

**REGULAR MEETING OF MAYOR AND COUNCIL-ZOOM  
JUNE 10, 2020**

**THE CAUCUS MEETING** of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7<sup>th</sup> 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 and was published in the Asbury Park Press and the Beach Haven Times, both newspapers are designated by Mayor and Council to receive such notice.

**ROLL CALL:** Spark was absent, Wellington, Alloway, Reynolds, Foley, and Mikuletzky (arrived at 4:40)

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

**Discussion:** Councilwoman Reynolds said that Dan Krupinski, LBI Health Dept. talked to her about the bay beach and the problem of dogs. There was a discussion that included stronger enforcement, more signage, the harmful effects of very little dog feces. The Council talked about Police and the Code Enforcement Officer patrolling and giving out tickets. Enforcement should be used at the bay beach, the ocean beach and throughout the town.

**Mayor Larson** asked for a motion to close the Caucus. On a motion by **Foley**, seconded by **Reynolds** 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 7<sup>th</sup> 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 and was published in the Asbury Park Press and the Beach Haven Times on January 16, 2020, 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, absent, Wellington, Alloway, Reynolds, Foley, and Mikuletzky

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

**APPROVE MINUTES:** Mayor Larson asked for a motion to approve the minutes of May 13, 2020 regular meeting.

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

**COMMITTEE REPORTS:**

**FINANCE:** Councilman Spark was not present.

**PUBLIC WORKS:** Councilman Wellington said that Public Works had a very busy month. The things he reported are as follows:

- Lifeguard steel building completed and they will start moving their equipment in this week.

- Exterior of the restroom at the pavilion is completed. The fiberglass was picked up today and the interior will be started this week.
- The sidewalks on the north of the pavilion and apron for the driveway are being reconstructed to put in handicap curb ways and a new apron into the parking area.
- The Lifeguard stands are on beach and all the mats and rollups have been installed.
- Another dumpster was removed that was filled with the wood from the boat that went aground at the jetty.
- The lattice was extended on the concrete wall to help the trumpet vine and wisteria grow.
- Repainted the handicap parking space on east 23<sup>rd</sup> Street.
- New surface on pickleball and basketball courts is completed and looks great.
- Garbage cans were placed on the tram trail and they are emptied 3 times a week
- Pavers were installed around the bell stand.

Councilman Wellington said that he forgot to mention in caucus that we just finished resurfacing the skatepark less than a month ago and bicycle pedals are digging and scratching the surface. He said that Stuart ordered 2 new “NO BICYCLES-NO SCOOTERS” signs. He said that we want to protect the surface.

**DOCKS AND HARBORS:** Councilman Alloway asked Kathleen Flanagan the definition of seasonal worker. She said it was someone who comes in for a short period of time during a certain season, probably less than 20 weeks. He said that all but one slip is rented.

**BEACHES AND PARKS:** Councilwoman Reynolds reported on beaches and parks as follows:

- Beaches look beautiful and pristine.
- The price for seasonal badges would be going up to \$40.00.
- The beach badge booth was now open every day and you can also purchase badges on the beach and by using the VIPLY app.
- Beach badge sales were down by \$22,000 and the dog park passes were down by \$900.00
- LIT program was canceled and she added that Long Beach Townships program was also canceled
- The tram would start running on Saturday on the north end but would hold less people.
- There would be a Hazardous Waste collection in Toms River on Saturday
- The lifeguards are ready to start on Saturday and a couple of lifeguards were still in need of housing.

Councilman Wellington said that at the last meeting Council said that the tram wouldn't be running this year due to the virus and it was reported in the paper. Councilwoman Reynolds said that maybe Maria could put something in the paper saying that our tram would be running and also include that dogs aren't allowed on the beaches. Councilwoman Foley said that four lifeguards need a place to stay.

**PUBLIC SAFETY:** Councilman Mikuletzky said he wanted to make the court report a part of the meeting minutes. He stated that the court took in \$268.92 and the Borough kept \$102.50. He said maybe it would pick up now that the lights were on. He cautioned everyone to be careful coming out of the side streets because a lot of people are running the lights.

**WATER/SEWER:** Councilwoman Foley said that all of the catch basins in town were cleaned out and the final paving was completed on East 23<sup>rd</sup> Street. She said that new hydrants were installed and more would be ordered. She announced that we would start handing out new ¾” and 1” meters beginning on July 1<sup>st</sup>. She said that residents or licensed plumbers, representing the residents, could pick up the meters at 11 West 10<sup>th</sup> Street, Monday-Friday from 9am-12pm.

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

Lee Grimmet, 14 East 22<sup>nd</sup> Street, was concerned about the dogs at the kayak and bay beach area and the safety hazard for the kids and grandchildren. He asked to have more signage and thanked the council. Councilman Wellington said that he had two more signs and they were going to be installed at the south end of the bulkhead tomorrow. Councilwomen Reynolds and Foley talked about the checkers and lifeguards having copies of the letter regarding dog feces contamination to hand out and Mayor Larson said that our ordinance already addresses the dogs on all beach areas during the season. Barbara Truncellito, 15 West 8<sup>th</sup> Street, said that she had an encounter with a coyote at her home one night. She said that it was a problem that they are coming into the neighborhoods and felt that they should be removed. Councilwoman Reynolds said that the coyotes are under the jurisdiction of the US Fish & Game and that they would not remove them unless there was a serious problem. Tim Brindley, 1404 Bayview Avenue, said that he walks Wells Mills a lot and he said that the coyotes eat the fruit from the persimmon trees. The Clerk said that Stafford Animal Control was logging the complaints regarding the coyotes and that she spoke to the federal government and they provide a phone number and website regarding coyotes that gave examples on how to deter coyotes. Mayor Larson suggested getting an air horn and the clerk gave other suggestions. Rich Brodman, 4 East 10<sup>th</sup> Street, said that from a medical standpoint that it only took one gram of dog fecal material to contaminate the bay beach. He said that even if 10 to 12 people cleaned up after their dogs, the residue would be enough to have a beach closure. He said that it is a health issue.

Cricket Luker of Wildflowers said there were three things she wanted to talk about. First she asked if she

could store the dog portraits in the new lifeguard storage building. The second topic was outdoor yoga. She said that Tara had been teaching yoga for six years and would like to teach at the pavilion 4-5 days a week for free. She said that they would keep the 6' social distancing inside the pavilion and on the grassy area. The final thing that she mentioned was that she would like to have a virtual fashion show at the pavilion in mid-July. She said that the JCC's Women's Auxiliary approached her about it. Councilwoman Foley wasn't sure what she was asking for. Cricket said the pavilion would be used as a runway and it would be on Zoom or something like it. The Women's Auxiliary would send out invitations to their members. Ann Peavy, 26 West 7th Street, was concerned about the use of sound systems and loud speakers at the pavilion because she lived across the street. She said she hears the music from the golf course every day from 11am-11pm and yoga on Tuesday mornings at 9:00am. She said she didn't want to hear it every morning. Diane Levy said she manages her mother's property at 10 East 8th Street. She thanked the council for not shutting down the tram for the season as previously discussed. She said that she had been walking the beach and picking up debris from the boat accident putting close to the dunes for DPW to pick up. She said it was dangerous because nails were sticking out of the wood. She also asked if 9th Street beach would be guarded. Councilwoman Reynolds said that it would be guarded if there was enough room on the beach. She said that at one point at high tide the water came right up to the dunes. Mayor Larson wanted to talk about the use of the pavilion. He said we didn't have enough time to talk about every day yoga to vote on it. He said that Bob Birdsall, on behalf of Zion Lutheran Church, asked if they could hold church services at the pavilion from 8:30am-10:30 am on Sundays from mid-July through August. The mayor said that right now we would have 1 day of yoga, 1 day of exercise and 1 day of church services at the pavilion. Kathleen Flanagan, CFO, said that as we all know, Ashley Darmon was leaving the Borough. She thanked her for being a wonderful asset to the Borough and wished her much success in her next endeavor. Kat added that Ashley is leaving big shoes to fill and that we love her and she will be greatly missed. Connie Higgins, 10 East 11th Street, asked about the primary election. She wanted to know if voters can go to the polls to vote and the answer was that mail-in ballots were mailed and that is how you have to vote. If you go to the polls, you would have to vote provisionally and it would only count in the event of a tie. She added that the town looks beautiful. John Tennyson said that he agreed that the town looked fantastic.

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

**RESOLUTIONS:**

The clerk said that the resolution would be done by consent agenda. She read each resolution by title and then recorded the votes as follows:

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

**RESOLUTION 2020-88**

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR CONCRETE TO POSCH CONCRETE COMPANY

WHEREAS, The Borough of Barnegat Light has a need to acquire concrete for the Baybreeze Pavilion sidewalk and apron; and

WHEREAS, in May 2020, the Borough solicited written price quotes, received by the Borough as follows:

Posch Concrete Co	\$12,500.00
Griste Concrete	no bid
Dave Hill Masonry	no bid

WHEREAS, said price quotations were solicited by the Borough Superintendent and have been reviewed by the Borough Purchasing Agent, and it has been determined Posch Concrete Company submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$12,500.00; and

WHEREAS, the amount being awarded to Posch Concrete Company, in addition to all other amounts of purchase orders for Posch Concrete within the year has exceeded \$17,500, which in the aggregate categorizes this award as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, Posch Concrete Company has/will have submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit said company from making any reportable contributions through the term of the contract.

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 a contract for concrete for West 6<sup>th</sup> Street to Posch Concrete in the amount of \$12,500.00.
2. That the Business Disclosure Entity Certification be placed on file with this resolution.
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto as required by N.J.A.C. 5:30-5.4. The following line item appropriations or ordinances constitute the availability of funds for this contract: Concert Pavilion Phase 2
4. That a certified copy of this resolution shall be forwarded to Posch Concrete, the Borough Superintendent of Public Works, the Chief Financial Officer and the Purchasing Agent.

**RESOLUTION 2020-089**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF FIRE HYDRANTS**

WHEREAS, The Borough of Barnegat Light has a need to acquire fire hydrants as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.5; and,

WHEREAS, in May 2020, the Borough solicited written price quotes, received by the Borough as follows:

Core & Main	\$19,700.00
Cutter, Drill, & Machine, Inc.	\$24,401.00

WHEREAS, said price quotations were solicited by the Borough Superintendent and have been reviewed by the Borough Purchasing Agent, and it has been determined Core & Main submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$19,700.00; and

WHEREAS, Core & Main has completed and submitted a Business Entity Disclosure Certification which certifies that Core & Main 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 Core & Main from making any reportable contributions through the term of the contract, and

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 enter into a contract with Core & Main for fire hydrants in the amount of \$19,700.00.
2. That the Business Disclosure Entity Certification be placed on file with this resolution.
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto as required by N.J.A.C. 5:30-5.4. The following line item appropriations or ordinances constitute the availability of funds for this contract:
 

2019-12 Hydrant Upgrades	\$19,363.00
Water – Operating Expenses	\$337.00
4. That a certified copy of this resolution shall be forwarded to Core & Main, the Borough Superintendent of Public Works, the Chief Financial Officer and the Purchasing Agent.

**RESOLUTION 2020-090**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT FOR THE PAINTING AND SEALING OF THE PICKLEBALL & BASKETBALL COURT**

WHEREAS, The Borough of Barnegat Light has a need to paint and seal the pickleball & basketball court as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.5; and,

WHEREAS, in May 2020, the Borough solicited written price quotes, received by the Borough as follows:

Advanced Pavement Technologies	\$39,900.00
Parking Lot Services	\$42,850.00

WHEREAS, said price quotations were solicited by the Borough Superintendent and have been reviewed by the Borough Purchasing Agent, and it has been determined Advanced Pavement Technologies submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$39,900.00; and

WHEREAS, Advanced Pavement Technologies has completed and submitted a Business Entity Disclosure Certification which certifies that Advanced Pavement Technologies 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 Advanced Pavement Technologies from making any reportable contributions through the term of the contract, and

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 enter into a contract with Advanced Pavement Technologies for the painting and sealing of the pickleball & basketball court in the amount of 39,900.00.
2. That the Business Disclosure Entity Certification be placed on file with this resolution.
3. That a certificate of availability of funds executed by the Chief Financial Officer is

annexed hereto as required by N.J.A.C. 5:30-5.4. The following line item appropriations or ordinances constitute the availability of funds for this contract:

Upgrades to Public Areas  
Parks & Playgrounds OE

4. That a certified copy of this resolution shall be forwarded to Advanced Pavement Technologies the Borough Superintendent of Public Works, the Chief Financial Officer and the Purchasing Agent.

#### **RESOLUTION 2020-091**

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RE-APPOINTING BRENDA L. KUHN TO THE POSITION OF MUNICIPAL CLERK, AND GRANTING TENURE IN OFFICE.

WHEREAS, Brenda L. Kuhn is currently serving a 3-year term as Municipal Clerk, said term to expire on June 13, 2020; and

WHEREAS, Brenda L. Kuhn has been issued a registered municipal clerk certificate, and is in all other respects fully qualified to hold the position of Borough Clerk; and

WHEREAS, NJSA 40A:9-133.7 provides that any person who shall be reappointed municipal clerk subsequent to having received a registered municipal clerk certificate and having served as municipal clerk for not less than three consecutive years immediately prior to such reappointment shall have acquired tenure and shall hold office during good behavior and efficiency, and shall not be removed therefrom for political reasons but only for good cause shown and after a proper hearing before the Director of the NJ Division of Local Government Services; and

WHEREAS, it is the desire of the Mayor and Borough Council to re-appoint Brenda L. Kuhn as Borough Clerk, granting tenure in office relative to 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 Mayor and Borough Council do hereby re-appoint Brenda L. Kuhn as Borough Clerk, effective immediately, for an indeterminate term subject to tenure as provided by law.
2. That certified copies of this resolution shall be forwarded to Brenda L. Kuhn and the NJ Division of Local Government Services.

#### **RESOLUTION 2020-092**

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT FOR PUBLIC WORKS SUMMER SHIRTS TO SHORE PROMOTIONS IN THE AMOUNT OF \$425.00.

WHEREAS, The Borough of Barnegat Light has a need to acquire summer shirts for the Public Works Department; and

WHEREAS, in May 2020, the Borough received a price quote from Shore Promotions in the amount of \$425.00; and

WHEREAS, said price quotations were solicited by the Borough Purchasing Agent, and it has been determined Shore Promotions submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$425.00; and

WHEREAS, the amount being awarded to Shore Promotions, in addition to all other amounts of purchase orders for Shore Promotions within the year has exceeded \$17,500, which in the aggregate categorizes this award as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, Shore Promotions has/will have submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit said company from making any reportable contributions through the term of the contract.

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 a contract for Public Works Department summer shirts to Shore Promotions, in the amount of \$425.00.
2. That the Business Disclosure Entity Certification be placed on file with this resolution.
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto as required by N.J.A.C. 5:30-5.4. The following line item appropriations or ordinances constitute the availability of funds for this contract:  
Water OE
4. That a certified copy of this resolution shall be forwarded to Shore Promotions, the Borough Superintendent of Public Works, the Chief Financial Officer and the Purchasing Agent.

#### **RESOLUTION 2020-093**

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT FOR VOICE CONNECTIVITY SERVICES & EQUIPMENT TO ALL COVERED IN THE AMOUNT OF \$7,439.00.

WHEREAS, The Borough of Barnegat Light has a need to acquire voice connectivity services and equipment; and

WHEREAS, in May 2020, the Borough received a written price quote from All Covered, a division of Konika Minolta Business Solutions USA Inc., in the amount of \$7,439.00, of which \$4,334 for labor is covered under the ESCNJ Co-op purchasing program; and

WHEREAS, said price quotation has been reviewed by the Borough Purchasing Agent, and it has been determined All Covered submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$7,439.00; and

WHEREAS, the amount being awarded to All Covered, in addition to all other amounts of purchase orders for All Covered within the year has exceeded \$17,500, which in the aggregate categorizes this award as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, All Covered has/will have submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit said company from making any reportable contributions through the term of the contract.

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 a contract for voice connectivity services and equipment to All Covered, a division of Konika Minolta Business Solutions USA Inc., in the amount of \$7439.00.
2. That the Business Disclosure Entity Certification be placed on file with this resolution.
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto as required by N.J.A.C. 5:30-5.4. The following line item appropriations or ordinances constitute the availability of funds for this contract:

Mayor & Council OE, Municipal Clerk OE, Financial Administration OE, Tax Collector OE, Tax Assessor OE, Planning Board OE, Zoning Board OE, Construction Code Office OE, Emergency Management OE, Streets & Roads OE, Public Buildings & Grounds OE, Parks & Playgrounds OE, Lifeguards OE, Beachfront Maintenance OE, Public Docks OE, Celebration of Public Events OE, Municipal Court OE, Water OE, Sewer OE

4. That a certified copy of this resolution shall be forwarded to All Covered, a division of Konika Minolta Business Solutions USA Inc., the Borough Superintendent of Public Works, the Chief Financial Officer and the Purchasing Agent.

#### **RESOLUTION 2020-094**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$634,428.23**

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 \$634,428.23 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 2020-095**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF LIT REGISTRATION FEES**

WHEREAS, the fee for registration for the Barnegat Light's LIT program is \$100.00; and

WHEREAS, 34 participants paid for the Barnegat Light LIT program; and

WHEREAS, the program has been cancelled for 2020 due to COVID-19; 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 a certified copy of this resolution shall be forwarded to the Barnegat Light Chief Financial Officer.
2. That the Barnegat Light Chief Financial Officer be authorized to refund the \$100 registration fee for all participants that have paid.
3. That the refund be mailed to:  
Participants on attached schedule A

#### **RESOLUTION 2020-096**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING LIFEGUARDS FOR SUMMER 2020**

WHEREAS, the Borough of Barnegat Light is in need of lifeguards for summer 2020; 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 approve the list of 2020 lifeguards:

Adams, Donald	\$985.00	\$985.00
Caffrey, Scott	\$910.00	\$910.00
Schulze, John	\$825.00	\$825.00

