

REGULAR MEETING OF MAYOR AND COUNCIL November 14, 2018

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 3, 2018 and was published in the Asbury Park Press on January 8, 2018 and in the Beach Haven Times, both newspapers are designated by Mayor and Council to receive such notice.

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

Also present: Mayor Larson, Terry Brady, and Brenda Kuhn. Kathleen Flanagan arrived at 4:54pm.

Discussion: Mayor Larson asked Councilman Wellington to talk about the fencing project. Councilman Wellington said that his intention was to do the project in 3 phases. He explained that phase one would be to remove the fencing around the corrugated cardboard dumpster and to replace it with chain link fencing. He said that the second phase would be to replace the chain link fencing from the well house to the First Aid building and finally the last phase would be to replace a certain section of the dog park fencing. He said that when he put all the projects together and got quotes from two vendors, one of them was below our threshold and the other above it. He said that he would like to the area around the dumpster and the dog park this year and then in a year do the phase two portion. There was discussion about the project and the use of wood vs chain link fencing and what projects should be done. Mayor Larson said to stay away from the dog park and just do the DPW yard. The next topic was the electronic sign for the Post Office. Councilman Wellington said that the cost was approximately \$20,000. The sign has the capability to have five lines plus graphics and the messages would be controlled by the office staff in Borough Hall. The next topic discussed was the fire inspection services agreement with the county. The controversial part of the agreement was that the county has included resale inspections for smoke alarms, carbon monoxide detectors and fire extinguishers because these things are part of the Borough’s CO inspections for resale. We are waiting to hear from the county if that portion can be removed from the agreement. The Borough wants the county to only be responsible for the lease and rental property inspections. Mayor Larson asked about the water meter project. The CFO said that the first step would be to apply to the Environmental Infrastructure Bank. She said that Frank Little is getting the specs together and then we would go out to bid. The Best Practices List that each municipality had to complete annually was the next topic. The CFO explained that each municipality is require to score a certain percentage in order not to lose state aid.

Mayor Larson asked if all were in favor of closing the Caucus meeting. All were in favor.

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 3, 2018 and was published in the Asbury Park Press on January 8, 2018 and in the Beach Haven Times, 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, Kathleen Flanagan and Brenda Kuhn.

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of October 10, 2018 regular meeting.

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

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky said he would like to make the court report a part of the minutes. He said that the Court collected \$1,653 last month. He stated that \$789.00 was for criminal charges.

WATER/SEWER: Councilwoman Foley said she wanted to make the water sewer report a part of the minutes. She said that she was working with the CFO to get the process going for the water meters. She said that she had a list of 45 meters that aren't on the map and that Eddie would be locating them. The Councilwoman also said that she would be working with the CFO on a water/sewer 10-year infrastructure plan in the near future. She added that the hole on 27th Street would be filled next week.

BEACHES AND PARKS: Councilwoman Reynolds began by reporting on the Beaches and Parks Committee meeting. Some of the things she reported were as follows:

- Beach badge prices were remaining the same and ready for purchase.
- The lifeguard truck will be driven the Ship Bottom Christmas parade.
- The season will begin on June 15, 2019 with a skeleton crew and during the season a couple of beaches may remain open until 6:00pm.
- The guard house rent will remain the same and there may be a \$100 deposit for each renter to ascertain that the house is cleaned and in good condition at the end of the season.
- Guard house needs a new refrigerator and hot water heater.
- 20 new beach wheels and 3 new mobi mats were purchased with CDBG grant money.
- The goal this season is to have a dedicated lifeguard for the bay beach.
- Request for extended tram hours and the need for a tram driver
- DPW would start work on the beaches earlier in 2019 before the piping plovers arrive
- Signage is needed at the tennis courts
- Additional pickleball court
- Skateboard park will stay the same configuration and be repaired

PUBLIC WORKS: Councilman Wellington said reported on the things that were being accomplished by DPW as follows:

- 3 decks have been replaced at the Post Office Building and the front deck would be started in December
- Automatic door openers were installed at the Post Office and Annex doors
- The new fuel tank was installed and operational
- The building at well #4 has been resided with cedar
- All emergency generators have been serviced and ready for emergencies.
- All the hardware and some tools were purchased from the Islander Store and a hardware shop has been built in the maintenance area.
- The seasonal decoration would be installed on the telephone poles soon.
- The outside water has been winterized and the plows are ready.
- The area at 27th Street would cold patched soon.
- Building the restrooms/storage area at the pavilion would be discussed at the budget workshop next week, bidding would be required and the project should begin in February or March.

FINANCE: Councilman Spark said \$158,250 went to pay regional school tax and \$959,797 paid county tax.

DOCKS AND HARBORS: Councilman Alloway said that everything was good at the docks.

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

Tim Brindley asked about the beach badge prices and Councilwoman Reynolds explained that all the price remain the same as last year. Scott Caffrey talked about the skate park and how the kids in town were excited about the possibility of a new one. Frank Cavanno said that he had been working with Scott Sharpless in regards to the skate park and that he believed that \$200,000 was set aside for the skate park. Mayor Larson said the Borough wasn't going to spend \$200,000 on a new park and the Borough may just repair what is there. Barry Mescolotto inquired about the gas station and the Mayor said that he heard that it was for sale.

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

RESOLUTIONS:

The clerk said that resolutions 2018-137 through 2018-144 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			X			
Alloway			X	X			
Reynolds				X			
Foley				X			
Mikuletzky				X			

RESOLUTION 2018-137

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AFFIRMING THE BOROUGH'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS.

WHEREAS, it is the policy of the Borough of Barnegat Light to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the Mayor and Borough Council of the Borough of Barnegat Light have determined that certain procedures need to be established to accomplish this policy; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to affirm the Borough's civil rights policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come municipal employees, officials and volunteers, in accordance with the requirements and model procedures of the Municipal Excess Liability Joint Insurance Fund.

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 hereby affirms the Borough's civil rights policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come municipal employees, officials and volunteers, in accordance with the requirements and model procedures of the Municipal Excess Liability Joint Insurance Fund.
2. No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.
3. The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.
4. Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.
5. The Mayor and Borough Council shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.
6. No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.
7. The Mayor and Borough Council shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.
8. The Mayor and Borough Council shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.
9. At least annually, the Mayor and Borough Council shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.
10. A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.
11. This resolution shall take effect immediately.

RESOLUTION 2018-138

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING AN UPDATED EMPLOYEE HANDBOOK/PERSONNEL POLICY TO INCLUDE OCEAN COUNTY JIF/MEL INSURANCE MANDATORY AMENDMENTS.

WHEREAS, as part of the requirements to be eligible for Insurance Coverage as a member of the Ocean County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, it is necessary for the Borough of Barnegat Light to review and/or update its Personnel Policy annually; and **WHEREAS**, various changes to the EMPLOYEE HANDBOOK/PERSONNEL POLICY are needed as a result of changes in the OCMJIF/MEL requirements.

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 adopt the attached amendment/supplement to the REVISED BOROUGH OF BARNEGAT LIGHT EMPLOYEE HANDBOOK/PERSONNEL POLICY, copies of which are on file in the Borough Clerk's Office.
2. That copies of this resolution and the attached amendment/supplement shall be supplied to all officers and employees of the Borough of Barnegat Light.

RESOLUTION 2018-139

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL/SHARED SERVICE AGREEMENT WITH THE COUNTY OF OCEAN FOR FIRE INSPECTION SERVICES.

WHEREAS, the Borough of Barnegat Light is in need of fire inspection/code services; and **WHEREAS**, it is the desire of the Borough of Barnegat Light to enter into an interlocal/shared service agreement to provide for fire inspections, permits, approvals and certificates to be performed under by the County of Ocean; and

WHEREAS, The Interlocal Services Act, N.J.S.A. 40A:8A-1, repealed, now the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-4, provides that any local unit may enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units, when approved by resolution under N.J.S.A. 40A:65-5.

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. The Mayor and Borough Council of the Borough of Barnegat Light do hereby authorize the execution of a interlocal/shared services agreement with the County of Ocean for fire inspection/code services, in accordance with the attached Shared Services Agreement For Fire Inspection Services, and do further authorize the Fee Schedule attached as Schedule A thereto.
2. A certified copy of this resolution shall be forwarded to the County of Ocean and the NJ Department of Community Affairs.

RESOLUTION 2018-140

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SETTING SALARY OF CERTAIN EMPLOYEE

WHEREAS, there exists a need for construction workers on a temporary basis; and **WHEREAS**, Ordinance 2017-012 allows for the hiring of Construction Leaders; and **NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light that Kenneth Nutt is employed, with title and compensation as listed below:

Construction Leader	Kenneth Nutt	\$35.00 hr
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RESOLUTION 2018-141

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SETTING SALARY OF CERTAIN EMPLOYEE

WHEREAS, Renald H. Nociti was employed as Laborer #1 employee for the Department of Public Works on March 14, 2018 and was subject to the Borough's probationary period of six months; and **WHEREAS**, on September 14, 2018 the probationary period ended; and **WHEREAS**, it is the desire of the Mayor and Council of the Borough of Barnegat Light to increase the salary to the prevailing rate of the Laborer #1 which is currently \$17.10 per hour.

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

1. That Renald H. Nociti salary be increased to \$17.10 per hour retroactively to September 15, 2018.
2. That certified copies of this resolution shall be forwarded to the Chief Financial Officer and to the Municipal Clerk to place in Renald H. Nociti's personnel file.

RESOLUTION 2018-142

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT FOR A FULL COLOR LED SIGN FOR THE BOROUGH HALL TO STEWARD SIGNS FOR \$17,338.00.

WHEREAS, the Borough of Barnegat Light is in need of a full color led sign for the Borough Hall, the cost of which was anticipated to be less than the Borough's formal bidding threshold of \$40,000.00; and **WHEREAS**, in August 2018, the Borough solicited informal price quotes, with the response as follows:

Stewart Signs	\$17,338.00
No other price quotes received	

WHEREAS, said price quotation was taken under advisement and have been reviewed by the Borough Purchasing Agent, and it has been determined that Stewart Signs submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$17,338.00; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for a full color led sign for the Borough Hall to Stewart Signs, who submitted the lowest price quotation 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 Mayor & Borough Council of the Borough of Barnegat Light do hereby award a contract for a full color led sign for the Borough Hall to Stewart Signs at the price of \$17,338.00.
2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Stewart Signs for said project, said agreement to be in conformance with the Borough's specifications and the price quotation submitted by Stewart Signs.
3. That the Borough Treasurer and the Borough Administrator are hereby authorized to issue and execute a purchase order for the same in accordance with said price quotation and the procedures of the Borough Purchasing Policy.
4. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following line item appropriation constitute the availability of funds for this contract:

8-01-44-927-200

5. That a certified copy of this resolution shall be forwarded to Stewart Signs and the Borough Chief Financial Officer.

RESOLUTION 2018-143

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,695,952.99

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 \$1,695,952.99 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 2017-144

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 2018 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:

Construction	OE	8-01-22-195-200	\$ 2,000.00
Tax Collector	S&W	8-01-20-145-100	\$5,000.00
Financial Administration	S&W	8-01-20-130-100	\$ 4,000.00

TO:

Municipal Court	OE	8-01-43-490-200	\$2,000.00
Municipal Clerk	S&W	8-01-20-120-100	\$9,000.00

CORRESPONDENCE: There was a request to trim trees on East 5th Street. There was some discussion about where the trees were and which property they were on. Councilman Wellington said that he would look at the area in question. No decision was made.

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