

REGULAR MEETING OF MAYOR AND COUNCIL DECEMBER 9, 2015

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 5, 2015 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 5, 2015, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 5, 2015.

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

ALSO PRESENT TERRY F BRADY, ESQ., MAYOR LARSON, ELAINE TOLLISON, ADMINISTRATIVE ASSISTANT/TAX CLERK, KATHLEEN FLANAGAN, CFO, EDWARD SULECKI, SUPERINTENDANT AND BRENDA KUHN, ACTING MUNICIPAL CLERK/TAX COLLECTOR

The Mayor said he wanted to talk about the Community Block Grant money and suggested that we use it for the 9th Street ramp. Councilman Sharpless said the ramp was in bad shape. He talked to Eddie about getting an estimate for resurfacing the ramp. He said the pilings and the joists were ok.

Councilman Warr wanted to set up a Budget Workshop. It was decided that it would be on January 13, 2016 at 3:00pm, the afternoon of the first regular meeting of 2016.

Mayor Larson said he wanted to talk about the dog park. He talked about redoing the dog park and bringing back the baseball field. Councilwoman Reynolds said as long as we have plenty of room. She said they had discussed about charging for an entry card and they said that Cape May was charging \$40.00 for a card to enter the park but she said she talked to someone in Ocean Co. and they told her it was \$5.00. Mayor Larson said that County residents are \$5.00. Mayor Larson said he would like to just give people the card but put a lock on it so that people wouldn't be showing up at 6am. Councilwoman Reynolds said she still didn't know how that would work. Mayor Larson said there would be a timer. Councilwoman Reynolds said it would be good because they would have to show their rabies certificate in order to get their card. Then fencing was discussed and possibly having a fence co. come in and draw it out so everyone could see what was going on. Kirk said to get a price and if it's under \$40,000 (Kat said "Not yet") that we could just have them install it.

Council President Spark asked if they wanted to talk about the vacancy in the Zoning Board. They said that Kathleen Clark will be the replacement.

Terry said we will be conducting the auction for the 5 year livery leases. The resolution is ready and Kathleen Flanagan is ready to take the deposit.

Mayor Larson said this is the last meeting before reorganization and wanted to ask everyone if the 2nd Wednesday of the month works for the regular meeting in 2016 and everyone said it was good. Mayor Larson said that we have a notice out for hiring a Court Administrator. Salary isn't in the ad but the hours are. It will weed out the people looking for a full time position.

Mayor Larson said that Public Works is doing a great job on the boardwalks and Councilwoman Reynolds said we still need the roll ups in the south end of town where we are building up the dunes. Everyone is building up their dunes on the Island. Dunes build up over the winter and then Eddie and the crew have to plow them out in the spring. The roll ups get taken up by Public Works in the fall and in the spring put on top of the sand. She said one place we could have a permanent boardwalk is right at the end of street where there are boardwalks now. The rollups don't start at the street in most places they start in further and the dunes don't build up at the street end. Councilman Sharpless said we could put 2 or 3 sections to get started. Councilman Sharpless said we are up to 17th Street now.

Councilman Sharpless said if there was any grant money left over they could use it for new beach wheels or to refurbish the old ones. Another idea would be Moby mats. The kiddie beach on 25th Street has a T shaped section that washes out. Maybe we could find something to make the entrance more accessible. We can't pour concrete but for handicap accessibility you can get to the Moby mat but there's a gully when you past the wall. Maybe they make a T for Moby mats. Kirk suggested wood. Scott thought that the DEP would frown on that but Eddie said he didn't think that wood would be a problem.

Mayor Larson said we received the deed on the Coast Guard property. Now that there is a garage door on the new PW/Firehouse building, we can store the refrigerators, dishwashers, stoves, etc. to

auction off at GovDeals. The police have already been in there with the dogs. We're not going to tear it down until after the 1st of the year. Councilman Sharpless said that Winnie told him that the Lifeguard house needed a couple of refrigerators. The dock building needs a window and there's one that will fit. Kat said that the sliding glass door needs to be replaced on the Lifeguard house. Winnie will measure. Council President Spark asked if we were tearing it down ourselves and Kirk replied that he's been trying to get someone to give him a price, but no one has come forward. He said that we could rent a machine for \$3000.00 and Public Works could do it. Kirk said that the garbage contractor is ready to take it away.