Adams, Donald P	\$595.00		\$595.00
Anthonsen, Lars	\$440.00		\$440.00
Balla, Hannah	\$470.00		\$470.00
Baxter, Andrew	\$595.00		\$595.00
Brown, Lenny	\$450.00		\$450.00
Caffrey, Carson	\$470.00		\$470.00
Coughlin, Gregory	\$540.00		\$540.00
DiAntonio, Christian	\$515.00	\$15.00	\$530.00
Dolan, Michael	\$450.00		\$450.00
Dolan, Taylor	\$470.00		\$470.00
Heffernan, Amanda	\$460.00		\$460.00
Heffernan, Elizabeth	\$480.00		\$480.00
Horner, Madeline	\$470.00		\$470.00
Hogarty, Jack	\$440.00		\$440.00
Kay, Jennifer	\$510.00		\$510.00
Keller, Joseph	\$440.00		\$440.00
Kelly, James	\$440.00		\$440.00
Kohl, Zachary	\$560.00		\$560.00
Larralde, Alex	\$480.00		\$480.00
Lavery, Gwyneth	\$450.00		\$450.00
Leonard, Isabella	\$450.00		\$450.00
Livesey, Seth	\$595.00		\$595.00
Luckangelo, Nick	\$450.00		\$450.00
Massa, Anthony	\$540.00		\$540.00
Mumau, Rachel	\$470.00		\$470.00
Narleski, Jaclyn	\$460.00		\$460.00
Narleski, Julie	\$440.00		\$440.00
Naughton, Kathryn	\$440.00		\$440.00
Paglialunga, Michael	\$450.00		\$450.00
Patterson, Kady	\$470.00		\$470.00
Patterson, Laura	\$485.00	\$15.00	\$500.00
Pecci, Nolan	\$470.00		\$470.00
Pettit, Grace	\$460.00		\$460.00
Powell, Ava	\$440.00		\$440.00
Pley, Caroline	\$440.00		\$440.00
Prescott, Ellis	\$440.00		\$440.00
Rhatican, Tyler	\$440.00		\$440.00
Rogers, Charles	\$440.00		\$440.00
Ross, John	\$595.00		\$595.00
Salamy, John	\$450.00		\$450.00
Sheilds, Hugh	\$440.00		\$440.00
Schulze, Gavin	\$440.00		\$440.00
Schumann, Ava	\$450.00		\$450.00
Schweitzer, Lindsey	\$440.00		\$440.00
Selfridge, Hobson	\$490.00		\$490.00
Selfridge, Robert,	\$595.00	\$15.00	\$610.00
Slahetka, Elizabeth	\$480.00		\$480.00
Slahetka, Theodore	\$490.00		\$490.00
Staller, Sophia	\$450.00		\$450.00
Stumpf, Juliana	\$440.00		\$440.00
Thomas, Ashley	\$450.00		\$450.00
Toledo, Hailey	\$440.00		\$440.00
Walsh, Stephen	\$460.00		\$460.00
Westerberg, Zakarias	\$530.00		\$530.00
Wierman, Luke	\$460.00		\$460.00
Wierman, Nicholas	\$490.00		\$490.00
Wiles, James	\$550.00		\$550.00

**RESOLUTION 2020-097**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A REFUND FOR A RECREATIONAL USE APPLICATION**

WHEREAS, Julianne Giacomarro applied to have a wedding ceremony at the Bay Breeze Park Pavilion on September 12, 2020; and

WHEREAS, the application was submitted with the \$50.00 application fee; and

WHEREAS, the application was approved by Borough Council on September 11, 2019; and

WHEREAS, Julianne Giacomarro paid the \$200.00 permit fee and the \$500.00 security deposit; and

WHEREAS, in light of the COVID-19 pandemic, Julianne Giacomarro has requested a refund of a monies paid; 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 permit fee and the security deposit in the amount of \$700.00
2. Certified copies of this resolution will be forwarded to the Barnegat Light Finance Department and to the Recreation Use File
3. That the check be made payable and sent to:

Julianne Giacomarro  
40 Hillside Ave.  
Allendale, NJ 07401

**RESOLUTION 2020-098**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING SEASONAL WORKERS**

WHEREAS, the Borough of Barnegat Light is in need of seasonal employees for the 2020 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.

BEACH BADGE CHECKERS at \$12.00 per hour

Sophia Kirby  
Valerie George

**ORDINANCES:**

**INTRODUCTION:**

**First Reading:**

Ordinance 2020-10 was read by title.

**BOND ORDINANCE NO. 2020-10**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$410,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$356,250 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY

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

**INTRODUCTION:**

**First Reading:**

Ordinance 2020-11 was read by title.

**BOND ORDINANCE NO. 2020**

ORDINANCE PROVIDING FOR THE PURCHASE OF WATER/SEWER UTILITY VEHICLES AND HEAVY EQUIPMENT, APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark						X
Wellington				X		
Alloway		X		X		



Reynolds	X			X		
Foley				X		
Mikuletzky				X		

**Second Reading:**

Ordinance 2020-09 was read by title and the Clerk said that there would be a public hearing.

The Mayor asked for a motion to open the public hearing. On a motion by Reynolds, seconded by Foley the ordinance 2020-09 was open to the public.

Public Hearing: Councilwoman Reynolds explained that this ordinance was just updating some of the language and rules and regulations that were in place for many years and outdated. There was no comment from the public.

Mayor asked for a motion to close the public hearing. On a motion by Foley, seconded by Wellington, the public hearing was concluded. Mayor Larson asked for a motion to adopt.

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

**ORDINANCE 2020-09**

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 144 THE BOROUGH CODE, ENTITLED “RECREATION AND PUBLIC RESORT AREAS,” TO PROVIDE FOR VARIOUS REVISIONS OF THE BOROUGH’S BEACH REGULATIONS.

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. Article I (entitled “Beaches,”) of Chapter 144 (entitled “RECREATION AND PUBLIC RESORT AREAS,”) of the Borough Code of the Borough of Barnegat Light, is hereby amended and supplemented to provide as follows:

Chapter 144

RECREATION AND PUBLIC RESORT AREAS

Article I

Beaches

§ 144-1 Findings

The cost of maintaining the public bathing beaches within the Borough has greatly increased due to the unprecedented increase in the number of persons using the beaches, and it is the considered opinion of the Mayor and Council that the cost of maintaining such beaches in a clean, healthy and safe manner should be borne by those desiring to use the beaches.

§ 144-2 Establishment of Beaches and Bay areas.

Borough Beaches are hereby established for the public health, recreation and entertainment, including beaches, bathing and recreational facilities, safeguards and equipment.

The regulations hereinafter set forth shall apply to the beach and bay areas of the Borough, which areas are hereby defined and declared to be:

- (1) All of those areas of land along the oceanfront, bay front or inlet front owned by the Borough.
- (2) All those areas of land along the oceanfront, bay front or inlet front wherein the Borough has control of the use by easement, deed or common consent or the prescriptive right of the public.
- (3) All other areas set apart by consent of the owners where protected bathing areas have been or are established.
- (4) Public street ends on the bay front, inlet front or oceanfront-

§ 144-3 Safeguards.

A. It is hereby declared that the use of such areas for recreational purposes is a desirable and healthful activity, but certain conduct and behavior in such areas involves hazard to life, safety and morals and, for the protection of the public and of individual members thereof, needs to be regulated. In doing so the Borough strives to maintain such risks within reasonable and acceptable limits, but is unable to eliminate them, and does not assume the risks involved.

B. The Borough shall acquire, construct, use and maintain such beaches, bathing and recreational facilities, safeguards and equipment as shall be necessary for the proper establishment and maintenance of the Borough Beaches.

C. The Borough shall have the right and authority to purchase, rent or otherwise acquire lifeboats, ropes, poles and other safeguards and equipment for recreation, protection and safeguard of those persons utilizing the Borough’s Beaches.

D. Foot protection, which may include shoes, sneakers, sandals or flip-flops, that adequately protect feet from wood, nails or any other protrusions from the surface of the Borough's beach access walkways and decks must be worn at all times while traversing the same.

#### § 144-4 Lifeguards

The Borough shall engage, hire and pay such lifeguards and other personnel as shall be required for the proper maintenance of the Beaches.

#### § 144-4.1 Lifeguard-in-Training Program.

There shall be a Lifeguard-in Training Program during the regular season. The season/sessions will be determined by the Lifeguards with consent of Beaches & Parks Committee.

There shall be a \$100.00 application/attendance fee for the session, which shall include clothing supplied by the Borough.

In the case of an additional session, the fee for a participant that attended the first session shall be \$75.00. No additional clothing will be provided.

The fee for anyone participating in only the second session shall be \$100.00. Clothing will be provided by the Borough.

#### § 144-5 Police.

The Borough shall have the right to police the Borough Beaches and to hire, engage and pay such police officers, special policemen and other officers as shall be necessary for the proper policing, supervision and management thereof.

#### § 144-6 Location change.

The Borough reserves the right to establish, change or abolish the precise location of any one or more bathing beaches referred to above, by resolution or order, as safety and attending circumstances shall require and to allocate the beach areas by time and location among bathers, surfers, fishermen and other inconsistent users.

#### § 144-7 RESERVED

#### § 144-8 Fees.

In order to provide the necessary funds to improve, maintain and police the beaches, including the employment of lifeguards and purchase of necessary equipment for the protection and safeguard of bathers, the following fees shall be charged for the facilities:

A. Daily beach badge, or any fractional part thereof, during bathing season: \$5 per day.

B. Weekly beach badge, for any calendar week or any fractional part thereof, during the bathing season: \$22 per person.

C. Preseason beach badge, for the entire bathing season or any fractional part thereof: \$30 per person, provided that application is made to the Borough in the manner prescribed on or before the date determined by the Beaches & Parks Committee and approved by Council annually.

D. Holiday/preseason beach badge (in holiday package), for the entire bathing season or any fractional part thereof: \$32 per person, provided that application is made to the Borough in the manner prescribed on or before December 31, or until supplies last, preceding the bathing season.

E. Seasonal beach badge, for the entire bathing season or any fractional part thereof: \$40 per person, provided that application is made to the Borough in the manner prescribed after the date determined by the Parks & Recreation Committee annually.

F. Children under the age of 12 years: no fee.

G. Adults 65 years of age or older, for a seasonal beach badge: \$12 per person, provided that the applicant furnishes at the time of application appropriate proof of age to the satisfaction of the Borough.

H. Adults 62 years of age or older who have previously obtained a lifetime beach badge pursuant to prior ordinances may continue to use the same for free access to the beach. No such badge, however, shall be issued now or in the future.

I. Persons who meet the disability criteria for disability benefits under Subchapter II of the federal Social Security Act (42 U.S.C. § 401 et seq.): no fee.

J. Persons in active military service in any of the Armed Forces of the United States and their spouse or dependent children over the age of 12 years: no fee.

K. Persons who are active members of the New Jersey National Guard who have completed initial active duty training and to their spouse or dependent children over the age of 12 years: no fee.

L. Persons who have served in any of the Armed Forces of the United States and who were honorably discharged and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of a service-incurred injury or disability: no fee.

M. Persons holding a driver's license or identification card with a Gold Star Family designation issued pursuant to N.J.S.A. 39:3-10f6 or N.J.S.A. 39:3-29.3 (spouse, domestic partner, parent, sibling, child, legal guardian or legal custodian of a member of the Armed Forces of the United States or National Guard, who lost his/her life while on active duty): no fee.

#### § 144-9 Badges and permits.

Except as set forth in § 144-8 above, no person over the age of 12 years shall bathe at or otherwise use the lands, facilities or privileges or any of the Borough bathing beaches without first acquiring and then having on his person a proper and effective badge, license or permit to use the beaches.

#### § 144-10 Transferability of badge.

No privilege, right, badge, ticket or other evidence of right to use the beaches issued or to be issued upon the payment of any of the fees provided for in § 144-8 above shall by any person be sold for a fee, or rented.

§ 144-11 Rules and regulations.

It shall be unlawful for any person on any beach or resort area within the Borough, whether or not designated as a bathing beach or area, to:

