

**REGULAR MEETING OF MAYOR AND COUNCIL
JANUARY 8, 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 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 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, Wellington, Alloway, Reynolds, Foley, and Mikuletzky

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

Discussion: Mayor Larson said that we wanted to update the Salary Ordinance to add titles and step rates and to update the sick days to make it 10 across the board. Mayor Larson started a discussion regarding pool construction, particularly the pumping of water into the streets in the summer months. Sponge Washburn said that the contractors are running the water down the streets and not into the drains and there have been many complaints. He said that Beach Haven has an ordinance that restricts “de-watering” from June 15 through September 15th. We call it ground water. Mayor Larson said maybe we could do July 1st through Labor Day. There was talk about issuing violations, fees that can be charged by the court, and also shutting down the projects until the contractor goes to court. Sponge said that he needs the contractors contact information for after hours and weekends. He also said that he started having the pool contractor sign and initial a form that states the water must be pumped to the drain. Another problem that he brought up was that it’s not just the water, it’s the crew, trucks, dumping of sand and pavers into the streets which block parking. Mayor Larson said he talked to Stuart about the water problem and Stu suggested requiring the contractors to use silt bags so that the sand doesn’t go into the storm drain and clog the system. Sponge added that Beach Haven requires silt bag filters and maybe we should add it to our swimming pool ordinance. He said that in 2019, 16 pools were put in and approximately 4 are going in now. Sponge said that everyone that puts in a pool also puts in a gas fire pits/fireplace and we don’t have any ordinance on these. He said that he thinks that there should be code requiring the gas fire pits to be 5’ from the property line and 10’ from any structure for safety. Councilwoman Reynolds said that Cricket Luker had ideas for the park which included: An Easter parade/dog walk, artist creating things to put your face in, local artists creating garden sculptures made from recycled materials, community gardens, painting the concrete wall with vines and flowers and talking tours/slide shows. She added that Nancy Gallimore has been all over the world and has some outstanding photographs. She said that Nancy has done presentations for the Ladies Auxiliary.

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

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:00pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the 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.

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, Stuart McGowan, Sponge Washburn and Brenda Kuhn

APPROVE MINUTES:

Mayor Larson asked for a motion to approve the minutes of December 11, 2019 regular meeting.

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

Mayor Larson asked for a motion to approve the minutes of December 19, 2019 Budget Workshop meeting.

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

TREASURER’S REPORT: Mayor Larson asked for a motion to approve the Treasurer’s Report. Mayor Larson asked for a motion to approve the minutes of December 11, 2019 regular meeting.

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			
Alloway			X			
Reynolds		X	X			
Foley	X		X			
Mikuletzky			X			

COMMITTEE REPORTS:

FINANCE: Councilman Spark said that the big ticket items on the bill list were the \$158,000 for the Regional School tax, \$1,013,000 for the County tax and payment to LBTPD was \$162,000, up by 2% per contract.

PUBLIC WORKS: Councilman Wellington reported on the DPW as follows:

- All the Christmas decoration were taken down and put away
- Beach debris collected-trying to stay ahead
- Cutting of the dune fencing at the beach entrances
- Filled potholes
- Skateboard park ramps finished
- Everything left at the non-motorized watercraft area have been removed
- Replace faded signs on Central Ave.

DOCKS AND HARBORS: Councilman Alloway said that the municipal docks were closed therefore he had nothing to report.

BEACHES AND PARKS: Councilwoman Reynolds reported that the revenue for the Paw Passes were down by \$900.00. She said that dog licenses were due this month and that holiday beach badges were still available.

WATER/SEWER: Councilwoman Foley reported the following:

- Authorizing water meters
- Fixed 3 meter pits that were leaking
- Started replacing hydrants, 2 so far and hydrants were painted
- Cleaned up all the Borough catch basins

PUBLIC SAFETY: Councilman Mikuletzky said that he wanted to make the court report a part of the minutes. He reported that the court brought in \$1,192.96 in December. He said the Fish & Game will get \$270.00 of it and the Borough kept \$281.00.