Councilman Warr brought up the appointment of a Code Enforcement Officer. He was concerned that the Code Enforcement Officer would be a bad idea. He was concerned that the Code Enforcement Officer would go around looking for trouble like in Surf City Council President Spark said it's not James Bond, not a license to kill! Terry Brady said that Code Enforcement Officer serves at the pleasure of the Governing Body. The position would be "as needed" officer.

Council President Spark introduced Brenda L. Kuhn as the new Acting Municipal Clerk. He said we are extremely happy to have this lady to step up. Kirk said that we have a new QPA, Kat Flanagan.

Mayor Larson asked if we had anything else. Mayor Larson said we'll take a 10 minute break, all in favor and all were in favor.

THE MEETING of Mayor and Council was called to order by Mayor Larson at 5:00pm 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 transmitting notice of same to the Beach Haven Times and the Atlantic City Press on January 5, 2015 and by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 5, 2015 Said news papers were designated by Mayor and Council on January 5, 2015, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 5, 2015.

PLEDGE OF ALLEGIANCE

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

ALSO PRESENT: MAYOR LARSON, TERRY BRADY, OTHER BOROUGH EMPLOYEES, ELAINE TOLLISON, KATHLEEN FLANAGAN, EDWARD SULECKI, AND BRENDA KUHN.

THE MAYOR asked for a motion to approve the minutes of November 11, 2015 regular meeting. On a motion by Wellington, seconded by Spark the minutes were approved.

MOTION: WELLINGTON

SECOND: SPARK

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

LIVERY LEASE AUCTION: Terry Brady said that the auction had been advertised. He announced that the parcels being auction were Block 16.01 Lot 3, commonly known as Livery #1 with the minimum bid being \$24,045.00 and Block 16.01 Lot 4 commonly known as Livery Parcel #3 with the minimum bid being \$23,520.00. Both are 5 years leases with a 1% increase per year. 20% deposit is required for the first years rent. Winners of the bid will be entering into a lease contract. Properties are currently tax exempt and if that changed the leases would be responsible.

The Livery # 1 was bid on by Robert Holzwarth and the bid was \$24045.00, there were no other bidders. Livery #3 was bid on by Vince Chiaro and his bid was \$23520.00 and there were no other bidders. Terry Brady did the resolution for the Livery Lease immediately after the auction. Terry Brady did the resolution so that they could complete the lease agreements.

RESOLUTION 2015-130

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED CONTRACTS FOR THE LEASING OF CERTAIN MUNICIPAL PROPERTY (LIVERY LEASES).

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for the leasing of liveries; and

WHEREAS, bids for the leasing of the liveries in question were received on December 9, 2015

at public auction; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to accept the highest bids submitted for the leasing of municipal liveries.

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 and Borough Council do hereby formally award contracts to the highest bidders received at public auction for the leasing of liveries as follows:

Livery No. 1 – Robert Holzwarth

\$24,045 for 2016, \$24,285 for 2017, \$24,530 for 2018, \$24,777 for 2019
& \$25,025 for 2020

Livery No. 3 – Vince Chiaro

\$23,520 for 2016, \$23,755 for 2017, \$23,995 for 2018, \$24,235 for 2019
& \$24,480 for 2020

2. That the Mayor and Borough Clerk are hereby authorized to execute the leases for the subject liveries with the highest bidder for each livery, said lease agreement to be in the form on file with the Borough Clerk and previously approved by resolution of the Borough.

DATED: December 9, 2015

MOTION: SPARK

SECOND: SHARPLESS

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Terry Brady said that they would go into the other room to enter into the lease agreement.

TREASURER’S REPORT: Mayor Larson asked for a motion to approve the Treasurer’s Report. On a motion by Scott, seconded by Reynolds and carried by all the report was approved.

MOTION: SHARPLESS

SECOND: REYNOLDS

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

BUILDING AND ZONING REPORT: Mayor Larson asked for a motion to approve the Building and Zoning Report. On a motion by Reynolds, seconded by Wellington and carried by all the report was approved.

COMMITTEE REPORTS:

WATER/SEWER: Michael Spark reported that during the summer a total usage of water is around 29 million gallons and in November on 6 million gallons were used with the majority of that being used by Barnegat Light. Mayor Larson asked if there was anything on the new meters and Eddie informed him that Frank Little is working on the specs. Michael asked Eddie if the new ones would fit into the old meter pits. He was concerned about the cost to each property owner. Eddie said the old meter pits would fall apart as soon as you touch them because they have been in the ground so long. Michael said that it might cost \$1500 per owner. Eddie said that for the last five years they were putting in the new style pits.

