

REGULAR MEETING OF MAYOR AND COUNCIL
June 12, 2019

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 NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall on January 2, 2019 and was published in the Asbury Park Press and Beach Haven Times on January 10, 2019, both newspapers are designated by Mayor and Council to receive such notice.

ROLL CALL: Spark, Wellington, Alloway, Reynolds, Foley, and Mikuletzky

Also present: Mayor Larson, Terry Brady, Ed Sulecki, Al Morison, and Brenda Kuhn

Discussion: Parking on 6th Street was discussed. Councilman Wellington said that over Memorial Day weekend cars were parking on the north side of 6th Street at the mini golf, head-in. He said that with head in parking 10-12 cars could park opposed to 4-6 parallel parking He said if Mayor and Council agreed, we could contact the mini golf and ask them to put up signs and curb stops for head-in parking. He said that since we have 22 spaces at the pavilion and with the parking at the mini golf, we should designate the south side of 6th and Bayview as “no parking”. He said that thanks to the clerk that the LBI Shuttle is now using 6th Street, which is the truck route, as requested. Mayor Larson said that if we did an ordinance it wouldn’t be enforced until August. He said let’s wait to see if it’s a problem and if it was, he could get LBT Police to put up temporary no parking signs.

Councilwoman Reynolds said that County came to work on the bay beach parking lot. She talked to the head person about the pipes and storm drains. She said that the pits had pipes in them but they were filled with sand. The County cleared them out. Councilman Spark said that the County rebuilt one of the storm drains that was collapsed. He talked to the County about the storm drain that was near the Coast Guard Station and was informed that that one was ours. The Mayor asked if Ed Sulecki knew what storm drains were our and Ed replied that he had a list of all the storm drains. The County representative said repair of our storm drains could be something that we could include in next years’ Schedule C. Street sweeping of the whole town could also be put on the Schedule C. Ed said he had the price of sweeping and it was reasonable. The Mayor said that we should get them to do a few streets before summer begins, maybe next week. Streets that were mentioned were, 6th, 13th, 25th and 27th. Councilwoman Reynolds said that the bay beach parking lot was being graded and stones put in. She said that she talked to Dan Krupinski, LBI Health Department and he said that the quality of the bay is failing because of rain and other factors. Circulation of the water was discussed. The Mayor said that Council would be voting on a resolution for a Resilient NJ Grant. Long Beach Township would be the lead and the other towns on the island would be participating. We were told by Frank Little, Borough Engineer, that if we didn’t participate that grant money wouldn’t be available to us in the future. Gardens was the next topic that was discussed. The Mayor and Council talked about the gardens at the pavilion, the one being installed by the recycling, Borough Hall and the Post Office. They talked about how Hock Landscaping does weeding and mulching one time a year. Councilman Wellington said that he thought taking care of the various gardens should be done by a landscaper. The Council talked about the cost of hiring a landscaper and if it would be under the threshold. The area at the recycling area is approximately 20’x 5’. Shrubbery, cedar trees and low maintenance things can be planted against fence. Mayor Larson asked council if we wanted to put in anymore gardens.

Mayor Larson asked for a motion to close the Caucus. On a motion by Spark, seconded by Foley 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 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall on January 2, 2019 and was published in the Asbury Park Press and Beach Haven Time on January 10, 2019, both newspapers are designated by Mayor and Council to receive such notice.

PLEDGE OF ALLEGIANCE

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

ROLL CALL: Spark, Wellington, Alloway, Reynolds, Foley and Mikuletzky

Also present: Mayor Larson, Terry Brady, Ed Sulecki, Al Morison, Kat Flanagan and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of May 8, 2019 regular meeting.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway		X	X			
Reynolds			X			
Foley	X		X			
Mikuletzky			X			

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of May 17, 2019 Special Meeting.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Wellington						X
Alloway			X			
Reynolds	X		X			
Foley			X			
Mikuletzky			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			
Wellington			X			
Alloway			X			
Reynolds	X		X			
Foley		X	X			
Mikuletzky			X			

BUILDING AND ZONING REPORT: Mayor Larson asked for a motion to approve the Building and Zoning Report.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington	X		X			
Alloway			X			
Reynolds			X			
Foley		X	X			
Mikuletzky			X			

COMMITTEE REPORTS:

PUBLIC SAFETY: **Councilman Mikuletzky** said that he wanted to make the court report a part of the minutes. He said that the court brought in \$276.00 and the Borough kept \$90.00 of it. He also said that the lights are on.

WATER/SEWER: **Councilwoman Foley** said that the team was working on wells 3 and 4. She said that we received a DOT grant for West 23rd Street and that an ordinance was being introduced tonight to replace the old, undersized water lines prior to any repaving. She said that going forward we would review each street that is approved for street reconstruction grants and replace water lines as necessary. She said that Eddie had a list of antiquated pipes. Councilman Spark asked if the drains in the middle of the block were included with the reconstruction projects. Councilwoman Foley said that hydrants would be replaced. She asked how many we had and Eddie said there were 78.

