seasonal beach badge a fee of \$10.00 per hour is required. There shall be no fees for off-season use of these courts.
- B. Barnegat Light residents and property owners may make reservations, by presenting a pre-season beach badge prior to the beginning of the season, for the use of the courts for the same day of the week and the same hours of the day for the entire season. Thereafter, Barnegat Light residents and property owners may make individual session reservations no more than 2 weeks in advance; all others may make individual session reservations no more than 1 week in advance. Use of the tennis courts may be continued after the hour session if there is no one waiting to use the court; otherwise the court must be vacated after the end of the hourly session. Reservations shall be forfeited if not used within 10 minutes of its start time.
- C. Municipal pickleball courts may be accessed by presenting a current Barnegat Light seasonal beach badge.

**SECTION 3.** Article III of Chapter 144 of the Borough Code of the Borough of Barnegat Light, entitled “Municipal Skate Park,” is hereby amended and supplemented to repeal Section 144-24, entitled “Skate Park badges required; fees,” which shall be eliminated.

**SECTION 4.** All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, on the 8<sup>th</sup> day of March, 2017, and will be considered for final passage at a regular meeting of said governing body to be held at the Municipal Building, 10 East 7th Street, Barnegat Light, New Jersey, on the 12<sup>th</sup> day of April, 2017, at 5:00 p.m., at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

**ORDINANCE 2017-004**

Passage on First Reading:                      Date: March 8, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds		X	X			
Mikuletzky			X			
Warr			X			

**PUBLIC HEARING:** Mayor Larson asked for a motion to open the Public Hearing. On a motion by Sharpless, seconded by Reynolds, the ordinance was open to the public.

Rich Rodman said that it was a good solution.

Mayor Larson asked for a motion to close the Public Hearing. On a motion by Reynolds and carried by all, the public hearing for 2017-004 was closed to the public.

**ADOPTION:**

**Final Passage:                                      Date: April 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds		X	X			
Mikuletzky						X
Warr			X			

**First Reading:**

**ORDINANCE 2017-005**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE METHOD OF FIXING AND DETERMING ANNUALLY, SALARIES AND RATES OF COMPENSATION TO BE PAID TO ALL PERSON EMPLOYED BY THE BOROUGH OF BARNEGAT LIGHT, AND PROVIDING FOR THE METHOD OF PAYMENT THEREOF.**

**Passage on First Reading:                      Date: April, 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			

Sharpless			X			
Wellington	X		X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**ORDINANCE 2017-006**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR DOCK REPLACEMENT LOCATED IN THE BOROUGH, AND APPROPRIATING \$100,000 THEREFOR FROM THE BOROUGH’S CAPITAL IMPROVEMENT FUND AND \$140,000 FROM THE BOROUGH’S CAPITAL SURPLUS FUND**

**Passage on First Reading: Date: April, 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Sharpless			X			
Wellington	X		X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**ORDINANCE 2017-007**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR THE CONSTRUCTION OF A PAVILION AT 20 WEST 6<sup>TH</sup> STREET IN THE BOROUGH, AND APPROPRIATING \$300,000 THEREFOR FROM THE BOROUGH’S CAPITAL IMPROVEMENT FUND**

**Passage on First Reading: Date: April, 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds		X	X			
Mikuletzky						X
Warr			X			

**ORDINANCE 2017-008**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR ROOF REPAIRS/REPLACEMENT OF WELL #2 AND CONTROL ROOM LOCATED IN THE BOROUGH, AND APPROPRIATING \$50,000 THEREFOR FROM THE BOROUGH’S UTILITY CAPITAL IMPROVEMENT FUND**

**Passage on First Reading: Date: April, 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Sharpless			X			
Wellington	X		X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**ORDINANCE 2017-009**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR ROOF REPAIRS/REPLACEMENT AT THE MUSEUM LOCATED IN THE BOROUGH, AND APPROPRIATING \$30,000 THEREFOR FROM THE BOROUGH’S CAPITAL IMPROVEMENT FUND**

**Passage on First Reading: Date: April, 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington	X		X			
Reynolds			X			
Mikuletzky						X
Warr			X			

**ORDINANCE 2017-010**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH**

**ZONING CODE TO PROVIDE AN INCREASE IN THE ALLOWABLE BUILDING HEIGHT RESTRICTIONS.**

**Passage on First Reading: Date: April, 12, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark	X		X			
Sharpless			X			
Wellington		X	X			
Reynolds				X		
Mikuletzky						X
Warr			X			

**CORRESPONDENCE:**

Basketball pick-up game request:

Mayor and Council talked about this request. Mayor Larson asked if they wanted to approve and all were in favor.

Oral Cancer Awareness Month

LBI Health Department Information-Free rabies clinic, mobile mammogram, free skin cancer screening and Family Health & Safety Fair.

April is Nation Safe Digging Month-NJ Natural Gas

**MOTION TO ADJOURN:**

Mayor Larson asked for a motion to adjourn. On a motion by Sharpless, seconded by Wellington and carried by all, the meeting of Mayor and Council was closed.

**APPROVED:**

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**KIRK O. LARSON**  
**MAYOR**

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**BRENDA L. KUHN**  
**ACTING MUNICIPAL CLERK**