

REGULAR MEETING OF MAYOR AND COUNCIL December 14, 2016

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 4, 2016 and by mailing a copy of the notice to the Asbury Park Press, newspaper designated by Mayor and Council on January 4, 2016 to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 4, 2016.

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

Also present: Mayor Larson, Terry Brady, Kathleen Flanagan, Ed Sulecki & Brenda Kuhn

Discussion: Mayor Larson asked if the council wanted to talk about the School Board. There was discussion regarding the resolution that would be presented to Borough Council at the regular meeting. The resolution, 2016-138, was seeking support of placing a question or questions on a Special Referendum Ballot in 2017 to determine the approval/rejection to execute an agreement for the sale of Long Beach Island Grade School. Terry Brady said that the BOE should supply the towns with information regarding the sale, appraisal etc. He also said it would be a monumental decision. Councilman Wellington said that there is not enough information to vote on this resolution. Mayor Larson stated that we just had a Budget Workshop and one thing that was proposed in the budget was a camera that would be installed on the water tower. The camera would have a 360 degree view. Councilman Mikuletzky said that it would be a lot easier with a camera. He said that the cost would be about \$15,000 and it would be monitored by the dispatch in Long Beach Township. Fires could be caught earlier and any suspicious activities caught on the camera could be zoomed in on. Mayor Larson said that the possibility of moving our court to Long Beach Township was discussed at the Budget Workshop. He said that our court is so antiquated and it would take a lot of money to bring it up to standards. He said that we would still use our Judge and Prosecutor etc. He said he was hoping that we could get this included in our Police contract. The Mayor said that another topic discussed was new water meters. Billing for these new meters would have a base rate and be charged for usage. The meters would be purchased by the Borough at no cost to the property owners. Kathleen Flanagan said that there was grant money available and there is also a very low interest loan.

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

THE MEETING of Mayor and Council was called to order by Mayor Larson at 5:00 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 4, 2016 and by mailing a copy of the notice to the Asbury Park Press, newspaper designated by Mayor and Council on January 4, 2016 to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 4, 2016.

PLEDGE OF ALLEGIANCE

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

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

ALSO PRESENT: Mayor Larson, Terry Brady, Kathleen Flanagan, Ed Sulecki & Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of November 9, 2016 regular meeting.

MOTION: Spark
SECOND: Reynolds
VOTE: AYES: Spark, Wellington, Reynolds, Mikuletzky,
NAYS: None ABSTAIN: Sharpless ABSENT: Warr

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of November 29, 2016 special meeting.

MOTION: Sharpless
SECOND: Mikuletzky
VOTE: AYES: Spark, Sharpless, Wellington, Mikuletzky
NAYS: None ABSTAIN: Reynolds ABSENT: Warr

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

MOTION: Reynolds
SECOND: Sharpless

VOTE: **AYES: Spark, Sharpless, Wellington, Reynolds, Mikuletzky**
NAYS: None **ABSTAIN:** **ABSENT: Warr**

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

MOTION: **Reynolds**

SECOND: **Wellington**

VOTE: **AYES: Spark, Sharpless, Wellington, Reynolds, Mikuletzky**
NAYS: None **ABSTAIN: None** **ABSENT: Warr**

COMMITTEE REPORTS:

WATER/SEWER: Councilman Spark said that he wanted to make the water/sewer report a part of the minutes. He said that Barnegat Light is using more water than the Township.

PUBLIC WORKS: Councilman Sharpless said that the Public Works Department has been busy. He said that they completed the boardwalks 10th-12th Street and would begin on the south end of town. He said that they were all doing a good job. The Mayor said that they did a nice job on the Coast Guard station.

DOCKS AND HARBORS: Councilman Wellington said that the ramp was now closed. He said that the revenue was within \$200 of last year.

BEACHES AND PARKS: Councilwoman Reynolds said that beach badge sales have gotten off to a good start. She said we have already sold \$19,528 worth which is \$12,000 more than this time last year. She said that she walked the beach with Scott and Ed this morning to see all the beach entrances and to plan for the walkways. South end of town will have permanent walkways from the street end to where the dunes are still building up and from that point the rollups. She said that there was a suggestion from one of the council members that the walkway program be funded by the Borough and not by donations.

PUBLIC SAFETY: Councilman Mikuletzky talked about the cameras that they talked about earlier in Caucus. He said that we received an award from StreetSmart NJ for our efforts for pedestrian safety on our streets.