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

CJ Rhodes of Yellow House, PA said she was at the meeting to explain to Mayor and Council about a 3-day Symposium for Integrative Health that she was requesting to have at the Pavilion in June. She explained that they held it in Harvey Cedars for the past 3 years in September and they wanted to move the event to Barnegat Light. Some of the things that were talked about were:

- How to fill out the paperwork/fees per day?
- Availability of the dates
- Partnering with Barnegat Light to waive fees and open event to public?
- Workshops all day
- Attendance 20-40
- Tai Chi, Qigong, and yoga would be offered
- Potluck dinner-not permitted-nearby restaurant could be used
- Where attendees would be staying
- Attorney-groups must make it completely public-if group is charging, Borough must charge
- Parking issues

CLOSE PUBLIC SESSION: Mayor Larson asked for a motion to close the open public session. There

was a motion by Spark, seconded by Mikuletzky 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		X			
Wellington			X			
Alloway		X	X			
Reynolds			X			
Foley			X			
Mikuletzky			X			

RESOLUTION 2020-044

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT OF BIDS FOR PURCHASE OF CHLORINE SYSTEM WITH CONTACT TANK FOR WELL #2 AND REPLACEMENT OF CHLORINE TANKS FOR WELL # 3 AND #4

WHEREAS, the Borough of Barnegat Light is in need of purchasing a Chlorine system with contact tank for well # 2 and chlorine tanks for wells #3 and #4; and

WHEREAS, the anticipated cost of said services is expected to exceed \$40,000.00 so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to advertise for and receive bids for the purchase of water meters in accordance with the specifications prepared by the Borough of Barnegat Light.

WHEREAS, the Borough Engineer will provide, in writing an engineer’s estimate of the cost of the project.

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 does hereby authorize the receipt of bids for the purchase a chlorine system with contact tank for well #2 and chlorine tanks for wells #3 & 4, said bids to be received at the time and place specified in the advertised notice to bidders. The following line item appropriations or ordinances constitute the availability of funds for this contract:

2019-14 Barnegat Light Bond Ordinance

2. That the Borough of Barnegat Light does hereby reserve the right to reject any and all bids as permitted by law.

3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and the Borough Engineer.

4. The Engineer’s Estimate will be attached to this resolution when available.

RESOLUTION 2020-045

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT OF BIDS FOR PURCHASE OF WATER METERS AND A METER READING SYSTEM

WHEREAS, the Borough of Barnegat Light is in need of purchasing water meters and a meter reading system; and

WHEREAS, the anticipated cost of said services is expected to exceed \$40,000.00 so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to advertise for and receive bids for the purchase of water meters in accordance with the specifications prepared by the Borough of Barnegat Light; and

WHEREAS, the Borough Engineer will provide, in writing an engineer’s estimate of the cost of the project.

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 does hereby authorize the receipt of bids for the purchase of water meters and a meter reading system, said bids to be received at the time and place specified in the advertised notice to bidders. The following line item appropriations or ordinances constitute the availability of funds for this contract:

2019-14 Barnegat Light Bond Ordinance

2. That the Borough of Barnegat Light does hereby reserve the right to reject any and all bids as permitted by law.

3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and the Borough Engineer.

4. The Engineer’s Estimate will be attached to this resolution when available.

RESOLUTION 2020-046

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT OF BIDS FOR THE PAVILION RESTROOM PROJECT (Bids 1, 3,4 & 5)

WHEREAS, the Borough of Barnegat Light is in need of a restroom at the pavilion; and
WHEREAS, the acceptance of bids was advertised and no bids were received for bids 1, 3, 4 and 5; and
WHEREAS, the anticipated cost of said project is expected to exceed \$40,000.00 so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and
WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to re-advertise for and receive bids for the pavilion restroom project in accordance with the specifications prepared by the Borough of Barnegat Light.

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 does hereby authorize the receipt of bids for the Pavilion Restroom project, said bids to be received at the time and place specified in the advertised notice to bidders. The following line item appropriations or ordinances constitute the availability of funds for this contract:

2019-03 Barnegat Light Bond Ordinance

2. That the Borough of Barnegat Light does hereby reserve the right to reject any and all bids as permitted by law.

3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and the Borough Engineer.

RESOLUTION 2020-047

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SCHEDULE "C" AGREEMENT WITH THE COUNTY OF OCEAN FOR 2020

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 et seq. authorized the Borough of Barnegat Light to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40-8 requires such a contract to be authorized by resolution or ordinance; and
WHEREAS, it is the desire of the governing body to authorize the execution of a contract with The County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto.

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

1. That the Mayor and Municipal Clerk are hereby authorized to execute a Schedule "C" agreement with The County of Ocean in accordance with the provisions of the law to include \$7,500 for the Road Department and \$2,500.00 for the Engineering Department for a total sum not to exceed \$10,000.00. A copy of the said agreement is attached hereto and made part hereof as Schedule "C".
2. This agreement is for the period January 1, 2020 to December 31, 2020.
3. That a copy of this agreement referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's office during normal business hours.

RESOLUTION 2020-048

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF BARNEGAT LIGHT TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE TOWNSHIP OF STAFFORD FOR MEMBER PARTICIPATION IN THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM (ID #33-OCPCPS)

WHEREAS, N.J.S.A 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Stafford, hereinafter referred to as the Lead Agency" has offered voluntary participation in a cooperative Pricing System for the purchase of goods and services; and

WHEREAS, the Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey duly considered participation in a cooperative pricing system for the provision and performance of goods and services;

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

1. The Borough is hereby authorized to enter into a cooperative purchasing agreement with the Lead Agency, Stafford Township, for the purchase of goods and services, providing Certifications of Funds by the Borough Chief Financial Officer is on file.
2. The Lead Agency, Stafford Township, shall be responsible for complying with the provisions of

the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

3. That a certified copy of this resolution be forwarded to the Borough Clerk, the Chief Financial Officer, the Qualified Purchasing Agent and that two certified copies of this resolution be forwarded to Stafford Township.
4. The Borough's Chief Financial Officer is authorized to pay the \$500.00 membership fee to the Township of Stafford Cooperative Pricing System on an annual basis.

RESOLUTION 2020-049

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING DEPOSITS FOR ROAD OPENING PERMIT #19-017G

WHEREAS, Road Opening Permit #19-017W was issued to Salvatore Saia, for Block 23 Lot 13.01, that required a bond/deposit of \$400.00; and

WHEREAS, Salvatore Saia, has asked to have the deposit returned to him and:

WHEREAS, inspections were performed by Stuart McGowan, Superintendent of DPW and Water/Sewer, and his recommendation was to refund the deposits.

THEREFORE, BE IT RESOLVED as follows:

1. That Sal Saia will be refunded \$400.00 for permit #19-017W
2. That the Finance Department will issue the check(s) to:
Salvatore Saia
PO Box 781
Barnegat Light, NJ 08006-0781

RESOLUTION 2020-050

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the Borough of Barnegat Light to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40:8A-4 requires such a contract to be authorized by resolution; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Barnegat Light to authorize the execution of a contract with the Ocean County Board of Health for Animal Facility Services for 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that the agreement entitled "CONTRACT FOR ANIMAL FACILITY SERVICES", be executed by the Mayor and Borough Clerk in accordance with the provisions of law.

RESOLUTION 2019-051

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,491,036.18

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 \$1,491,036.18 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 2020-052

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE CREATION OF MUNICIPAL ZONING BOARDS OF ADJUSTMENT AND FOR THE APPOINTMENTS OF MEMBERS THERETO

WHEREAS, NJSA 40:55D-1 et seq, provides for the creation of municipal Zoning Boards of Adjustment and for the appointment of members thereto; and

WHEREAS, the Zoning Board of Adjustment consists of a seven (7) member board and two (2) alternates; and

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

1. The terms of the regular membership of the Barnegat Light Zoning Board of Adjustments as follows:

Nancy Manookian	term – to expire December 31, 2020
Virginia Fitzsimons	term – to expire December 31, 2021
Mark Finelli	term – to expire December 31, 2021
Kevin Wark	term – to expire December 31, 2022
Lee-Anne Oros	term – to expire December 31, 2022
Nancy Spark	term – to expire December 31, 2023

Kathleen Clark term – to expire December 31, 2023

2. The terms of the alternate membership of the Barnegat Light Zoning Board of Adjustments as follows:

Kathryn Esposito term – to expire December 31, 2021

Tim Brindley term – to expire December 31, 2020

CORRESPONDENCE:

Southern Regional High School Annual Senior Service Day May 28, 2020-Stu will handle Biennial Compliance Report/Coast Guard Cottage report received and due at end of the month. Need pictures of all angles, inside and out of the building and all repairs and updates to the building must be included.

Mayor Larson said that Ron Chaffee passed away. Mr. Chaffee was a resident of High Bar Harbor but was very involved with Barnegat Light. He helped with the Easter Egg Hunt, the Blessing of the Fleet, the Fire House and various other things. The Mayor said that he will be missed very much.

Terry Brady, Municipal Attorney, expressed his appreciation for the re-appointment both personally and professionally.

MOTION TO ADJOURN:

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

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK