

REGULAR MEETING OF MAYOR AND COUNCIL August 9, 2017

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in the Borough Hall on January 4, 2017 and it was published on January 12, 2017 in the Beach Haven Times and the Asbury Park Press, newspapers designated by Mayor and Council on January 4, 2017 to receive such notice, and by filing a copy of the notice with the Acting Borough Clerk on January 4, 2017.

ROLL CALL: Spark, Sharpless, Wellington, Reynolds, Mikuletzky and Warr

Also present: Mayor Larson, Terry Brady, Kathleen Flanagan, Sponge Washburn and Brenda Kuhn

Discussion: Mayor Larson started the caucus talking about setting fees for violations of borough code. He explained that fees should be set for tickets because that would allow violators to pay the cost of the ticket rather than going to court. Sponge Washburn, Zoning/Code Enforcement Officer supports this. Currently under our general code the Judge would have to set the fees up to \$1000.00. Different types of violations were talked about such as uncovered dumpsters, dogs on the beach, dogs running loose, and others. Sponge did some research by checking other towns ordinances and speaking to the Court Administrator. Terry Brady, Borough Attorney, said that any fees must be approved by the Assignment Judge. Mayor Larson talked about people letting their unleashed dogs run on the outside of the park prior to opening at 8:00am. He said that the dog park is a big problem in many ways. Council also talked about dogs on the beach which is violation of borough code during the summer season. Next Mayor Larson proposed to stop selling beach rollups. The Clerk said that an inventory of the number of plaques and rolls up was completed. She said that Public Works Department was going to make sure that each street had rollups to match the number of plaques, at the minimum. Councilman Sharpless said that there has been numerous complaints about parking, particularly on 25th Street. He said that he felt that we should start having property owners to mark out their driveways to alleviate the problem.

Mayor Larson asked for a motion to close the Caucus. On a motion by **Spark**, seconded by **Mikuletzky** 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 New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in the Borough Hall on January 4, 2017 and it was published on January 12, 2017 in the Beach Haven Times and the Asbury Park Press, newspapers designated by Mayor and Council on January 4, 2017 to receive such notice, and by filing a copy of the notice with the Acting Borough Clerk on January 4, 2017.

PLEDGE OF ALLEGIANCE

The 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, Sharpless, Wellington, Reynolds, Mikuletzky and Warr

Also present: Mayor Larson, Terry Brady, Kathleen Flanagan, Sponge Washburn and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of July 12, 2017 regular meeting.

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

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

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

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

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

COMMITTEE REPORTS:

WATER/SEWER: Council President Spark said that he wanted to make the Water/Sewer report a part of the minutes. He said that 29 million gallons were used and the majority was used in Barnegat Light. He said that we went over the allotment.

PUBLIC WORKS: Councilman Sharpless said that Public Works were busy mowing and with the boardwalks. He also reported on the postponed and upcoming concerts.

DOCKS AND HARBORS: Councilman Wellington said that dock revenue to date was \$29,000 and last year at this time it was \$29,140.

BEACHES AND PARKS: Councilwoman Reynolds reported that the revenue for beach badges was almost \$230,000. She said that there were 45 rescues on the beach. She said that the bay beach was closed by the LBI Health Department due to poor water quality. Councilwoman Reynolds said that the Piping Plover season was over. She reported that 223 people have purchased dog park passes and that does not include BL homeowners.

PUBLIC SAFETY: Councilman Mikuletzky said he would like to make the court report a part of the meeting minutes. He said the court took in \$844.00. He said that he was informed that the cameras were still not working.

FINANCE: Councilman Warr said that the bills paid for the month were \$1,478,867 and of that \$1,008,043 paid County Tax and \$169,335 paid Regional School tax.

Mayor Larson said that the Bike Rodeo would be held on Sunday. He said that bikes and helmets would be given as prizes.

OPEN PUBLIC SESSION: Mayor Larson asked for a motion to open the public session. On a motion by Spark, seconded by Sharpless and carried by all the public session was open.

Bob Dole, 13 E 17 Street, wanted to introduce Tom Scangerello, planner, who prepared a report regarding the height restriction which was distributed to Mayor and Council. Mr. Scangerello said his report was created to see if it would make sense to increase the building height restriction from 30’ to 32’. He talked about raising the building height limit and how it would improve the health, safety, welfare for the property owners in Barnegat Light. He said that quality of life, environmental and science issues should be taken into consideration as well as quality of life. Then Mr. Scangerello said that if the town didn’t want to raise the building height that perhaps the council would compromise on this issue. He called this compromise “design standards or “form based zoning” which would be putting language in the current zoning code to allow someone to go up the two feet provided that you meet the certain design standards which would be inserted

into the existing zoning code. He offered his help in coming up with that language. There was more discussion between Mayor, Council and Mr. Scangerello regarding this matter. Councilman Spark said that the ordinance was originally brought up to provide relief to property owners who experience the problem of water. Barry Mescolloto, 21st Street, asked if the benches on 21st Street could be addressed. He said that they are in the dunes and would like them replaced so they could be utilized. Steve Danatos said that he supports the height increase. He said that the entire community would benefit from a height increase for insurance purposes. Danatos said that he read Mr. Scangerello's report and he thinks it's thorough and complete. He said he would support raising the height 32' on ocean side and 34' on the bay side. Mayor Larson proposed forming a committee. Bob Norris said that going up 2' wouldn't hurt anyone. He said you really couldn't tell if the house was 28' or 30'.

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

CORRESPONDENCE:

Request from Cricket Luker to close the end of 5th and Broadway for a Dog show on August 10th

Mayor Larson asked for a motion to approve. There was a motion by **Spark**, seconded by **Sharpless** and carried by all.

Terry Brady said that the resolutions that were being read would be done by Consent Agenda. He read all of the titles and the resolutions were voted on all together.

RESOLUTIONS:

RESOLUTION 2017-095

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING TEMPORARY (PART-TIME) WORKERS

WHEREAS, Ashley Darmon, Assistant Treasurer will be out on leave for approximately 12 weeks; and

WHEREAS, the Borough of Barnegat Light is in need of two (2) temporary part-time assistant treasurers; and

WHEREAS, Paula Bastian and Dawn Annarumma are qualified for the position; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Barnegat Light, County of Ocean, State of New Jersey as follows:

1. That Paula Bastian and Dawn Annarumma are hereby employed on a temporary/part time basis in the position of Assistant Treasurer.
2. That Paula Bastian and Dawn Annarumma shall be compensated \$25.00 per hour.

DATED: August 9, 2017

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

RESOLUTION 2017-096

RESOLUTION OF THE BOROUGH OF BARNEGAT LGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE BARNEGAT LIGHT FIRST AID SQUAD WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2016

WHEREAS, Ordinance No. 01-019 of the Borough of Barnegat Light implemented the Length of Service Award Program (LOSAP) for the Barnegat Light First Aid Squad and was passed by voters by a referendum on November 6, 2001; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year: and

WHEREAS, the Governing Body has received and reviewed such certified list from the President of the Barnegat Light First Aid Squad

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

1. Per the certified list received, the following Barnegat Light First Aid Squad members are hereby approved to receive the 2016 LOSAP award.

Bozar Ovalle, Karen	Pojednic, Mark
Crutchlow, William	Puskas, Cheryl
Glander, Clare	Selfridge, Robert
Holzwarth, Renee E.	Thomas, Alan
Jackson, Kristen	Walsh, Kevin
Knott, Joyce A.	White, Amanda
Lyon, James	Zebrowski, Suzanne
Patterson, Laura	Zimmerman Jr, James
Pecci, Colin	

2. Qualified members will each receive \$314.00 for the 2016 LOSAP award, pursuant to application approval.
3. The certified list of members shall be posted on the official bulletin board of the Municipal Clerk of the Borough of Barnegat Light and at the Barnegat Light First Aid Squad for a period of thirty (30) days to allow sufficient time for membership review
4. Appeals shall be mailed to the Municipal Clerk of the Borough of Barnegat Light, P. O. Box 576, Barnegat Light, NJ 08006-0576, and must be received within thirty (30) days of the posting date of the approved certified list

DATED: August 9, 2017

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

RESOLUTION 2017-097

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING AN APPLICATION FOR RECREATIONAL AREA USE PERMIT FOR A SPECIAL EVENT AND WAIVING THE FEE FOR SAME

WHEREAS, Britt Larson & Michael Garofalo have applied for a Recreational Use Permit for a beach wedding on September 23, 2017 from 3:00-4:30pm; and

WHEREAS, Ordinance 2012-009 requires permits for use of recreational areas and insurance coverage for the event; and

WHEREAS, Ordinance 2012-012 allows for Mayor and Council to grant special event permit fee waivers or partial waivers by resolution; and

WHEREAS, it is the desire of the Borough Council to waive the permit fee; and

WHEREAS, it is the desire of the Mayor and Council to approve the application; and

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

1. That the application be approved.

2. That the application fee is waived.

DATED: August 9, 2017

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

RESOLUTION 2017-098

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,478,867.65

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 \$1,478,867.65 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: August 9, 2017

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

MOTION TO ADJOURN:

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

APPROVED: _____
KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK