

REGULAR MEETING OF MAYOR AND COUNCIL
August 14, 2019

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall on January 2, 2019 and was published in the Asbury Park Press and Beach Haven Times on January 10, 2019, both newspapers are designated by Mayor and Council to receive such notice.

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

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

Discussion: Prior to starting the Caucus Meeting the Mayor Larson said that he and the Council wanted to recognized Ed Sulecki upon his upcoming retirement. He said that Ed worked for the Borough for more than 35 years with the last ten years as serving as the Superintendent of the Department of Public Works and the Water/Sewer Department and doing an excellent job. Ed thanked the Borough for the opportunity that was given to him and that he really enjoyed working here for more than half of his life. The Mayor said that Ed knows this town 10 feet under to the top of the water tower and that he really would be missed.

The Mayor introduced Patrolman Neil Rojas of the Long Beach Township Police Department who was at the meeting to speak about LSV, golf carts. The Patrolman came with a handout for the Mayor and Council and proceeded to speak about the issue on behalf of the Police Department. He warned the Council to give this issue careful consideration in terms of liability if they decided to pass an ordinance to allow LSV in our town. There was discussion regarding this topic, pros and cons. Councilwoman Foley recommended that the Governing Body table the adoption of Ordinance 2019-13 Low Speed Vehicles to have more time to consider all the implications that may arise from going against state law to allow LSV in our town. Terry Brady stated that a public hearing was advertised and there were members of the public that were at the meeting. He recommended that the ordinance be opened to the public and then if the council decided to table the vote on the ordinance until next meeting the public hearing wouldn't have to be repeated or re-advertised. Mayor Larson asked if Patrolman Rojas would like to stay for the public hearing. The next topic was regarding pickle ball. A letter was received that requested more pickle ball courts. There was discussion about looking in to a location and budgeting for creating more courts. Mayor Larson said that we received a follow up on the request, that was approved by the GB, regarding a motorized wheel chair. Councilwoman Reynolds said that she saw it and it was great and that it goes through the sand beautifully. Patrolman Rojas recommended that the driver wear a helmet at the minimum.

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

The Mayor had to leave after the caucus meeting, therefore Council President Spark would conduct the regular meeting.

THE MEETING of the Mayor and Council was called to order by Council President Spark at 5:00pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall on January 2, 2019 and was published in the Asbury Park Press and Beach Haven Time on January 10, 2019, both newspapers are designated by Mayor and Council to receive such notice.

PLEDGE OF ALLEGIANCE

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

ROLL CALL: Spark, Wellington, Reynolds, Foley and Mikuletzky, Alloway was absent.

Also present: Terry Brady, Ed Sulecki, Al Morison, Sponge Washburn, Kat Flanagan and Brenda Kuhn

APPROVE MINUTES: Council President Spark asked for a motion to approve the minutes of July 10, 2019 regular meeting.

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

APPROVE MINUTES: Council President Spark asked for a motion to approve the minutes of July 10, 2019 Closed Executive Session.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			

Alloway						X
Reynolds	X		X			
Foley		X	X			
Mikuletzky			X			

TREASURER’S REPORT: Council President Spark asked for a motion to approve the Treasurer’s Report.

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

BUILDING AND ZONING REPORT: Council President Spark asked for a motion to approve the Building and Zoning Report.

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

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky said that he wanted to make the court report a part of the minutes. He said that the court took in \$2033 and the Borough kept \$392.50. He also said the Fish and Game’s portion of that was \$800.

WATER/SEWER: Councilwoman Foley said that she wanted to make the water report a part of the minutes. She said that as expected, July water usage was way up and that a flannel shirt was taken out of the sewer system. She said that she was working with the Taxpayer’s Association to create a survey on the subject of water meter installation.

BEACHES AND PARKS: Councilwoman Reynolds said that beach badge sales were down approximately \$9,000 and that revenue was almost \$220,000. She said that the bay beach had been guarded every day and then she reported on the Beach Patrol report with regard to rescues and injuries. She said that the dog park revenue was slightly down and all of the birds were gone.

FINANCE: Councilman Spark said he didn’t have a lot to report except that one of the big bills this month was for the Regional School system. The CFO added that the audit report would be ready next month.

DOCKS AND HARBORS: Councilman Alloway was absent and no report was given.

PUBLIC WORKS: Councilman Wellington said that he wanted to make the DPW report a part of the meeting minutes. He said that the DPW was very busy. He reported the hours spent working in various areas as follows: 103 water/sewer, 64 streets, 211 beaches, 111 parks and 123 building and grounds.

OPEN PUBLIC SESSION: Council President Spark asked for a motion to open the open public session. There was a motion by Reynolds, seconded by Foley and carried by all.

John Tennyson, 6 West 22nd Street, asked Councilwoman Foley about the water meter project. Councilwoman Foley said that a decision hasn’t been made yet but there were a few options. The options that were discussed included, putting the project out to bid and awarding to the lowest bidder, the Borough giving the property owners a two-year window to have their own plumber install the Borough supplied meter and pit, and the possibility of the Borough hiring laborers to do the job in house. The Councilwoman said that sometime in the fall she could comment further on this topic. Marilyn Wasilewski, 18 West 7th Street, asked if we had fewer lifeguards this year. She said that she heard that some of the beaches weren’t guarded. She also asked if we were keeping up with the salaries. Councilwoman Reynolds replied that we did not have fewer lifeguards and that the salaries are not out of line with the rest of the island. Mrs. Wasilewski also asked if we had a problem getting beach badge checkers and the answer was yes. Rich Brodman, 4 East 10th Street, said he was very apprehensive about having golf carts in town. John Richardson, 809 Central Avenue, asked if any thought has been given regarding the water condition of the bay beach. Councilwoman Reynolds told him that a study was being done. Connie Higgins, 10 East 11th Street, wanted to thank council for the yoga classes. She asked if they would consider adding Thursday afternoons. Dennis Pantzer, 4 East 8th Street, said that he would like to have yoga on Saturdays.

CLOSE PUBLIC SESSION: Council President Spark asked for a motion to close the open public session. There was a motion by Foley, seconded by Reynolds and carried by all.

ORDINANCE:

SECOND READING-PUBLIC HEARING

ORDINANCE 2019-13

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING LOW-SPEED VEHICLES UPON BOROUGH ROADWAYS THAT DO NOT EXCEED 35MPH SPEED LIMITS

OPEN PUBLIC HEARING:

Council President Spark asked for a motion to open the public hearing. On a motion by Wellington, seconded by Foley and carried by all, the public hearing was open.

John Richardson, asked why did we need golf carts in town. Dennis Pantzer, asked if a poll or survey on how many people are interested in passing this ordinance and are we going to change the quality of life for the whole town to please one or two people. He said that they belong on golf courses, and on the streets they are dangerous. He said it poses a particular danger and the council should consider this. Joy Luedke, 7th Street, said she is the person driving around town in a golf cart. She urged the council to pass the ordinance for various reasons. She said that LSV were environmentally, turtle, and pedestrian friendly. Ms. Luedke said that the speed limit should be reduced to 25mph because it makes drivers more aware of the bikes and pedestrians. She said that it is a fantastic idea. James Gutowski Jr., 11 West 28th Street, was at the meeting to support the passage of the LSV ordinance. He said that some of the street ends were overgrown and needed attention. He said it would just lower the speed in town. Sponge Washburn said as Zoning/ Code Enforcement Officer that he would get a lot of complaints if we allowed LSV on Bayview and not on Central Avenue. He said that as an EMT and firefighter, this was discussed at the Fire House and the consensus was that they weren't concerned about the drivers of the golf carts but more concerned about the other drivers that were coming into town from all over and not paying attention to the road. He talked about a rear end collision that occurred in Loveladies and the car was destroyed. He added that if it was a golf cart that was rear ended the occupants would not have survived. John Richardson said that cell phones usage by drivers were a big issue because the golf carts would be vulnerable. Connie Higgins asked about getting to the beach with a LSV when you can only cross Central Avenue at 10th & 20th Streets. She asked how would she do it. Council President explained that we were intending to table the ordinance and Patrolman Neil Rojas, LBTPD, said that if we pass the ordinance, we may be liable if something happens. The Patrolman said that the first step in lowering the speed limit was to write a letter of request to the Ocean County Engineering Department.

CLOSE PUBLIC HEARING:

Being no further public comment, Council President Spark asked for a motion to close the public hearing. On a motion by Wellington, seconded by Reynolds and carried by all, the public hearing was closed.

Council President Spark asked for a motion to table.

TABLE: 2019-13

Final Passage: Date: August 14, 2019

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

RESOLUTIONS:

The clerk said that the resolutions would be done by consent agenda. She read resolutions 2019-098 through 2019-104 by title and recorded the votes as shown below.