PUBLIC WORKS: Scott Sharpless said that Public Works has been busy. 261 hours of work last month were at the beaches. There have been a couple of water leaks. They are up to 17th St. with the boardwalks. They’re doing a great job!

DOCKS AND HARBORS: Ed Wellington said that due to the good fishing and weather that \$3100.00 more favorable than last year on boat ramp fees. Almost \$42,000 compared to \$38,700 last year. He reported that he spoke to Scott Stevens who’s running the dredging project and was informed that they were reopening the bidding and the bid opening will be Dec. 29. There’s a provisions in the contract that the entire job, including Barnegat Light, must be completed by December 2016.

BEACHES AND PARKS: Dottie Reynolds said she's sure that everyone is happy that DPW has done such a good job on the boardwalks. With budget time coming up does anyone have thoughts for BEACHES AND PARKS please let her know.

PUBLIC SAFETY: Frank Mikuletzky said he would like to make the court report part of the minutes. \$614.00 was collected. The Police Chief told him to register vacant homes with the PD. You can sign up for Nixle (Emergency notification system). You can get email notifications on your computer or phone. He talked about the accident on the bridge.

FINANCE: George Warr said that the vouchers that were submitted for approval were in the amount of \$548,394.34. We're having a budget workshop on the afternoon of January 13, 2016 at 3:00pm.

OPEN PUBLIC SESSION: On a motion by Sharpless and seconded by Spark and carried by all the public session was opened. Dick Feehan whose address is 12 E 15th St., asked if they could go out to bid for meters that would fit the existing pits. Michael asked Eddie if the pits are breaking where does the Boroughs responsibility stop. Eddie said that the Borough's responsibility stops on the street side of the meter pit. Connie Higgins spoke in regard of the code official and how the owners would know what's in the code. Some examples were given. Then she wanted to talk about restricting parking on the Blvd in the summer. She thought it was great but you will lose a lot of parking spaces. Connie said that a lot of the people of the popular parking streets don't know about the 20' ordinance. (Driveway) She said she got a warning ticket in the summer. We need to make homeowners aware. Mayor Larson said that he talked with Scott about even going to changing the parking on the streets and marking out designated spots. Scott said we could send out something in the next mailing to let everyone know about the parking ordinance. Connie said that the Police need to know too. Kirk asked what was thought about 2 spots at the beach end of the streets. Scott said there were two problems with that. People drop off their things when they're going to the beach and some places there's an incline that would make parking difficult. They said they should just mark off the parking spaces and the driveways. They discussed how borough code states that you can only claim 20' of your frontage as driveway and people can park on the remainder. The Blvd. is becoming a hazard. Tim Brindley said there was a lot of volume of cars parking from 30th-22nd Streets. Ed Wellington said this problem isn't unique to Barnegat Light. Henriette Richard, 22nd Street, wanted to talk about the poopie law. Someone with a big dog keeps doing it and she asked what you can do. They council told her to take a picture. Dotty said that's where our code enforcer would be used. She also brought up the problem with the bridge. The high beams of the oncoming traffic were very dangerous and asked if there could be signs put up to discourage the use of high beams. Mayor Larson asked Frank to look into it. With there being no further comment, on a motion by Spark, seconded by Wellington and carried by all the public session was closed.

ORDINANCES:

SECOND READING:

ORDINANCE 2015-012

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING KATHLEEN FLANAGAN TO THE POSITION OF QUALIFIED PURCHASING AGENT FOR THE BOROUGH

WHEREAS, Kathleen Flanagan currently holds the position of Chief Financial Officer of the Borough of Barnegat Light; and

WHEREAS, NJSA 40A:11-9 provides that the governing body of any contracting unit may by ordinance, in the case of a municipality, designate an individual to serve as the contracting unit's purchasing agent; and

WHEREAS, upon the appointment of a qualified purchasing agent, NJSA 40A:11-3 provides that the contracting unit may increase its bidding thresholds to the adjusted amounts established by the Governor, in consultation with the Department of the Treasury, every five years; and

WHEREAS, Kathleen Flanagan currently holds the licenses and qualifications to be certified as the Borough's Qualified Purchasing Agent.

NOW, THEREFOR, 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 Borough of Barnegat Light does hereby appoint Kathleen Flanagan as the Borough's Qualified Purchasing Agent.

SECTION 2. The Borough of Barnegat Light does hereby further establish as its bidding thresholds the amounts set forth in the State adjustments, per NJSA 40:11-3.

SECTION 3. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law

The Acting Municipal Clerk read the above by title and number and the Mayor announced that it is time to consider same for passage on second reading according to law. Reynolds moved to open public hearing, seconded by Sharpless and carried by all. Kat said it changes the bidding threshold from \$20,000 to \$40,000. Terry Brady said it also changes the quote threshold. There were no further comments so on a motion by Reynolds, and carried by all, the public hearing was closed. George moved to adopt, seconded by Spark.

VOTE:

MOTION: WARR

SECOND: SPARK

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

SECOND READING:

ORDINANCE 2015-013

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 32 OF THE BOROUGH CODE, ENTITLED "OFFICERS AND EMPLOYEES" TO CREATE THE POSITION OF CODE ENFORCEMENT OFFICER.

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. Chapter 32 of the Borough Code of the Borough of Barnegat Light, entitled "Officers and Employees," is hereby amended and supplemented to provide a new Article IX, to create and establish the position of Code Enforcement Officer, to read as follows:

OFFICERS AND EMPLOYEES

Article IX

Code Enforcement Officer

§ 32-50. Creation of position of Code Enforcement Officer.

There is hereby created the position of Code Enforcement Officer for the Borough of Barnegat Light.

§ 32-51. Appointment of Code Enforcement Officer; term of office.

The Code Enforcement Officer shall be appointed by the Mayor with the advice and consent of the Borough Council and shall serve at the pleasure of the Mayor and Borough Council.

§ 32-52. Powers and duties of Code Enforcement Officer.

The Code Enforcement Officer shall conduct field inspections and special investigations to ensure compliance with variance municipal ordinances, enforce rules and regulations related to the enforcement of ordinances, prepare reports, maintain files and records, and perform all such duties as are assigned from time to time by the Mayor, Borough Council and/or Borough Administrator.

§ 32-53. Compensation of Code Enforcement Officer.

Compensation for the Code Enforcement Officer shall be determined by the Mayor and Borough Council from time to time, which shall be in accordance with the Salary Ordinance of the Borough of Barnegat Light.

SECTION 2. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

The Acting Municipal Clerk read the above by title and number and the Mayor announced that it is time to consider same for passage on second reading according to law. Sharpless moved to open public hearing, seconded by Spark and carried by all. Michelle Wellington asked if we had anyone in mind and Mayor Larson said yes and that Sponge Washburn has been hired and that he would be good. Mrs. Wellington agreed. There were no further comments. Mayor Larson asked for a motion to close. On a motion by Reynolds, and carried by all, the public hearing was closed. Spark moved to adopt, seconded by Wellington.

VOTE:

MOTION: WARR

SECOND: SPARK

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTIONS:

RESOLUTION 15-124

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING RESOLUTION 15-103**

WHEREAS, Resolution 15-103 authorized the payment of Municipal bills in the amount of \$455,677.96

WHEREAS, the amount of the Municipal bills to be paid should have been \$534,555.66.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 15-103 is amended to read as follows:

RESOLUTION 15-103

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$534,555.66**

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 \$534,555.66 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 9, 2015

MOTION: WARR

SECOND: SPARK

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

NAYS:

ABSENT: ABSTAIN:

RESOLUTION 15-125

**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 2015 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:

Administration	S&W	5-01-20-100-100	\$ 4,450.00
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TO:

Lifeguards	OE	5-01-38-380-200	\$ 1,500.00
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Parks & Playgrounds	OE	5-01-28-375-200	\$ 1,000.00
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Celebration of Public Events	OE	5-01-30-420-200	\$ 450.00
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Beachfront Maintenance	OE	5-01-28-380-200	\$ 1,500.00
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DATED: December 9, 2015

MOTION: SPARK

SECOND: WELLINGTON

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 2015-126

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
CANCELLING VARIOUS GENERAL CAPITAL IMPROVEMENT
APPROPRIATION BALANCES FOR COMPLETED PROJECTS**

WHEREAS, various General Capital Improvement appropriation balances remain dedicated to projects which have now been completed; and

WHEREAS, it is necessary to formally cancel said balances in order that the unexpended balances may be returned to the General Capital Improvement Fund or credited to Surplus, and any unused debt authorizations may be cancelled; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to cancel the unused and unexpended General Capital Improvement appropriation balances for projects which have now been completed.

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

1. That the following unexpended and dedicated balances of General Capital Improvement appropriations shall be cancelled:

ORD.NO. / Line Item#	PROJECT DESCRIPTION	ORIG.AMT.	AMT.CANCELLED
04-09/ C-04-55-875-901	Constr Spill Prevention	\$ 5,000.00	\$ 4,011.18
05-14/ C-04-55-884-901	Purchase of DPW Truck	\$ 35,000.00	\$ 13,625.05

06-03/ C-04-55-863-901	Coast Guard Bldg-Phase III	\$ 750,000.00	\$ 1,210.83
06-04/ C-04-55-600-900	Reconst W 6 th and 29 th St	\$ 150,000.00	\$ 24,641.84
06-06/ C-04-55-831-975	Purchase of Beach Tractor	\$ 40,000.00	\$ 10,029.65
06-14/ C-04-55-602-900	Fire Hydrant Repairs	\$ 12,000.00	\$ 11,829.80
06-15/ C-04-55-601-900	Resurface Basketball Ct	\$ 50,000.00	\$ 171.87
08-05/ C-04-55-904-902	Purchase Beach Vehicle	\$ 45,000.00	\$ 2,816.11
08-09/ C-04-55-904-903	Reconst W 17 th St	\$ 120,000.00	\$ 34,353.45
09-03/ C-04-55-904-953	Reconstr of E 5 th & 11 th St	\$ 150,000.00	\$ 19,791.47
09-05/ C-04-55-907-901	Improvements to Playground	\$ 8,000.00	\$ 8,000.00
10-06/ C-04-55-912-901	Purchase of ATV	\$ 8,000.00	\$ 711.00
10-07/ C-04-55-603-900	Reconst W 14 th St	\$ 120,000.00	\$ 47,981.07

2. That any unexpended balances may be returned to the General Capital Improvement Fund or credited to Surplus and any unused debt authorizations may be cancelled.

3. That a copy of this resolution shall be forwarded to the Borough Treasurer and the Borough Auditor.

DATED: December 9, 2015

MOTION: WARR

SECOND: REYNOLDS

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 2015-127

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
THE AWARDING OF A PROFESSIONAL SERVICE CONTRACT
FOR BOND COUNSEL SERVICES WITHOUT COMPETITIVE
BIDDING OR FAIR & OPEN ADVERTISING**

WHEREAS, there exists a need for the services of Bond Counsel in connection with Ordinance 2013-005; and

WHEREAS, the Borough of Barnegat Light has determined that its professional services contractors do not make reportable political contributions to municipal candidates so as to otherwise require fair and open contract advertising pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Borough Chief Financial Officer has determined and certified in writing that the value of is contract may exceed \$17,500; and

WHEREAS, Michael H. Gluck Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that his law firm has not made any reportable contributions to a political or candidate committee in the Borough of Barnegat Light in the previous one year, and that the contract will prohibit the making of any reportable contributions throughout the term thereof.

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

1. That Michael H. Gluck Esq., is hereby appointed as Bond Counsel for the Borough of Barnegat Light for services in connection with Bond Ordinance 2013-005. This contract for professional services is awarded without competitive bidding or advertising under the provisions of the Local Public Contracts Law and the NJ Campaign Contributions & Expenditures Reporting Act.

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

4. That a Notice of Contract Award shall be published in accordance with NJSA 40A:11-5(1)(a).

5. That certified copies of this resolution shall be forwarded to Michael H. Gluck Esq., and the Borough Treasurer.

DATED: December 9, 2015

MOTION: REYNOLDS

SECOND: WELLINGTON

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 15-128

A RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING A ZONING/CODE ENFORCEMENT OFFICER

WHEREAS, a vacancy has been created in the position of Zoning Officer effective on December 1, 2015; and

WHEREAS, Ordinance 2015-013 has created the position of Code Enforcement Officer; and

WHEREAS, the Mayor and Council wish to combine the two positions and appoint Jeffrey Washburn to the position of Zoning/Code Enforcement Officer.

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

1. Jeffrey Washburn is appointed to the position of Zoning/Code Enforcement Officer of the Borough of Barnegat Light.
2. Term of office expires December 31, 2015
3. The rate of compensation will be \$25.00 per hour.

DATED: December 9, 2015

MOTION: REYNOLDS

SECOND: MIKULETZKY

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 2015-129

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EXPRESSING ITS THANKS AND BEST WISHES TO ALEXANDER OROS JR. UPON HIS RETIREMENT.

WHEREAS, Alexander Oros Jr. has served as Zoning Officer for the Borough of Barnegat Light for many years; and

WHEREAS, Alexander Oros Jr. has retired from his many years of public service, effective December 1, 2015, after many years of faithful, loyal and exemplary service to the municipal government and the residents of Barnegat Light; and

WHEREAS, the Mayor & Borough Council wish to express their appreciation for the many years of public service that Al has given to the Borough community, and do further express their sincere best wishes upon his retirement.

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 and Borough Council of the Borough of Barnegat Light do hereby express their appreciation for the many years of public service that Alexander Oros Jr. has given to the municipal government, residents and community of the Borough of Barnegat Light.
2. That the Mayor and Borough Council do further express their sincere best wishes to Alexander Oros Jr. upon his retirement.
3. That a certified copy of this resolution shall be forwarded to Alexander Oros Jr.
4. The final pay check may be released.

DATED: December 9, 2015

MOTION: SHARPLESS

SECOND: MIKULETZKY

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 2015-130

Was passed immediately after the Livery Auction.

RESOLUTION 2015-131

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A
CONTRACT FOR THE 11th STREET RECONSTRUCTION
PROJECT, SUBJECT TO NJDOT APPROVAL.**

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for the 11th 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:

Earle Asphalt Co.	\$140,113.13
All Surface Asphalt Paving, Inc.	\$143,494.00
P&A Construction, Inc.	\$158,020.57
West Bay Construction, Inc.	\$168,954.25
C.J.Hesse, Inc.	\$169,654.83
Johnson Baran Corp	\$185,245.60

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 \$140,113.13; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for the 11th 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 11th Street Reconstruction Project to Earle Asphalt Company at the price of \$140,113.13, 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 2014-005

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 9, 2015

MOTION: SPARK

SECOND: WELLINGTON

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 2015-132

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$548,394.34**

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 \$548,394.34 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 9, 2015

MOTION: WELLINGTON

SECOND: MIKULETZKY

VOTE:

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

NAYS: ABSENT: ABSTAIN:

RESOLUTION 2015-133

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, ADOPTING THE PROVISIONS
OF CHAPTER 48 OF THE PUBLIC LAWS OF 1999, TO PROVIDE FOR
EMPLOYER-PAID STATE HEALTH BENEFITS COVERAGE FOR
CERTAIN ELIGIBLE RETIRED EMPLOYEES.**

WHEREAS, the Borough of Barnegat Light adopted a personnel policy in effect since at least 1999 providing for lifetime health benefits for retired employees with 25 years of service; and

WHEREAS, it is the desire of the Mayor and Borough Council to confirm participation in the State Division of Pensions & Benefits program to provide for the same.

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 elect to adopt the provisions of NJSA

53:14-17.38 and to adhere to the rules and regulations promulgated by the State Health Benefits Commission to implement the provisions of that law.

2. That this Resolution affects employees as shown on the attached Chapter 48 Resolution Addendum, and is effective on the first day of October, 2015.

3. That the Borough is aware that the adoption of this Resolution does not free it of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under or Chapter 48 Resolution adopted previously by this governing body.

4. That the Borough agrees that this Resolution will remain in effect until property amended or revoked with the State Health Benefits Program, and that it recognizes that, while the Borough remains in the State Health Benefits Program, it is responsible for providing the payment for post-retirement medical coverage as listed in the attached Chapter 48 Resolution Addendum for all employees who qualify for this coverage while this Resolution is in force.

5. That the Borough understands that it is required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances and resolutions that detail post-retirement medical payment obligations this it is undertaking, and that the Borough further recognizes that it may be required to provide the Division with information needed to carry out the terms of this resolution.

6. That a certified copy of this resolution shall be forwarded to the State Health Benefits Bureau of the State Division of Pensions & Benefits

DATED: December 9, 2015

MOTION: REYNOLDS

SECOND: WELLINGTON

VOTE:

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

NAYS: ABSENT: ABSTAIN:

CORRESPONDENCE:

There was no correspondence. The Mayor thanked everyone for coming and Mayor and Council wished everyone a Merry Christmas and a Happy New Year!

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

APPROVED: _____

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