BEACHES AND PARKS: **Councilwoman Reynolds** said the beach badge revenue was almost \$170,000 and the dog park pass revenue was nearly \$3,000.00. She said that DPW had the bay beach ready. She said that the season starts on Saturday and Don Adams was in the hospital. The councilwoman said that there were four pairs of Piping Plovers on the beach. She said that Pete & Jennifer were at the inlet, Larry & Phoebe moved to Loveladies but are expected to move back to Barnegat Light and a new nest started at 22nd Street which could cause a problem for beach access. She said that there should be no vehicles on the beach and if there is driving on the beach, the trucks should not exceed 5mph with a spotter walking in front of the vehicle. She said to enjoy summer safely. The Brodmans said that there were a pair on 26th Street too.

DOCKS AND HARBORS: **Councilman Alloway** said that our guys replaced the ramp concrete and now it is a lot safer.

PUBLIC WORKS: **Councilman Wellington** said that he wanted to make the DPW report a part of the meeting minutes. He reported that the lifeguard chairs are ready for the weekend. He said that the museum roof was finally completed. He said that the old cedar roof was removed, it was sheathed, and new cedar colored asphalt tiles were installed. He said the roof would last a long time.

FINANCE: **Councilman Spark** said he wanted to turn to Kat for wisdom regarding how we’re doing financially in the last month, she said we are still a float

OPEN PUBLIC SESSION: Mayor Larson asked for a motion to open the open public session. There was a motion by Foley, seconded by Wellington and carried by all.

Rich Brodman, 4 East 10th Street, said that he encourages the Mayor and Council to maintain the gardens. Mrs. Brodman thought that there were no sprinklers in the area where the butterfly bushes are planted. Councilman Wellington said that there are sprinklers there but not on due to the amount of rain that we’ve had. **Charles LaRosa**, 6 East 13th Street, was at the meeting to ask Mayor and Council for their help with a seagull problem on his street. He said that that in the morning and again at night 10-30 seagulls perch to wait for a feeding which causes a nuisance, property damage and a potential health hazard. Mr. LaRosa said that he tried talking to the neighbor about the feeding with no success. Then he reached out to Councilwoman Reynolds and with good effort there still was no success. He said that the next step was talking to Dan Krupinski at the LBI Health Department. The person feeding the seagulls said that the feeding would stop but it hasn’t. Mr. LaRosa asked the council to put an ordinance in place

to deal with this problem and asked what his recourse was. He was told that the Borough had received a letter from the feeders’ lawyer that said all correspondence regarding the feeding should go to him. **Joe Russomanno**, 12 East 8th Street, said he would like Mayor and Council to consider repairing the path to the beach on 8th Street. He said that it has become rutted out and muddy. **Mike Venezia**, 11 East 8th Street, was at the meeting to talk about the path on 8th Street. Councilman Wellington said that he would take a look at it. **Marilyn Wasilewski**, 18 West 7th Street, wanted to thank the borough for stopping the shuttle from using 7th Street. Mayor Larson asked Mrs. Wasilewski what to do to prevent our school district from going to Stafford Township and losing our ratables. She said the town should write a letter to Sweeney. **Sarah Lambert**, 1609 Seaview, asked about the water meter project. Councilwoman Foley said that we had to send our plan to the State for approval. **Darren Stivale**, 12 West 9th Street, said that he was there to talk about the backup alarms. He asked the council to remove the backup alarms and install the quieter ones. Mayor Larson said that our Assistant Superintendent has already said that we are keeping the alarms to be OSHA compliant. Councilman Wellington said that after Mr. Stivale came to the Council meeting in February regarding the alarms, they were changed on the trucks to the swish, swish type. He stated that he researched the OSHA rules and said that backup alarms are not mandatory. **Kevin Mimm**, 16 West 9th Street, asked about the status of the dog park. **Connie Higgins**, 10 East 11th Street, asked if there was an ordinance regarding retaining walls between properties. She was told to talk to the zoning officer.

CLOSE PUBLIC SESSION: Mayor Larson asked for a motion to close the open public session. There was a motion by Foley and carried by all.

RESOLUTIONS:

The clerk said that the resolutions would be done by consent agenda. She read resolutions 2019-078 through 2019-089 by title and recorded the votes.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Wellington			X			
Alloway			X			
Reynolds			X			
Foley			X			
Mikuletzky	X		X			

RESOLUTION 2019-078
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR KUBEL’S FOR THE YEAR 2019-2020

WHEREAS, Barlight Corp has applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Consumption License #1501-33-003-007 for the year 2019-2020, for the establishment known as Kubel’s at 706 Bayview Avenue; and
WHEREAS, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and
WHEREAS, the municipal license renewal fee of \$2,000.00 has been paid to the Borough of Barnegat Light.
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light, County of Ocean that a Retail Plenary Consumption License shall be issued to Barlight Corp, Kubel’s for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

RESOLUTION 2019-079
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR DAYMARK FOR THE YEAR 2019-2020

WHEREAS, 404 Broadway Restaurant Partners, LLC has applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Consumption License #1501-33-002-004 for the year 2019-2020, for the establishment known as Daymark at 706 Broadway; and
WHEREAS, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and
WHEREAS, the municipal license renewal fee of \$2,000.00 has been paid to the Borough of Barnegat Light.
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light, County of Ocean that a Plenary Retail Consumption License be issued to 404 Broadway Restaurant Partners, LLC for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

RESOLUTION 2019-080
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING SEASONAL WORKERS FOR 2019

WHEREAS, the Borough of Barnegat Light is in need of seasonal employees for the 2019 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.

SUMMER DPW
Kevin Fitzpatrick 15.00 hr
BEACH BADGE CHECKER
Sofia Rama 8.85 hr

RESOLUTION 2019-081

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR THE KEEPERS AT BARNEGAT LIGHT CORP FOR THE YEAR 2019-2020

WHEREAS, The Keepers at Barnegat Light Corporation have applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Distribution License #1501-44-001-004 for the year 2019-2020, for the premises at 608 Broadway; and
WHEREAS, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and
WHEREAS, the Municipal license renewal fee of \$1,500.00 has been paid to the Borough of Barnegat Light.
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that a Plenary Retail Distribution License will be issued to The Keepers at Barnegat Light Corporation for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

RESOLUTION 2019-082

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SECURITY DEPOSIT REFUND IN THE AMOUNT OF \$500.00

WHEREAS, Kevin McArdle applied to have a wedding ceremony at the Bay Breeze Park Pavilion; and
WHEREAS, a \$500.00 security deposit was required and paid; and
WHEREAS, the pavilion was never used; and
WHEREAS, Mr. McArdle has requested a refund of the security deposit; and
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

1. That the Finance Department is authorized to refund the entire \$500.00 security deposit.
2. That the check be made payable and sent to:

Kevin McArdle
15-20 Pollitt Drive Apt. 1C
Fair Lawn, NJ 07410

RESOLUTION 2019-083

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A PARTIAL BEACH BADGE REFUND

WHEREAS, Frank Dougherty mailed in a beach badge order for four preseason and two holiday beach badges; and
WHEREAS, the holiday badges were inadvertently missed when filling the order; and
WHEREAS, all of the holiday beach badges have been sold; and

WHEREAS, Mr. Dougherty was given two regular preseason badges to replace same; and
WHEREAS, the difference in price for two badges is \$4.00.
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

1. That the CFO is authorized to process a refund in the amount of \$4.00 for the overpayment.
2. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer.
3. That the check be made payable to:

Frank Dougherty
863 Elm Avenue
River Edge, NJ 07661

RESOLUTION 2019-084

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 and their spouses with 25 years of service with the Borough of Barnegat Light; 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 July, 2019;

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 properly 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

RESOLUTION 2019-085

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$824,686.82

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 \$824,686.82 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.

RESOLUTION 2019-086

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MEETING TO BE CLOSED TO THE PUBLIC FOR THE PURPOSE OF DISCUSSING AND/OR REVIEWING MATTER EXEMPT UNDER THE OPEN PUBLIC MEETINGS ACT IN EXECUTIVE SESSION, SPECIFICALLY FOR THE PURPOSE OF DISCUSSING THE MATTERS IDENTIFIED BELOW; ACTION MAY OR MAY OR MAY NOT BE TAKEN UPON RETURN TO REGULAR OPEN SESSION:

-personal educational or medical matter; specifically:

-collective bargaining agreement or negotiations with:

-tactics for public safety; specifically:

-pending or anticipated litigation; specifically:

-contract negotiations regarding:

-matter involving the employment of a specific current

or prospective officer or employee; specifically:

unless (RICE NOTICE) requested to be in public

-OTHER: statutory confidential matter; regarding the right

to receive government funds; matter of individual privacy;

purchase, lease or acquisition of property; investigations of

violations of law; any attorney-client privilege matter;

deliberations after a public hearing; specifically:

ENFORCEMENT/AMENDMENT

OF LIVERY LEASE;

LEGAL ADVICE RE SAME

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that all meetings of public bodies shall be open to the public at all times, except for certain enumerated exception; and

WHEREAS, according to NJSA 10:4-12(b), a closed executive session of a public body may be convened to discuss matters as noted in the title of this Resolution.

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 a closed executive session to discuss matters identified in the title of this Resolution.

2. That reasonably comprehensible minutes of the closed session shall be taken showing the time and place, the members present, the subjects considered, the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with NJSA 10:4-12.

RESOLUTION 2019-087

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PARTICIPATE IN THE RESILIENT GRANT PROGRAM

WHEREAS, the Borough of Barnegat Light has identified the need to undergo a comprehensive planning approach to identify and address vulnerabilities to increased flood risk, advance regional resilience, and protect environmental resources; and

WHEREAS, the Borough of Barnegat Light is eligible for New Jersey Department of Environmental Protection (NJDEP) Resilient NJ Program funds; and

NOW THEREFORE BE IT RESOLVED that the Borough of Barnegat Light will attend and participate at project meetings and events as a member of the Regional Team;

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will support the efforts of the Township of Long Beach in its role of coordinating activities of the Regional Team; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will provide timesheets, receipts for expenses, and required documentation to the Prime, when requested, in order to be reimbursed for staff time and expenses for participation at project meetings and events; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will engage in outreach efforts; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will assist in the identification of socially vulnerable populations and will work towards addressing their unique needs within the planning process; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will provide data and information as requested; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will work with the Prime in identifying potential resilience projects and initiatives; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will support the Prime in providing meeting space, and resources; and

BE IT FURTHER RESOLVED that the Borough of Barnegat Light will review and provide feedback on interim and final deliverables; and

BE IT FURTHER RESOLVED THAT THE Borough of Barnegat Light will work with the Consultant Team provided by NJDEP in its efforts to complete the project; and

BE IT FURTHER RESOLVED that Borough of Barnegat Light authorizes the execution of the grant agreement in the amount offered and approved by NJDEP and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by the Borough of Barnegat Light and NJDEP; and

BE IT FURTHER RESOLVED that Borough of Barnegat Light will continue participation until the completion of this program; and

BE IT FURTHER RESOLVED that Borough of Barnegat Light agrees to comply with all CDBG-DR regulations, and accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and

BE IT FURTHER RESOLVED the person(s) whose name(s) appear below (or any successor or assigns) are authorized to sign the grant agreement or any other document in connection therewith.

BE IT FINALLY RESOLVED, Mayor, Kirk O. Larson agrees to adopt, in full, the State of New Jersey Department of Community Affairs "Citizen Participation Plan, CDBG-Disaster Recovery" March 12, 2013 (CDBG-DR Citizen Participation Plan) in order to provide citizen participation opportunities required by CDBG-DR Regulations as applicable for this project. **Attachment**

STATE OF NEW JERSEY Department of Community Affairs

CITIZEN PARTICIPATION PLAN CDBG-DR DISASTER RECOVERY

The primary goal of the New Jersey Citizen Participation Plan is to provide all New Jersey citizens with an opportunity to participate in the planning, implementation, and assessment of the State's CDBG-DR* Sandy recovery program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen involvement in the community development process. The State will provide all citizens with the opportunity to participate, with emphasis on low and moderate income individuals, and access by non-English speaking or those requiring special options due to disabilities, and in CDBG-DR targeted communities.

New Jersey has developed a specific Citizen Participation Plan to meet the requirements of the CDBG Disaster Recovery (CDBG-DR) funding for Superstorm Sandy. The Plan reflects the alternative requirements as specified by the U.S. Department of Housing and Urban Development (HUD) in the Federal Register (FR-5696-N-01) and notice of specific waivers. The State will ensure that any local governments or subrecipients who receive funds will have a citizen participation plan that meets the CDBG-DR regulations and takes into consideration the waivers and alternatives made available under CDBG-DR funding.

The New Jersey Citizen Participation Plan for CDBG-DR Sandy Recovery will be placed on official website of the Department of Community Affairs at www.state.nj.us/dca/.

In order to facilitate citizen participation requirements and to maximize citizen interaction in the development of the New Jersey Disaster Recovery Action Plan, substantial amendments to the Action Plan, and the quarterly performance reports, the State has laid out targeted actions to encourage participation and allow equal access to information about programs by all citizens, especially those of low and moderate income, those living in slum and blighted areas and in areas where Community Development Block Grant Disaster Recovery (CDBG-DR) funds are proposed to be used, non-English speaking persons, minorities, and those with disabilities. The State also encourages the participation of statewide and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) that are involved with or affected by the programs or activities covered by the Action Plan.

*As revised, the Plan also applies to Inre CDBG-DR funds. The state intends for the most recent Citizen Participation Plan to be followed for all CDBG-DR funds, as the most updated Citizen Participation Plan with the applicable CDBG-DR waivers.

I. Public Notices and Comment Period

While the citizen participation waivers provided by HUD permit a more streamlined public process, the State Citizen Participation Plan will ensure that there is reasonable and timely access for public notice, appraisal, examination, and comment on the activities proposed for the use of CDBG-DR grant funds. Although the waiver removes the requirement that a grant applicant must hold public hearings or meetings to disseminate information and collect citizen comments, the State has and will continue to coordinate outreach meeting with state entities, local governments, non-profits, private sector and involved associations. The State will also invite public comment to the New Jersey Disaster Recovery Action Plan and Substantial Amendments for a minimum seven (7) days, posted prominently and accessed on the Department of Community Affairs' official website. The State will use means such as press releases, posting notices on the Governor's website and links on other agency websites as appropriate, to maximize access of program information to the impacted citizens and businesses.

A. New Jersey Disaster Recovery Action Plan

The State will prominently post a notice and the proposed Disaster Recovery Action Plan ("Action Plan") on the official website of the Department of Community Affairs. The Action Plan includes the following:

1. The amount of assistance expected to be received, based on projected amounts provided by HUD;
2. The range of activities that can be undertaken including the estimated amount that will benefit persons of low and moderate income;
3. Plans to minimize displacement of persons and assist any persons displaced;
4. An anticipated time schedule for submission of the Action Plan to the Department of Housing and Urban Development; and
5. Incorporation of and response to public comments received during the public comment period.

The Action Plan (as proposed and then when approved) will be made available for public review at www.state.nj.us/dca/. It will be made available in English and Spanish.

For those that otherwise cannot obtain a copy of the Action Plan, DCA will make copies available upon request at the Department of Community Affairs.

New Jersey Department of Community Affairs
1st Floor Information Desk
101 South Broad Street
Trenton, New Jersey, 08625

The State will consider any comments or views received in writing or via email on the proposed Disaster Recovery Action Plan. The State will identify a deadline for the submittal of written comments on the proposed Plan; the period for the submittal of comments will be no less than seven (7) days. Written comments may be submitted to the Department of Community Affairs via email at Sandy.Recovery@dca.state.nj.us, or to Post Office Box 800, Trenton, New Jersey 08625-0800. A summary of all comments received and responses will be included in the final Action Plan.

B. Substantial Amendments to the Action Plan

The State has defined Substantial Amendments to the Action Plan as those proposed changes that require the following decisions:

- Addition or deletion of any allowable activity described in the approved application
- The allocation or re-allocation of more than \$1 million
- Change in the planned beneficiaries

Those amendments which meet the definition of a Substantial Amendment are subject to public notification and public comment procedures. Citizens and units of local government will be provided with reasonable notice and an opportunity to comment on proposed Substantial Amendments to the Action Plan. A notice and copy of the proposed Substantial Amendment will be posted on the New Jersey Department of Community Affairs' official website. Copies will be provided upon request at DCA, if otherwise not accessible for review by any residents. Citizens will be provided with no less than seven (7) days to review and comment on the proposed amendment. Written comments may be submitted to the Department of Community Affairs via email at Sandy.Recovery@dca.state.nj.us, or to Post Office Box 800, Trenton, New Jersey 08625-0800. A summary of all comments received responses will be included in the Substantial Amendment that is submitted to HUD for approval and posted to the Department of Community Affairs' official website.

Non-substantial Amendments to the Action Plan will be posted on the Department of Community Affairs' official website after notification is sent to HUD and the amendment becomes effective. Every Amendment to the Action Plan (substantial and non-substantial) will be numbered sequentially and posted on the website.

C. Performance Reports

The State must submit a Quarterly Performance Report (QPR) through HUD's Disaster Recovery Grant Reporting (DRGR) system no later than thirty (30) days following the end of each calendar quarter. Within three (3) days of submission to HUD, each QPR must be posted on the Department of Community Affairs' official website for public review and comment. The State's first QPR is due after the first full calendar quarter after the grant award. QPR's will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

Each QPR will include information about the uses of funds in activities identified in the Action Plan as entered in the DRGR reporting system. This includes, but is not limited to: project name, activity, location, objective, funding, budget, obligation, drawn down, and expended; the funding source and total amount of any non-CDBG-DR funds to be expended on each activity; beginning and actual completion dates of completed activities; achieved performance outcomes such as number of housing units complete or number of low and moderate income persons benefiting; and the race and ethnicity of persons assisted under direct-benefit activities. The State must also record the amount of funding expended for each contractor identified in the Action Plan. Efforts made by the State to affirmatively further fair housing will also be included in the QPR.

During the term of the grant, the grantee will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the appropriate and the grantee's use of the community development program including CDBG-DR funding. This information shall be posted on the grantee's official website www.nj.gov/dca/, and provided on request.

II. Technical Assistance

The State will provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low and moderate income. The level and type of technical assistance shall be determined by the applicant/recipient based upon the specific need of the community's citizens.

III. Citizen Complaint Procedures

The State will accept written citizen complaints from citizens related to the disaster recovery programs, the Action Plan, substantial amendments, or quarterly performance reports. Written complaints should submitted via email to Sandy.Recovery@dca.state.nj.us or be mailed to:

New Jersey Department of Community Affairs,
Post Office Box 800,
Trenton, New Jersey 08625-0800
Attention: Commissioner

The State will make every effort to provide a timely written response to every citizen complaint within fifteen (15) working days of the receipt of the complaint, where practicable.

The State will require that its Subrecipients follow a Citizen Complaint procedure reflective of the goals of the Citizen Participation Plan. A copy and/or summary of the citizen complaints received by subrecipients will be forwarded to the Department of Community Affairs. The complainant must be a subrecipient or the jurisdiction that if the complaint is not satisfied with the response, a written complaint may be filed with the Department of Community Affairs.

All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination will be forwarded to the Department of Law and Public Safety, Office of the Attorney General, Division on Civil Rights. To file a fair housing complaint in New Jersey, please call:

Trenton Regional Office
609-292-4605
TTY: 609-292-1785

Atlantic City Office
609-441-3100
TTY: 609-441-7648

Camden Office
856-614-2550
TTY: 856-614-2574

Newark Office
973-648-2700
TTY: 973-648-4678

IV. Citizen Participation Requirements for Subrecipients and Local Governments Participating in CDBG-DR Programs

To ensure that subrecipients and applicants comply with Section 508 of the Housing and Community Development Act of 1974, utilizing the citizen participation waivers HUD provided, all units of local government which receive CDBG-DR funds must have a written and adopted Citizen Participation Plan that includes the following:

- A. Encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of areas in which CDBG-DR Funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
- B. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed and actual use of funds under this program;
- C. Provides for technical assistance to groups representative of persons of low and moderate income who request assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- D. Provides for reasonable opportunities to obtain citizen views, comments and to respond to proposals and questions at all stages of the community development program including at least the development of needs, the review of proposed activities, and review of program performance. In order to comply with the citizen participation requirement, information must be posted on the subrecipient or unit of local government's official website. If a unit of local government does not have an official website, the information must be posted in public places in the jurisdiction with directions as to where the information may be inspected. In addition to web posting or advertising, the public can also be made aware of a grant information by public service announcements and bulletins posted at public places. All comments must be responded to and maintained;

- E. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
- F. Identifies how the needs of non-English speaking residents will be met where a significant number of non-English speaking residents can be reasonably expected to participate.

The provision and implementation of a Citizen Participation Plan may not be construed to restrict the responsibility or authority of the grantee for the development and execution of its community development program.

All subrecipients must adopt a Citizen Participation Plan and provide documentation of compliance throughout the term of the grant agreement. The components of the citizen participation plan and the kind of information necessary to meet the requirements are discussed in the following section.

Components of the subrecipient citizen participation plan

- A. **Program Design Phase.** The subrecipient shall determine plans and procedures to post and allow for public comment. Public comments shall be summarized and submitted with the information to the Department of Community Affairs, where practicable.
- B. **Implementation Phase.** During the term of the grant, the subrecipient will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the approved program and to the use of grant funds as well as contracts procured with CDBG-DR funding. Efforts should be made to post this information on the subrecipient's official website and provided on request.
- C. **Substantial Amendment to Approved Program.** The subrecipient shall make any substantial amendment to the programs available to the public on its website, where practicable, in addition to the already state inclusion of the Amendment on the Department of Community Affairs's website.
- D. **Close-out.** The subrecipient shall make all performance reports available to the public on its website and upon request.
- E. **Technical Assistance.** The subrecipient must provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low and moderate income. The level and type of technical assistance is determined by the applicant/recipient based upon the specific need of the community's citizens.
- F. **Complaint Procedures.** As stated earlier, each subrecipient must have written citizen and administrative complaint procedures. The procedure may be posted on the website or must provide citizens with the information relative to the location and hours at which they may obtain a copy of these written procedures.

Persons wishing to object to approval of a CDBG-DR programs may make such objection known to the Department of Community Affairs in writing. The State will consider objections made only on the following grounds:

- The applicant's description of needs and objectives is plainly inconsistent with available facts and data;
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
- The program does not comply with the requirements set forth in the Disaster Recovery Action Plan or other applicable laws.

Such objections should include identification of the requirements not met and, in the case of objections relative to item 1 on the previous page, supporting data.

G. Performance Hearings

Prior to close-out of the community development program, the subrecipient must have a public hearing to obtain citizen views and to respond to questions relative to the recipient's performance. This hearing shall be held after adequate notice, at times and locations convenient to actual beneficiaries and with accommodations for the disabled and non-English speaking persons provided.