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

RESOLUTION 2019-098

RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2020 Road Improvement Project-West 13th Street

WHEREAS, the Governing Body wishes to submit a grant application and execute a grant agreement with the Department of Transportation for the improvement of West 13th Street in the amount of \$444,590.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Barnegat Light, County of Ocean as follows:

1. That the Council formally approves the grant application for the above stated project.

2. That the Mayor, Municipal Clerk and the Borough Engineer are hereby authorized to submit an electronic grant application identified as MA-2020-West 13th Street-00368 to the New Jersey Department of Transportation on behalf of the Borough of Barnegat Light.
3. That the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Barnegat Light and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
4. That three (3) certified copies will be forwarded to the Borough Engineer.

RESOLUTION 2019-99

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING RESOLUTIONS 2019-088 & 2019-092 EMPLOYING LIFEGUARDS FOR SUMMER 2019

WHEREAS, the Borough of Barnegat Light is in need of lifeguards for summer **2019**; and
WHEREAS, the following people are employed as noted with the compensation listed below:

<u>Name</u>	<u>Base Rate</u>	<u>EMT</u>	<u>LIT</u>	<u>Weekly Rate</u>
Adams Donald, E	\$925.00			\$925.00
Caffrey Scott, W	\$850.00	Captain		\$850.00
Adams Donald, P	\$535.00			\$535.00
Adams Douglas, P	\$535.00			\$535.00
Balla Hannah	\$410.00			\$410.00
Baxter Andrew	\$535.00			\$535.00
Brown Leonard	\$390.00			\$390.00
Caffrey Carson	\$410.00			\$410.00
Coughlin Gregory, R	\$480.00			\$480.00
DiAntonio Christian, E	\$450.00	\$15.00	\$20.00	\$485.00
Dolan Michael	\$390.00			\$390.00
Dolan Taylor	\$410.00			\$410.00
Heffernan Amanda	\$400.00			\$400.00
Heffernan Elizabeth	\$420.00			\$420.00
Horner Madeline	\$410.00			\$410.00
Huo Sam	\$410.00			\$410.00
Jacob Brigit	\$390.00			\$390.00
Kay Jennifer, A	\$450.00			\$450.00
Keh Lucas	\$410.00			\$410.00
Kohl Zachary, E	\$500.00			\$500.00
Larralde Alex, J	\$420.00			\$420.00
Lavery **	\$390.00			\$390.00
Leonard Isabella	\$390.00			\$390.00
Livesey Seth, F	\$535.00			\$535.00
Luckangelo Jake, O	\$420.00			\$420.00
Luckangelo Nicholas	\$390.00			\$390.00
Massa Anthony	\$480.00			\$480.00
Mennonna Chiara	\$400.00			\$400.00
Meswani Wilma	\$390.00			\$390.00
Meyer Mackenzie	\$410.00			\$410.00
Mumau Rachel	\$410.00			\$410.00
Narleski Jaclyn	\$400.00			\$400.00
Paglialunga Michael	\$390.00			\$390.00
Patterson Kady	\$410.00			\$410.00
Patterson Laura	\$410.00	\$15.00	\$15.00	\$440.00
Pecci Collin, M	\$450.00	\$15.00		\$465.00
Pecci Nolan	\$410.00			\$410.00
Pettit Grace	\$400.00			\$400.00
Ro Andrew	\$410.00			\$410.00
Ross John	\$535.00			\$535.00
Salamy John	\$390.00			\$390.00
Schiepe Benjamin	\$450.00			\$450.00
Schulze * John	\$735.00*	Lieutenant		\$735.00*
The Lieutenant's increased salary shall be retroactive to June 15, 2019				
Sciubba Robert	\$390.00			\$390.00
Selfridge Hobson, A	\$430.00			\$430.00
Selfridge Robert, J	\$535.00	\$15.00		\$550.00
Schumann Ava	\$390.00			\$390.00
Slahetka Elizabeth, R	\$420.00			\$420.00
Slahetka Theodore, N	\$430.00			\$430.00
Thomas Ashley	\$390.00		\$15.00	\$405.00

Walsh	Steven	\$400.00	\$400.00
Westerberg	Zakarias, D	\$470.00	\$470.00
Wierman	Luke	\$400.00	\$400.00
Wierman	Nicholas, B	\$430.00	\$430.00
Wiles	James P.	\$490.00	\$490.00

NOW, THEREFORE, BE IT RESOLVED that the governing Body of the Borough of Barnegat Light approve the list of **2019** lifeguards:

