

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT DECEMBER 10, 2014

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7th 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 7, 2014 and by mailing a copy of the notice to the Beach Haven Times and Asbury Park Press, newspapers designated by Mayor and Council on January 7, 2014, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 7, 2014.

ROLL CALL: SPARK, SHARPLESS, WELLINGTON, MIKULETZKY, REYNOLDS, WARR

ABSENT: NONE

ALSO PRESENT: MAYOR LARSON, GAIL WETMORE, AND TERRY BRADY, ESQ.

Mayor Larson asked if anyone had anything. He said we can talk about the Loveladies Homeowners agreement. George Warr said he wants to understand that a little better. Terry Brady explained. The Borough has the Riparian Grant along the water that borders Loveladies. A couple of the homeowners want to develop a dock into the area that would be our riparian grant. As it exists now there cannot be any docks. The homeowners are asking at their cost, expense, etc. is to see if they can get DEP to lift that restriction. Once that is lifted they will ask if they can purchase development rights so they can develop their docks. If we spend any money they will pay for it. Mike said as if we were the state. Mike said it would only be at that area, not the whole waterfront. Ed said we should request a survey of the area so we know exactly what we are talking about. Mike said he is sure it shows on the tax map. George asked if we want to do this. Would the DEP allow us to even do this? Terry said by allowing the restriction to be removed it doesn't mean that they have the right to go there. They can't go across the land, they can't use our water. Mayor said it would increase their property values. Let's get all the information we need for the next meeting. Ed said he could not determine what we are talking about from the tax map. We also need from the interested parties what they are looking for with some sort of a sketch. We need to know what they plan to do. Mike said we can put the same restrictions on their docks that the township puts on their docks. Length and things like that. Dottie moved to have a 10 minute break, seconded by Frank and carried by all.

THE MEETING of the Mayor and Council was called to order by Mayor Larson, at 5:00pm at the Borough Hall, on East 7th Street. The Clerk stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act by transmitting notice of same to the Beach Haven Times and the Atlantic City Press on January 4, 2014 and by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 7, 2014 Said news papers were designated by Mayor and Council on January 7, 2014, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 7, 2014.

PLEDGE OF ALLEGIANCE

ROLL CALL: SPARK, SHARPLESS, WELLINGTON, MIKULETZKY, REYNOLDS, WARR

ABSENT: NONE

ALSO PRESENT: MAYOR LARSON, GAIL WETMORE, TERRY F. BRADY, AND PAULA BASTIAN, ASSISTANT TREASURER

THE MAYOR asked for a motion to approve the minutes of the November 12, 2014 regular meeting. On a motion by Wellington, seconded by Sharpless the minutes were approved.

MOTION: WELLINGTON

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR
NAYS: NONE ABSENT: NONE ABSTAIN: NONE

TREASURER'S REPORT: On a motion by Warr, seconded by Sharpless and carried by all the report was approved.

MOTION: WARR

SECOND: SHARPLESS

AYES: SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR
NAYS: NONE ABSENT: NONE ABSTAIN: NONE

BUILDING AND ZONING REPORTS FOR NOVEMBER:

The Mayor asked for a motion to approve the reports. Reynolds so moved, seconded by Mikuletzky.

MOTION: REYNOLDS

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR
NAYS: NONE ABSENT: NONE ABSTAIN: NONE

COMMITTEE REPORTS:

WATER/SEWER: Michael Spark asked that the water report be a part of the minutes. It is still going down. The snow birds from Barnegat Light don't leave until February and March. Loveladies leaves earlier. Remind everyone that it has been so far a mild winter and he hopes they have their sprinkler systems blown out and drained. Also shut off your outside shower. It cost for the town to shut off and turn on your water.

PUBLIC WORKS: Scott Sharpless said the public works report is at the back. They have spent a lot of time in the lifeguard house trying to fix little issues in there. They put up the holiday decorations. We are looking into 19, 22 and 21 ramps to repair same. They are doing a good job.

DOCKS AND HARBORS: Ed Wellington said after Thanksgiving we shut the workforce down. We ended up about \$2900 less than last year. No fish! Salary was basically the same as last year. We lost our flagpole in the wind the other Monday. Kat said he could order it by the end of the year. Get something to her.

BEACHES AND PARKS: Dottie Reynolds said Beach Badge revenues are still behind last year. Our dailies were up more than \$2,000. Our checkers were doing a good job. Our seniors were up a little bit. Our weekly, season and preseason were all lower. We still have a chance to make it up but we are under \$8,000.00. Dottie said she should have brought one of the holiday badges to show everyone.