Documentation must be maintained at the local level to support compliance with these requirements.

RESOLUTION 2019-088
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, EMPLOYING LIFEGUARDS FOR SUMMER 2019

WHEREAS, the Borough of Barnegat Light is in need of lifeguards for summer 2019; and

Name		Base Rate	EMT	LIT	Weekly Rate
Adams	Donald, E	\$925.00			\$925.00
Caffrey	Scott, W	\$850.00			\$850.00
Adams	Donald, P	\$535.00			\$535.00
Adams	Douglas, P	\$535.00			\$535.00
Balla	Hannah	\$410.00			\$410.00
Baxter	Andrew	\$535.00			\$535.00
Brigit	Jacob	\$390.00			\$390.00
Brown	Lenny	\$390.00			\$390.00
Caffrey	Carson	\$410.00			\$410.00
Coughlin	Gregory, R	\$480.00			\$480.00
D'Antonio	Christian, E	\$450.00		\$20.00	\$470.00

Dolan	Michael	\$390.00			\$390.00
Dolan	Taylor	\$410.00			\$410.00
Heffernan	Amanda	\$400.00			\$400.00
Heffernan	Beth	\$420.00			\$420.00
Horner	Madeline	\$410.00			\$410.00
Huo	Sam	\$410.00			\$410.00
Kay	Jennifer, A	\$450.00			\$450.00
Keh	Lucas	\$410.00			\$410.00
Kohl	Zachary, E	\$500.00			\$500.00
Larralde	Alex, J	\$420.00			\$420.00
Leonard	Isabella	\$390.00			\$390.00
Livesey	Seth, F	\$535.00			\$535.00
Luckangelo	Jake, O	\$420.00			\$420.00
Luckangelo	Nick	\$390.00			\$390.00
Massa	Tony	\$480.00			\$480.00
Menonna	Chiara	\$400.00			\$400.00
Meyer	Mackenzie	\$410.00			\$410.00
Mumau	Rachel	\$410.00			\$410.00
Narleski	Jaclyn	\$400.00			\$400.00
Paglialunga	Michael	\$390.00			\$390.00
Patterson	Kady	\$410.00			\$410.00
Patterson	Laura	\$410.00	\$15.00	\$15.00	\$440.00
Pecci	Collin, M	\$450.00	\$15.00	\$15.00	\$480.00
Pecci	Nolan	\$410.00			\$410.00
Petit	Grace	\$400.00			\$400.00
Ro	Andrew	\$410.00			\$410.00
Ross	John	\$535.00			\$535.00
Sadowski	Anna	\$390.00			\$390.00
Salomy	John	\$390.00			\$390.00
Scheipe	Ben	\$450.00			\$450.00
Schulze	John	\$535.00			\$535.00
Scuibba	Robert	\$390.00			\$390.00
Selfridge	Hobson, A	\$430.00			\$430.00
Selfridge	Robert, J	\$535.00	\$20.00		\$555.00
Sihumunn	Ava	\$390.00			\$390.00
Slahetka	Elizabeth, R	\$420.00			\$420.00
Slahetka	Theodore, N	\$430.00			\$430.00
Thomas	Ashley	\$390.00			\$390.00
Walsh	Steven	\$400.00			\$400.00
Westerburg	Zakarias, D	\$470.00			\$470.00
Wierman	Luke	\$400.00			\$400.00
Wierman	Nicholas, B	\$430.00			\$430.00
Wiles	James P.	\$490.00			\$490.00

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 approve the list of 2019 lifeguards:

RESOLUTION 2019-089

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF WATER & SEWER BILLING DUE TO CUT AND CAP FROM THE WATER SUPPLY

WHEREAS, the water and sewer bill for the calendar year 2019 was issued to Account No. 299-0, also known as Block 15, Lot 32, with an address of 30 East 9th Street; and
WHEREAS, the Utility Collector was notified that Permit # 19-002D was issued for a cut & cap from the water supply; and

WHEREAS, the second half billing for 2019 should be cancelled in the amount of \$594.00; and
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 a certified copy will be forwarded to the Utility Collector and the CFO.
2. That the Utility Collector be authorized to cancel the 2nd half billing.
3. That breakdown of the cancellation is as follows:

Water 140.00
Sewer 355.00
Spigot 99.00
\$594.00

ORDINANCES-SECOND READING:

The Clerk read Ordinance #2019-06 by title and said that it passed on first reading at the May 8, 2019 meeting and there would be a public hearing.

ORDINANCE 2019-06
AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING A CHAPTER 10 OF THE BOROUGH CODE, ENTITLED “CLAIMS APPROVAL,” TO PERMIT THE PAYMENT OF CLAIMS UNDER \$6000 WITHOUT VENDOR VOUCHER CERTIFICATION.