RESOLUTION 2019-100

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWAL OF MEMBERSHIP IN THE OCEAN MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Barnegat Light Borough is a member of the Ocean Municipal Joint Insurance Fund; and
WHEREAS, said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and
WHEREAS, the Municipality desires to renew said membership;
NOW THEREFORE, be it resolved as follows:

1. The Barnegat Light Borough agrees to renew its membership in the Ocean Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Ocean Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION 2019-101

RESOLUTION OF THE BOROUGH OF BARNEGATLIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2019 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87(CHAPTER 159) FOR THE CLEAN COMMUNITIES GRANT.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any local unit when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and
WHEREAS, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and
WHEREAS, the State Department of Environmental Protection, has approved a grant to the Borough of Barnegat Light under the Clean Communities Program in the amount of \$6,179.72 which has been received; and
WHEREAS, it is the desire of the Borough of Barnegat Light to amend the **2019** municipal budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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 authorize an amendment to the **2019** Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES: (SHEET 9)

3. Miscellaneous Revenues-Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public & Private Revenues Offset with Appropriations:

CLEAN COMMUNITIES PROGRAM \$6,179.72

2. That the Mayor and Borough Council do hereby further authorize an Appropriation of an equal sum under the caption of:

GENERAL APPROPRIATIONS: (SHEET 24)

(A) OPERATIONS – Excluded from CAPS:

Public and Private Programs Offset by Revenues:

CLEAN COMMUNITIES PROGRAM \$6,179.72

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one Copy to the Borough Auditor and the Borough Treasurer.

RESOLUTION 2019-102

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CANCELING VARIOUS GENERAL CAPITAL IMPROVEMENT APPROPRIATION BALANCES FOR COMPLETED PROJECTS

WHEREAS, various General Capital Improvement appropriation balances remain dedicated to projects which have now been completed; and
WHEREAS, it is necessary to formally cancel said balances in order that the unexpended balances may be returned to the General Capital Improvement Fund or credited to Surplus, and any unused debt authorizations may be cancelled; and
WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to cancel the unused and unexpended General Capital Improvement appropriation balances for projects which have now been completed.

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

That the following unexpended and dedicated balances of General Capital Improvement appropriations shall be cancelled:

<u>PROJECT DESCRIPTION</u>	<u>AMT.CANCELLED</u>
Reconstruct W. 19th St	\$ 68,169.95
Reconstruct W. 11 th St	\$ 864.00
Purchase Pick Up Truck	\$ 71.00
Well #2 and Control Room Roof	\$ 50,000.00

1. That any unexpended balances may be returned to the General Capital Improvement Fund or credited to Surplus and any unused debt authorizations may be cancelled.
2. That a copy of this resolution shall be forwarded to the Borough Treasurer and the Borough Auditor.

RESOLUTION 2019-103

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$449,394.47

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 \$449,394.47 be authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

RESOLUTION 2019-104

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY EMPLOYING SUPERINTENDENT OF WATER/SEWER AND PUBLIC WORKS FOR THE BOROUGH.

WHEREAS, Edward Sulecki has decided to retire from the position of Superintendent of the Department of Public Works/ Water & Sewer; and

WHEREAS, the Borough is in need to fill that position; and

WHEREAS, the Borough of Barnegat Light desires to appoint Stuart McGowan as Superintendent of Water/Sewer and Public Works for the Borough of Barnegat Light for Edward Sulecki's unexpired term, ending December 31, 2020.

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 Mayor and Council do hereby appoint Stuart McGowan as Public Works/ Water-Sewer Superintendent for the remainder of the year 2019.
2. Stuart McGowan will be compensated as listed below:

Water/Sewer	\$50,000
Public Works	\$50,000

3. That a certified copy of this resolution shall be forwarded to the Borough Treasurer and Stuart McGowan.

At this time, Councilwoman Foley introduced Stuart McGowan as the new Superintendent of DPW and Water and sewer.

CORRESPONDENCE:

Pre-Wedding Beach Bonfire-Motion by Foley, second by Wellington and carried by all.

Cub Scout Camping on the Beach- Motion by Mikuletzky, second by Reynolds and carried by all.

Presentation: Barnegat Light-The Epic 400 Year Story at the Harvey Cedars Firehouse 8/15/19

Request to close East and West 25th Street for Block Party-Motion by Foley, second by Reynolds and carried by all.

MOTION TO ADJOURN:

Council President Spark asked for a motion to adjourn. On a motion by Wellington, seconded by Foley and carried by all, the Meeting of the Borough Council was closed.

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK

Reports to follow