PUBLIC SAFETY: Frank Mikuletzky mentioned he had a report from Chief Mike Bradley. The Long Beach Police station has been designated as a drop off point for prescription drugs 24/7 in the lobby. Keeps drugs out of waste, landfills and they are disposed of properly. Keeps them out of the wrong hands. Emergency Management reentry placards are ordered and should be in this month. They will go out in the Township in February with their water bill. The old placards will be honored until we get the new ones. Go to the Police Web site to register for vacant homes. You can also go there and register for the nexel or the reverse 911. The arrests were made and they were juveniles and have been charged. The investigation is still going on.

FINANCE: George Warr spoke of the bills being paid this evening. We are having a budget workshop tomorrow afternoon. Being no further comments

Warr moved to close, seconded by Spark and carried by all.

PUBLIC SESSION: On a motion by Reynolds, seconded by Sharpless and carried by all the meeting was open to the public.

Sarah Lambert made the suggestion that we have more snowflakes. This was paid for by town folks last time. It was spearheaded by Tom Stiles. They are expensive. Being no further comments Warr moved to close seconded by Reynolds and carried by all.

RESOLUTIONS:

RESOLUTION 14-125

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TRANSFER OF APPROPRIATIONS
ACCORDING TO 40A:4-58**

WHEREAS, the Borough of Barnegat Light in the County of Ocean and State of New Jersey finds it necessary to transfer money from certain 2014 budget appropriations to carry on and pay its obligations and that such transfers are permitted by law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light that the Treasurer is hereby authorized to make the following transfers:

CURRENT FUND:

FROM:

Planning Board OE 4-01-21-180-200 \$ 125.00

TO:

Zoning Board OE 4-01-21-185-200 \$ 125.00

FROM:

Street Lighting OE 4-01-31-435-243 \$1,300.00

TO:

Electricity OE 4-01-31-430-241 \$1,300.00

DATED: December 10, 2014

MOTION: SHARPLESS

SECOND: REYNOLDS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKUKLETZKY, WARR

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

RESOLUTION 14-126

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$639,771.56**

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 \$639,771.56 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: DECEMBER 10, 2014

MOTION: WARR

SECOND: WELLINGTON

VOTE:

AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2014-127

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR THE 8th STREET RECONSTRUCTION PROJECT, SUBJECT TO NJDOT APPROVAL.

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for the 8th Street Reconstruction Project; and

WHEREAS, at the time, place and date set for the receipt of bids, formal bids were received by the Borough as follows:

All Surface Asphalt	\$159,688.00
Johnson Baran Corp	\$127,863.98
C.J.Hesse	\$144,822.86
Earle Asphalt Company	\$123,813.13
P&A Construction	\$190,106.59
Diamond Construction	no bid
Swift & Son	no bid

WHEREAS, said bids were taken under advisement and have been reviewed by the Borough Engineer and it has been determined that Earle Asphalt Company submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$123,813.13; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for the 8th Street Reconstruction Project to Earle Asphalt Company, the lowest bidder; and

WHEREAS, part of the funding for said project comes from financing awarded by the NJ Department of Transportation, and the award is, therefore, subject to NJDOT review and approval, per their grant rules and regulations.

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 Mayor & Borough Council of the Borough of Barnegat Light do hereby award the contract for the 8th Street Reconstruction Project to Earle Asphalt Company at the price of \$123,813.13, subject to NJDOT review and approval.

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Earle

Asphalt Company for said project, said agreement to be in conformance with bid specifications and bid submitted by Earle Asphalt Company.

3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following line item appropriations or ordinances constitute the availability of funds for this contract:

Barnegat Light Bond Ordinance 2014-004

4. That a certified copy of this resolution shall be forwarded to Earle Asphalt Company, the NJDOT, the Chief Financial Officer and the Borough Engineer.

DATED: DECEMBER 10, 2014

MOTION: SHARPLESS

SECOND: SPARK

**VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, MIKULETZKY
REYNOLDS, WARR**

NAYS: NONE

ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2014-128

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A REVISED INTERLOCAL SERVICE AGREEMENT WITH LONG BEACH TOWNSHIP FOR ELECTRICAL, PLUMBING AND FIRE CONSTRUCTION SUB-CODE INSPECTION SERVICES.

WHEREAS, the Borough of Barnegat Light is in need of Construction Sub-Code services for electrical inspections, plumbing inspections and fire inspections; and

WHEREAS, the Borough of Barnegat Light has joined in the interlocal service agreement for construction inspections, permits, approvals and certificates to be performed under the Long Beach Township inspections contract with Trinity Code Inspections LLC, along with other Long Beach Island municipalities, commencing on October 1, 2014; and

WHEREAS, the NJ Department of Community Affairs has given its approval to such an interlocal agreement wherein participating municipalities will submit to Long Beach Township a monthly report of permits issued and monies collected according to each municipality's fee schedule for billing purposes; and those towns will then follow the terms of the contract between Long Beach Township and Trinity Code Inspections, LLC; and

WHEREAS, N.J.S.A. 40A:65-4 (Common Sense Shared Services Pilot Program Act) provides that any local unit may enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units, when approved by resolution under N.J.S.A. 40A:65-5; and

WHEREAS, this interlocal service agreement is being amended to provide for a monthly fee of \$165 from all municipalities to compensate Long Beach Township for said reporting services to NJDCA.

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. The Mayor and Borough Council of the Borough of Barnegat Light do hereby authorize the execution of a revision to the interlocal service agreement with Long Beach Township regarding electrical, plumbing and fire inspections, permits, approvals and certificates, to be performed under the Long Beach Township inspections contract with Trinity Code Inspections, LLC, to provide for monthly fee of \$165 from all municipalities to compensate Long Beach Township for said reporting services to NJDCA.

2. A certified copy of this resolution shall be forwarded to the Long Beach Township,

and all other participant municipalities.

DATED: DECEMBER 10, 2014

MOTION: REYNOLDS

SECOND: SPARK

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR

NAYS: NONE

ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2014-129

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CONFIRMING THE CONTRACT FEES TO BE CHARGED TO PROCESS ELECTRICAL, FIRE AND PLUMBING SUB-CODE PERMITS

WHEREAS, the Borough of Barnegat Light is a party to a Shared Services Agreement with Long Beach Township as lead agency for sub-code inspection services; and

WHEREAS, Long Beach Township has awarded a contract for sub-code inspections to Trinity Code Inspections LLC pursuant to its authority as lead agency for the Shared Services Agreement between municipalities for the same; and

WHEREAS, the Borough of Barnegat Light needs to confirm the amount to be paid to Trinity Code Inspections LLC pursuant to the Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that Trinity Code Services LLC shall be paid for their services in accordance with the Shared Services Agreement and October 1, 2014 – September 30, 2015 (with one-year option to extend) Contract Award at the rate of 85% of the fees established by Barnegat Light Borough Code Chapter 76, as amended, for current inspections; the fee for inspection of existing open permits shall be \$25 per permit.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Long Beach Township and the NJ Division of Community Affairs.

DATED: DECEMBER 10, 2014

MOTION: REYNOLDS

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR

NAYS: NONE

ABSENT: NONE ABSTAIN: NONE

ORDINANCES:

FIRST READING

ORDINANCE 2014-008

ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 76-14 OF THE BOROUGH CODE, ENTITLED "FEE SCHEDULE," FOR PLUMBING, FIRE & ELECTRICAL SUBCODE FEES.

The Clerk read the above by title and number and the Mayor asked for a motion to introduce on first reading and publish according to law. Reynolds so moved, seconded by Warr.

MOTION: REYNOLDS

SECOND: WARR

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR
NAYS: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCE 2014-009

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL
EMPLOYEES BY THE BOROUGH OF BARNEGAT LIGHT**

The Clerk read the above by title and number and the Mayor asked for a motion to introduce on first reading and publish according to law. Wellington so moved, seconded by Reynolds.

MOTION: WELLINGTON

SECOND: REYNOLDS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

SECOND READING

ORDINANCE 2014-007

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF
OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE
BOROUGH CODE TO PROVIDE FOR A REVISED DEADLINE FOR THE
PRESEASON BEACH BADGE FEE.**

The clerk read the above by title and number and the mayor announced it is time to consider same for passage on second reading according to law. Reynolds moved open public hearing, seconded by Spark and carried by all. Warr moved to closed seconded by Reynolds. Reynolds moved to adopt, seconded by Sharpless.

MOTION: REYNOLDS

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON MIKULETZKY, REYNOLDS, WARR

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

CORRESPONDENCE: Thank you from Southern Ocean Medical Center thanking the Mayor and Council for their donation.

THERE WAS NO FURTHER BUSINESS BEFORE THE COUNCIL SO ON A MOTION BY REYNOLDS THE MEETING WAS ADJOURNED.

APPROVED: _____

GAIL J. WETMORE
MUNICIPAL CLERK