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 10-1 of Chapter 10 of the Borough Code of the Borough of Barnegat Light, entitled "Bill of demand required," is hereby amended and supplemented to provide as follows:

CHAPTER 10
CLAIMS APPROVAL

§ 10-1. Bill of demand required.

Any person claiming payment of funds from the Borough shall present to the Borough Chief Financial Officer/Treasurer a detailed bill of demand, certified by the claimant to be correct; except payments may be made without certification by the vendor or claimant as to the bill or demand being correct, in accordance with NJSA 40A:5-16(a), NJAC 5:30-9A.6 & NJAC 5:31-4.1, if said vendor or claimant does not provide, as part of its normal course of business, a certification from an individual with knowledge of the transaction that a bill or demand is correct, and the amount of the bill or demand is less than \$6,000.00. The Borough reserves the right, in its sole discretion, to require vendor or claimant certification as it may deem necessary and appropriate, notwithstanding the foregoing exception.

SECTION 2. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.
SECTION 3. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

Passage on First Reading: Date: May 8, 2019

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway			X			
Reynolds	X		X			
Foley		X	X			
Mikuletzky			X			

OPEN PUBLIC HEARING:

Mayor Larson asked for a motion to open the public hearing. On a motion by Reynolds, seconded by Spark and carried by all, the public hearing was open.

CLOSE PUBLIC HEARING:

Being no public comment, Mayor Larson asked for a motion to close the public hearing. On a motion by Reynolds and carried by all, the public hearing was closed.

Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: Date: June 12, 2019

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway			X			
Reynolds		X	X			
Foley	X		X			
Mikuletzky			X			

ORDINANCES-FIRST READING

The Clerk read Ordinance #2019-07 through #2019-12 by title and recorded the votes.

ORDINANCE NO. 2019-07
AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REPLACEMENT OF WATER/SEWER LINES ALONG 23RD STREET IN THE BOROUGH AND APPROPRIATING \$275,000 AND PROVIDING FOR THE ISSUANCE OF \$275,000 IN BONDS OR NOTES OF THE OROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Wellington			X			
Alloway			X			
Reynolds			X			
Foley	X		X			
Mikuletzky			X			

ORDINANCE NO.2019-08

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A NEW BEACH TRACTOR AND APPROPRIATING \$30,000 AND PROVIDING FOR THE ISSUANCE OF \$28,500 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway		X	X			
Reynolds	X		X			
Foley			X			
Mikuletzky			X			

ORDINANCE NO. 2019-09

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR THE ACQUISITION OF A MAINTENANCE TRUCK FOR THE BOROUGH AND APPROPRIATING \$50,000 THEREFOR FROM THE BOROUGH’S CAPITAL IMPROVEMENT FUND

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington	X		X			
Alloway		X	X			
Reynolds			X			
Foley			X			
Mikuletzky			X			

ORDINANCE NO. 2019-10

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR REPAIRS TO THE MUNICIPAL BUILDING LOCATED IN THE BOROUGH AND APPROPRIATING \$200,000 AND PROVIDING FOR THE ISSUANCE OF \$190,000 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington	X		X			
Alloway		X	X			
Reynolds			X			
Foley			X			
Mikuletzky			X			

ORDINANCE NO. 2019-11

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR THE ACQUISITION OF A GENERATOR FOR WELL #4 AND APPROPRIATING \$100,000 THEREFOR FROM THE BOROUGH’S UTILITY CAPITAL IMPROVEMENT FUND

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway			X			
Reynolds			X			
Foley	X		X			
Mikuletzky		X	X			

ORDINANCE 2019-12

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR HYDRANT UPGRADES AND THE ACQUISITION OF A NEW MAINTENANCE TRUCK FOR THE BOROUGH AND APPROPRIATING \$100,000 THEREFOR FROM THE BOROUGH’S UTILITY CAPITAL IMPROVEMENT FUND

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington	X		X			
Alloway			X			
Reynolds			X			
Foley		X	X			
Mikuletzky			X			

CORRESPONDENCE:

Mayor Larson said that the Blessing of the Fleet was on Sunday. He said that there would be a Taxpayer’s Association meeting at 10:00am on the 22nd. He said the meeting would be immediately followed by a

Borough picnic for the grand opening of the pavilion.

Cycle4Awareness-100-150 cyclist riding for charity, special needs children and their families-September 8, 2019 8am-2pm. Starting in Barnegat Light to Holgate and returning to Barnegat Light. Mayor Larson asked for approval and all were in favor.

At this time Mayor and Council went into Closed Session.

MOTION TO ADJOURN:

After the Closed Session ended, Mayor Larson asked for a motion to adjourn. On a motion by Spark, seconded by Alloway and carried by all, the Meeting of the Borough Council was closed.

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK

Reports to follow