FINANCE: In Councilman Warr's absence Kathleen Flanagan said that we just had our 1st Budget Workshop to prepare for the 2017 budget. On behalf of Councilman Warr, she wished everybody a very Merry Christmas and Happy New Year.

OPEN PUBLIC SESSION: On a motion by Sharpless, seconded by Reynolds and carried by all the public session was opened.

Dan Malay, 21 West 20th Street, asked council to consider reevaluating mobile vendor permits. He said that brick and mortar businesses are responsible for rent, upkeep, staffing etc. He feels that out of town businesses coming in and competing against the business owners in town is not good policy. The Mayor and Council discussed this situation. Connie Higgins asked if there was money in the budget to address the situation with the raccoons. There was discussion about the raccoons. Someone said that there are companies that will move them. The CFO said that if someone provided the name of the company that relocates raccoons she would do some research. The next topic of discussion was the resolution regarding the school referendum. Connie Higgins, Dick Feehan, Barry Mescolotto, Bonnie Brodman, Mayor Larson and Borough Council discussed the school issues, the lack of information regarding the sale of the school and the proposed referendum.

CLOSE PUBLIC SESSION: On a motion by **Spark**, seconded by **Sharpless** and carried by all the public session came to an end.

RESOLUTIONS:

RESOLUTION 2016-138

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY SUPPORTING A SPECIAL VOTER REFERENDUM IN 2017

WHEREAS, the Long Beach Island Consolidated School District, and all Island Municipalities and have been included in various discussions regarding the future of the Long Beach Island Grade School located in the Borough of Ship Bottom; and

WHEREAS, after due consideration of numerous ideas and proposals, the Mayor and Borough Council of the Borough of Barnegat Light has agreed with all parties involved that the matter should ultimately be presented for a public referendum vote.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Borough Council of the Borough of Barnegat Light do hereby support the placement of question(s) on a Special Referendum Ballot in 2017 to determine, at a minimum, the approval/rejection to execute an agreement for the sale of the Long Beach Island Grade School.

DATED: December 14, 2016

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

RESOLUTION 2016-139

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EXCUSING COUNCILMAN WARR FOR MISSING MEETINGS

WHEREAS, the Mayor and members of the Governing Body are required to attend and participate in any meetings of the Governing Body and;

WHEREAS, according to N.J.S.A. 40A:16-3, the Municipal Vacancy Law, if a Member of the Governing Body fails to attend and participate in any meeting of the Governing Body for a period of eight (8) consecutive weeks unless excused from attendance by the majority of the Governing Body may be removed from office and;

WHEREAS, Councilman Warr has missed meetings due to a medical condition that required surgery and prevented him from traveling and;

WHEREAS, the Governing Body wishes to excuse Councilman Warr from missing more than eight (8) consecutive weeks and;

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

1. That Councilman Warr is excused from missing meetings due to a medical condition for a period of more than eight (8) consecutive weeks.
2. That a certified copy of this resolution will be forwarded to Councilman Warr.

DATED: December 14, 2016

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

RESOLUTION 2016- 140

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 2016 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:

Beachfront Maintenance	OE	6-01-28-380-400	\$ 2,500.00
Landfill Charges/Roll-Off Service	OE	6-01-32-465-243	\$30,000.00

TO:

Beachfront Maintenance	S&W	6-01-28-380-310	\$2,500.00
------------------------	-----	-----------------	------------

DATED:

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

RESOLUTION 2016-141

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$703,619.20

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 \$703,619.20 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 14, 2016

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

ORDINANCES:
Second Reading:

ORDINANCE 2016-013

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 180 OF THE BOROUGH CODE, ENTITLED “SWIMMING POOLS,” TO REVISE THE LOCATION & CONSTRUCTION REGULATIONS REGARDING THE SAME.

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

SECTION 1. Chapter 180 of the Borough Code of the Borough of Barnegat Light, entitled “Swimming Pools,” is hereby amended and supplemented to provide revised §§ 180-5 & 180-6 to read follows:

Chapter 180
Swimming Pools

§ 180-5. Location.

- A. No swimming pool shall be constructed or installed on any lot unless a residential dwelling is located upon the lot or unless the lot is located immediately adjacent to the owner's residence.
- B. No swimming pool shall be installed within 30 feet of any street line or closer to the street than the existing building setback line, whichever is greater.
- C. The distance from any side and the rear lot line to the inside face of the closest swimming pool, wading pool or hot tub wall shall not be less than five feet.
- D. All pumps and filtration systems shall be located not closer than five feet to any property line, but not interfere with side property setbacks.
- E. No swimming pool shall be constructed within 10 feet of the foundation wall of any dwelling, whether such dwelling shall be on the same premises on which the swimming pool is to be constructed or on adjacent premises.
- F. The Zoning Board of Adjustment may grant a variance from the provisions of this section in the same manner that other variances are granted under Chapter 215, Zoning.

§ 180-6. General construction requirements.

- A. All material used in the construction of a swimming pool licensed hereunder shall be of durable quality and waterproof and so designed as to facilitate its emptying and cleaning. Aluminum paint shall not be used as a finish. The pool's side and bottom shall be smooth and free from cracks and open joints. Inlets shall be so located and spaced as to secure satisfactory dispersion of inflowing waters throughout the pool and to permit the draining, cleaning and disinfection of the bottom and sides. Sand or earth bottom shall not be used.
- B. Ground water pumped to the surface either during construction or for any other maintenance requirements must be directed via flex pipe into the nearest storm drain.

SECTION 2. All ordinances or 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.

On a motion by Sharpless, seconded by Reynolds and carried by all, the public hearing for Ordinance 2016-013 was open to the public.

OPEN PUBLIC HEARING:

Councilman Spark explained that the ordinance would make it necessary for ground water to be directed to a storm drain.

Being no further comment, Mayor Larson asked for a motion to close the Public Hearing. On a motion by Spark, seconded by Sharpless and carried by all, the public hearing closed to the public.

Mayor Larson asked for a motion to adopt.

Final Passage:

DATE: December 14, 2016

MOVED: Spark SECOND: Sharpless

VOTE: Ayes: Spark, Sharpless, Wellington, Reynolds, Mikuliczky
Nays: none Absent: Warr

ORDINANCES:

Second Reading:

ORDINANCE 2016-014

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 64-4 OF THE BOROUGH CODE, ENTITLED "BOAT SLIP PERMIT FEES," TO REVISE THE CONDITIONS APPLICABLE TO SEASONAL PERMITS.

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 64-4 of Article I of the Borough Code of the Borough of Barnegat Light, entitled "Boat slip permit fees," is hereby amended and supplemented to provide as follows:

CHAPTER 64

BOATING

Article I

Public Docks and Wharves

§ 64-4. Boat slip permit fees.

- A. The following fees shall be charged for a permit for the use of the municipal boat slips:
 - (1) Seasonal boat slip permit. A fee of \$2,100.00 shall be charged for a permit for the use of one municipal boat slip for the entire season (April 1 through December 1 annually, or until vacated, whichever is sooner).
 - (2) Weekly and weekend boat slip permits, if available, may be issued at the discretion of the Borough. A fee of \$100 per week (Saturday through Saturday) shall be charged for the use of one municipal boat slip for one week. A fee of \$50 per weekend (Friday through Sunday) shall be charged for the use of one municipal boat slip for one weekend.
 - (3) A daily fee of \$30 per day shall be charged for the use of one municipal boat slip, if available, during April 1 through December 1.
- B. Permit renewal fee. Any application to renew a boat slip permit must be made and approved prior to January 1 of each year. The Borough reserves the right to withhold any boat slip from being offered for a new or renewal permit.

- C. Refund of permit fee. There shall be no refund of any permit fee or portion thereof for any reason whatsoever once the boat slip permit fee has been deposited by the Borough. In the event a permittee has unusual and extraordinary circumstances, the Borough may, in its sole discretion, allow a permittee to terminate the permit prior to the end of the season. Upon vacation of the boat slip, the Borough may re-permit the slip on a prorated seasonal, weekly or weekend basis. The Borough shall charge a \$100 processing fee for any request to terminate a permit prior to the end of the season, at which time the Borough may return all or part of the remaining pro-rated permit fee to the original permit holder, in the Borough’s sole discretion.

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.

Final Passage:

DATE: December 14, 2016
MOVED: Wellington SECOND: Spark
VOTE: Ayes: Spark, Sharpless, Wellington, Reynolds, Mikuliczky
Nays: none Absent: Warr

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.

BOROUGH OF BARNEGAT LIGHT PAYMENT OF CLAIMS			
THE FOLLOWING IS A BREAKDOWN BY FUND OF THE VOUCHERS SUBMITTED FOR APPROVAL OF PAYMENT ON NOV 9, 2016. ALL VOUCHERS ARE LISTED ON THE SCHEDULED PAYMENT COMPUTER REPORT DATED NOV 9, 2016.			
CURRENT FUND	\$ 1,304,872.45	CURRENT FUND	
		2016 BUDGET	\$ 105,626.28
WATER/SEWER	\$ 88,753.62	2015 BUDGET	\$ -
		REGIONAL SCHOOL TAX	\$ 147,117.00
GEN CAPITAL	\$ 7,700.00	LOCAL SCHOOL TAX	\$ -
		COUNTY TAXES PAYABLE	\$ 1,051,440.57
UTILITY CAPITAL	\$ -	MARR LIC FEES DUE STATE	\$ -
		3RD PARTY CONSTR FEES DUE LBTWP	\$ 688.60
TRUST ACCOUNT	\$ 1,151.96	DCA FEES DUE STATE	\$ -
		CHANGE FUNDS	\$ -
ACCUM ABS ACCOUNT	\$ -	TOTAL CURRENT FUND	<u>\$ 1,304,872.45</u>
OPEN SPACE TRUST	\$ -		
GRANT FUND	\$ 465.70	WATER/SEWER	
		2016 BUDGET	\$ 88,753.62
DOG TAX ACCOUNT	<u>\$ -</u>	2015 BUDGET	\$ -
		TOTAL WATER/SEWER	<u>\$ 88,753.62</u>
TOTAL:	<u>\$ 1,402,943.73</u>		

APPROVED: _____
KIRK O. LARSON, MAYOR
BRENDA L. KUHN
ACTING MUNICIPAL CLERK

Master Water Meter Reading

Reading Date: 12 1 2016
Mo. Day Year

High Bar Harbor

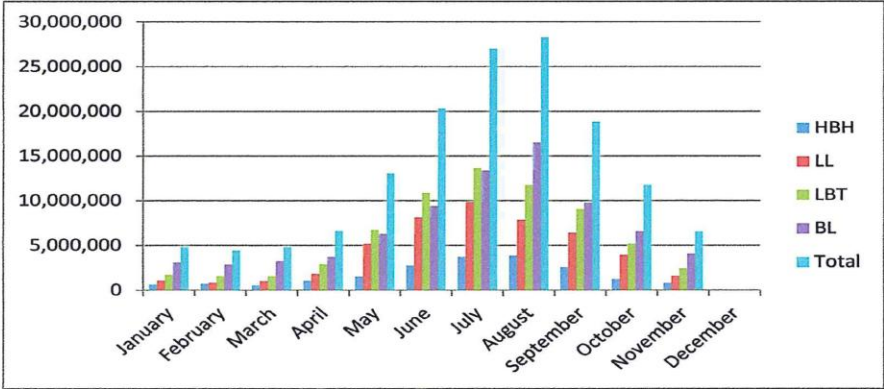
Hersey detector water meter model 8x4 mfm/mct #6018343		
Compound meter #1 (low flow)	93,103,000	gallons
Compound meter #2 (high flow)	2,000	gallons
Sub-Total	93,105,000	gallons
Minus Previous Months Sub Total	92,291,000	gallons
Total This Reading	814,000	gallons

Loveladies North

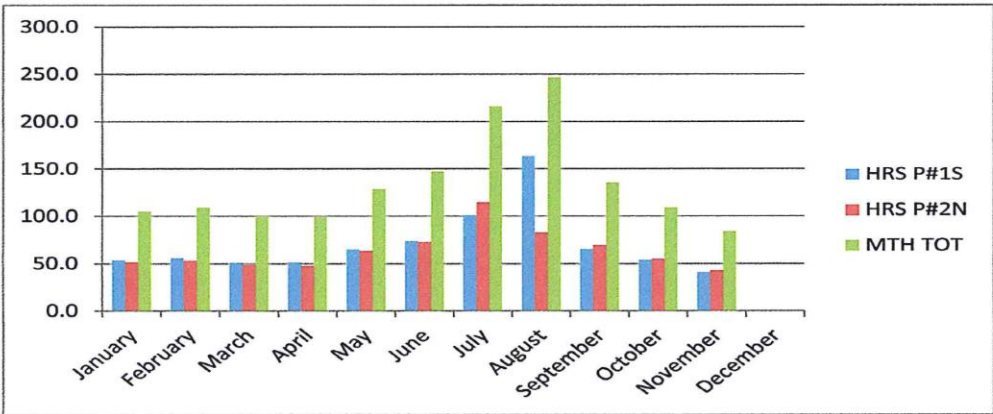
Hersey detector water meter model 8x4 mfm/mct #601344		
Compound meter #1 (low flow)	323,139,000	gallons
Compound meter #2 (high flow)	10,984,000	gallons
Sub-Total	334,123,000	gallons
Minus Previous Months Sub Total	332,507,000	gallons
Total This Reading	1,616,000	gallons
Combined Total	2,430,000	gallons

*Note: Combined Total Includes #62 Holly Drive Usage

Water Usage Chart 2016					
Month	HBH	LL	LBT	BL	Total
January	665,000	1,075,000	1,740,000	3,105,000	4,845,000
February	735,000	850,000	1,585,000	2,870,000	4,455,000
March	576,000	1,002,000	1,578,000	3,266,000	4,844,000
April	1,050,000	1,841,000	2,891,000	3,739,000	6,630,000
May	1,539,000	5,208,000	6,747,000	6,300,000	13,047,000
June	2,774,000	8,124,000	10,898,000	9,413,000	20,311,000
July	3,746,000	9,865,000	13,611,000	13,408,000	27,019,000
August	3,881,000	7,872,000	11,753,000	16,534,000	28,287,000
September	2,604,000	6,435,000	9,039,000	9,800,000	18,839,000
October	1,263,000	3,942,000	5,205,000	6,575,000	11,780,000
November	814,000	1,616,000	2,430,000	4,099,000	6,529,000
December	0	0	0		0
Totals	19,647,000	47,830,000	67,477,000	79,109,000	146,586,000



Sewer Pump Station Data 2016						
Month	HRS P#1S	AVG P#1S	HRS P#2N	AVG P#2N	MTH TOT	YTD
January	53.9	1.7	51.5	1.6	105.4	105.4
February	55.9	1.9	53.3	1.8	109.2	214.6
March	51.0	1.6	48.8	1.5	99.8	314.4
April	51.3	1.7	47.7	1.5	99.0	413.4
May	65.2	2.1	63.6	2.0	128.8	542.2
June	74.0	2.4	73.0	2.4	147.0	689.2
July	101.4	3.2	114.8	3.7	216.2	905.4
August	163.6	5.2	82.9	2.6	246.5	1151.9
September	65.6	2.1	69.8	2.3	135.4	1287.3
October	54.2	1.7	55.1	1.7	109.3	1396.6
November	41.1	1.3	42.9	1.4	84.0	1480.6
December					0.0	1480.6
Totals	777.2	24.9	703.4	22.5	1480.6	



Public Works Dept. Monthly Report 2016

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Tot Hrs Available	488	464	528	504	584	704	824	920	672	504	552		6,744
Full Time Personnel	488	464	528	504	584	704	664	552	504	440	552		5,984
Part Time Personnel	0	0	0	0	0	0	160	368	168	64	0		760
Overtime	62	4	16	0	24	9	4	5	5	17	10		156
Vac & Per Time	0	0	8	168	144	8	128	24	48	16	20		564
Sick Time	8	16	24	20	8	133	0	88	8	0	0		305
Hrs Actually Worked	480	448	496	316	432	563	696	808	616	488	532	0	5,875

Note: Hours worked includes breaks, wash, & clean up time. Approx 1 hr/day

Department	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Water/Sewer	93	51	69	43	100	77	80	82	72	82	44		793
Streets & Roads	41	9	14	5	36	15	70	49	59	17	29		344
Beaches	169	221	213	162	101	188	223	295	224	153	244		2193
Docks	33	28	88	24	31	31	38	38	26	27	40		404
Parks & Playground	13	13	19	13	30	54	40	74	35	22	29		342
Buildings & Grounds	80	78	46	48	92	124	167	208	172	139	114		1268
Education & Training	10	14	15	4	4	12	10	16	8	12	8		113
Other	21	17	12	5	17	28	31	25	3	11	11		181
Recycle	20	17	20	12	21	34	37	21	17	25	14		238