- A. Molest, annoy or disturb any person, by physical action or by word of mouth, in the peaceful enjoyment of the places of resort.
- B. Use any loud, profane, offensive or indecent language.
- C. Make any loud noise, sound or music to the annoyance of any other person.
- D. Ball Playing or any other game will be permitted unless it is determined that it may endanger the health or safety of another person or interfere with the enjoyment and quiet use of the beach by other people.
- E. Do anything which shall endanger or be likely to endanger the life or safety of himself or any other person.
- F. Littering.
  - (1) Throw, discard or leave upon any beach any bottle, can or receptacle of any kind which is unsanitary or unsightly or which is detrimental to the health or well-being of the persons using the beach.
  - (2) Dump or throw garbage or other refuse in the water at any beach.
- G. Break, damage, destroy, disfigure or deface any Borough property, sign or equipment which is lawfully upon any beach.
- H. Break, damage, destroy, disfigure or deface any publicly or privately owned property which is lawfully upon any beach.
- I. Ride or operate a surfboard in any area of the beaches not designated for that purpose. The Council, or Lifeguards shall designate areas of the beach for the use of those persons desiring to engage in surfing. In these areas, no bathing or fishing shall be permitted while the areas are being used for surfing. The Council or Lifeguards may change the location of the surfing areas, designate the hours of use of the areas and adopt such other regulations for the management thereof as the public welfare may require.
- J. Surf fish, fish or crab in any area of the beaches not designated for that purpose or within the water areas within which other designated purposes are in progress. The Council, or lifeguards shall designate areas of the beaches for the use of those persons desiring to engage in surf fishing, spear- or goggle fishing or skin or scuba diving. In these areas, no bathing shall be permitted.
- K. Operate any motor vehicle of any kind, type or description without written permission from the proper Borough official.
- L. Sell any food, drink or confection on any beach.
- M. Organize or participate in a beach party, picnic or similar outing.
- N. Possess or consume alcoholic beverages, drugs or narcotics.
- O. Start or maintain any fire without permission by Borough Council and a Fire Permit from the Ocean County Fire Marshal
- P. Take or permit a dog to be on the Borough Beaches commencing April 15 through September 30 of each year.
- Q. Go into the water at any beach:
  - (1) When it is unsafe to do so.
  - (2) When directed by any lifeguard to stay out of the water.
  - (3) When intoxicated or when to any degree under the influence of alcohol or any drug or narcotic.
- R. Remain in the water at any beach:
  - (1) When it is unsafe to do so.
  - (2) When directed by any lifeguard to come from the water.
  - (3) When intoxicated or when to any degree under the influence of alcohol or any drug or narcotic.
- S. Go out in the water at any beach farther than directed by any lifeguard or in violation of any reasonable order of the lifeguard.
- T. Refuse or neglect to obey the orders and directions of any lifeguard as to time, place and distances for bathing or otherwise.
- U. Interfere with or obstruct any police officer, policeman, lifeguard or other officer in the performance of his duties.
- V. Smoking prohibited. Smoking, the burning of a lighted cigar, cigarette, pipe or any other matter or substance which may contain tobacco or any other product and electronic cigarettes (e-cigarettes, vape pens and other vaping device) shall be prohibited on any beach.
- W. Boogie Boards, skim Boards, and inflatable water equipment will be permitted unless it is determined that it may endanger the health or safety of another person or interfere with the enjoyment and quiet use of the beach by other people.
- X. To change clothes, dress, undress or otherwise disrobe, except outer wraps
- Y. To sleep on the beach within the areas defined during any time between 11:00 p.m. and 6:00 a.m.

§ 144-12 Season and time of beach opening.

The Borough Beaches shall be kept open during the usual bathing season in the Borough, which is determined by the Lifeguard Captain with consent of the Beaches & Parks Committee. The hours when the beaches shall be open are from 10:00 a.m. to 5:00 p.m. Daylight Saving Time.

During inclement weather the lifeguard Captain or highest ranking Lifeguard on duty shall have the authority to close the beaches.

§ 144-13 Display of beach badge required.

Each individual upon the beach within the Borough of Barnegat Light shall properly display a Barnegat Light beach badge during the prescribed period that the bathing beach shall be opened to the public.

§ 144-14 RESERVED

§ 144-15 Supervision.

All beaches, bathing beaches and bathing areas shall be under the supervision and control of the Beaches & Parks Committee of the Council.

§ 144-16 Power of Beaches & Parks Committee.

The Beaches & Parks Committee aforesaid shall have the power to define and establish bathing beaches and bathing areas within the Borough and provide rules and regulations in connection therewith and for the use and control thereof.

§ 144-17 Prohibition of fishing.

The Beaches & Parks Committee aforesaid shall have the power to prohibit fishing within certain areas on and along the beaches which are designated for bathing purposes. Fishing within such prohibited areas shall be deemed a violation of this article.

§ 144-18 Posted rules and regulations.

Any rules and regulations promulgated by the Beaches & Parks Committee aforesaid, when posted on any beach or area, shall have the same force and effect as any provision hereof, and the violation thereof shall constitute a violation of this article.

§ 144-19 Violations and penalties.

A violation of this article shall be punishable as provided in Chapter 1, General Provisions, § 1-15.

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.

### **CORRESPONDENCE:**

TravelMag wants to feature Barnegat Light as one of the most charming towns in exchange for a permanent link to the article on our website.

There was a suggestion to move one of the nets on our basketball courts and council said they would stay the way they are now.

The Girl Scout's sent a letter for the Mayor's Challenge. Because of covid, they weren't able to sell as many cookies and they were asking the Mayors and town leader to sponsor cases of cookies to be donated to essential workers in the community. It would teach the girl scouts lessons in leadership and kindness.

There was a request for refund of a beach badge purchase. The CFO said that it was our policy not to give refund and the council all agreed that it would not be refunded.

There was a thank you letter saying thank you for the 1<sup>st</sup> Class Pickleball Courts!

### **MOTION TO ADJOURN:**

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

**APPROVED:**

\_\_\_\_\_  
**KIRK O. LARSON, MAYOR**

\_\_\_\_\_  
**BRENDA L. KUHN, MUNICIPAL CLERK**