

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT APRIL 8, 2015

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 5, 2015 and by mailing a copy of the notice to the Beach Haven Times and Asbury Park Press, newspapers designated by Mayor and Council on January 5, 2015, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 5, 2015.

ROLL CALL: SPARK, SHARPLESS, WELLINGTON, MIKULETZKY, REYNOLDS
ABSENT: WARR ALSO PRESENT: MAYOR LARSON, GAIL WETMORE, RMC, TERRY F. BRADY, ESQ.

Ed Wellington brought up the fact that we do not put fluoride in our water and wondered why. What is the history behind not doing so and why wouldn't we. He spoke to Ed Sulecki and he indicates that there is some natural fluoride in our water. Frank Mikuletzky said he has always been totally against it. From what he remembered years ago about it they could never prove it did anything good. Ed said it is one of the 10 greatest health achievements of the 20th century. He said it is relatively inexpensive. 50 cents to \$3.00 a year per person. He thinks we should look into it. He has heard that if you over fluoridate it can in fact make people ill. Mike Spark said he remembers it coming up but does not remember why or why not we didn't do it. Frank said you don't drink the water as much. There are toothpastes, rinses, etc. Mayor said most people buy bottled water to drink. Scott said there are fluoride drops for children and when their teeth come in you stop it. The mayor spoke of a better way to allow people in the yard to work on the water tower and rules and regs for same. We are planning to have a meeting with all the carriers to discuss ways to improve. Terry said whoever does the damage is responsible for same. Mayor suggested a bond. Terry said that is not an expedient way of handling a claim. We will work on this.

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 New Jersey Open Public Meetings Act by transmitting notice of same to the Beach Haven Times and the Atlantic City Press on January 5, 2015 and by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 5, 2015 Said news papers were designated by Mayor and Council on January 5, 2015, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 5, 2015.

PLEDGE OF ALLEGIANCE

ROLL CALL: SPARK, SHARPLESS, WELLINGTON, MIKULETZKY, REYNOLDS
ABSENT: WARR ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, GAIL WETMORE
BRIAN LOGAN, AUDITOR AND CFO KAT FLANAGAN

THE MAYOR asked for a motion to approve the minutes of the March 11, 2015 regular meeting. On a motion by Spark, seconded by Sharpless the minutes were approved.

MOTION: SPARK

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, MIKULETZKY, WELLINGTON, REYNOLDS
NAYS: NONE ABSTAIN: NONE ABSENT: WARR

TREASURER'S REPORT: On a motion by Wellington, seconded by Reynolds and carried by all the report was approved.

MOTION: WELLINGTON

SECOND: REYNOLDS

AYES: SPARK, SHARPLESS, MIKULETZKY, WELLINGTON, REYNOLDS
NAYS: NONE ABSENT: WARR ABSTAIN: NONE

BUILDING AND ZONING REPORT:

The Mayor asked for a motion to approve the reports. Spark so moved, seconded by Sharpless.

MOTION: SPARK

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, MIKULETZKY, WELLINGTON, REYNOLDS

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

NATIONAL LIBRARY WEEK PROCLAMATION WAS READ AND APRIL 12TH TO 18TH WAS PROCLAIMED SO.

PROCLAMATION

WHEREAS, libraries create potential and possibilities within their communities, campuses and schools;

WHEREAS, libraries level the playing field for all who seek information and access to technologies;

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities;

WHEREAS, libraries and library staff open up a world of possibilities through STEAM programming, Makerspaces, job-seeking resources and the power of reading;

WHEREAS, library staff are trained tech-savvy professionals, providing technology training and access to downloadable content like e-books;

WHEREAS, libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity of socio-economic status;

WHEREAS, libraries and library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE BE IT RESOLVED, that I, Kirk O. Larson, Mayor, proclaim National Library Week, **April 12 - 18, 2015**, in Barnegat Light, New Jersey and encourages all residents to visit the Ocean County Library this week and every week to take advantage of the wonderful library resources available at your library.

KIRK O. LARSON, MAYOR

Borough of Barnegat Light

HEARING 2015 BUDGET

As indicated at the last meeting there is no tax increase this year. Brian Logan explained in a bit more detail. There is also no increase in the water/sewer rates. He also mentioned that the state permits

municipalities that are in good financial condition to do a self review. We have a resolution on the agenda this evening to do so, which we did. You can adopt your budget then adopt the resolution for the self review. Mike Spark asked how this self review is decided. Brian said they break the state up into different groups and each group is looked at every couple of years. They make a determination of whether or not you or eligible or ineligible. Last year post Sandy they did not give anybody a self review. It is possible we can be a self review again next year.

Mayor asked for a motion to open the hearing. Spark so moved, seconded by Reynolds and carried by all. The question was asked as to what CLF is. Kat said Capital Improvement Fund. Steve Donatos asked about what we put away in surplus. Brian said any budget appropriation is open for a 2 year period. What you don't spend in any given year you have the next 3 months of the following to spend that and after that it lapses back to surplus and can be used to offset future budgets. The public hearing was closed on a motion by Wellington, seconded by Reynolds and carried by all.

Gail read the resolution for adoption of the budget. Reynolds so moved to adopt, seconded by Wellington.

MOTION: REYNOLDS

SECOND: WELLINGTON

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, MIKULETZKY, REYNOLDS

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

Gail thanked Kat for all her hard work and Brian Logan as well.

COMMITTEE REPORTS:

WATER/SEWER: Michael Spark asked to make the water and sewer report a part of the minutes. By the numbers people are starting to come home which is a good sign.

PUBLIC SAFETY: Frank Mikuletzky said the scam is still going on with the IRS. They do not call you on the phone. They only send letters. There is a clothing bin being put in at the borough yard. It will benefit the local PBA. It is behind the cardboard. Megan Keller is coming up for a medicine drop. They might come to the Taxpayers meeting. There is one at the Township Police Station all the time. Frank mentioned the new yield sign at Broadway and Central. The road has been reconfigured to make it safer for pedestrians and bikers. There was a stop sign, but the Mayor lobbied with the county to have the yield sign. There will no longer be a left turn lane onto Central.

DOCKS AND HARBORS: Ed Wellington said thanks to Scott's guys the docks are ready and opened as of April 1st. We have a bunch of new fingers built over the winter. We also put new aluminum gang planks in to replace the old wooden ones. The ramp is ready and will be open this weekend and we still have 3 slips available.

BEACHES AND PARKS: Dottie Reynolds said our beach badges are still ahead of last year. We are about \$1800.00 ahead of 2014. Not as far ahead as we were in March. You can still order your beach roll up walkways. Lifeguard tryouts will be June 6th and applications are in Borough Hall. The guards will be starting June 13th. There will be a mandatory drug test for the guards before they start. The Captain has sent a letter out asking who will be coming back. Getting ready for another nice summer.

PUBLIC WORKS: Scott Sharpless asked to make the public works report a part of the minutes. We are losing Frank from public works and we have a new employee - Willie. The kiddie part on 10th Street is going to be closed down for the next couple of weeks while we rebuild it. We can now order wood chips, etc. because the budget has passed.

FINANCE: George Warr was absent.

OPEN PUBLIC SESSION:

On a motion by Reynolds, seconded by Spark and carried by all the public

session was opened. Tim Brindley said a stop sign ticket is \$80.00. Vince Roth spoke of access to the tower. Why can't we do more. Mayor said the problem is they don't respect anybody. Tim Brindley said that yield sign is great. Ashley Sanchez almost got hit there last summer. We put cones up but people kept stealing them. We lost 15 cones. He said he noticed they did not put an access for 6th street to cross to the opposite side of the road. 6th street is such a heavily traveled area. Being no further comment, on a motion by Spark, seconded by Sharpless and carried by all the public session was closed.

RESOLUTIONS:

RESOLUTION 15-057

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING A WATER/SEWER REFUND
IN THE AMOUNT OF \$32.17**

WHEREAS, Block 14 Lot 15, account # 245-0 also known as 14 West 7th Street had previously had a cut and cap, but paid all water and sewer charges.

WHEREAS, the owner has requested that a refund be issued

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light, that the Tax and Utility Collector be authorized to make the necessary adjustments on the account, to transfer credits to the 2nd half water billing and to refund the difference in the amount of \$32.17

DATED: APRIL 8, 2015

MOTION: SHARPLESS

SECOND: WELLINGTON

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

RESOLUTION 15-058

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ACCEPTING APPLICATION OF ZION EVANGELICAL LUTHERAN CHURCH TO HOLD
RAFFLES IN THE BOROUGH ON MAY 16, JULY 11, OCTOBER 10, 2015 AND WAIVING
FEE PAYABLE TO BOROUGH FOR SAME**

WHEREAS, Zion Evangelical Lutheran Church has made application to conduct raffles in accordance with the Act and Rules and Regulations of the Legalized Games of Chance Control Commission; and

WHEREAS, there is satisfactory proof that the prizes are of the nature and amount allowed by law; and

WHEREAS, in accordance with NJAC 13:47-4.3, fees payable by law, upon findings and determination of the governing body of the Borough of Barnegat Light; and

WHEREAS, the governing body has heretofore waived the payment of any fees payable to the Borough for licenses to conduct raffles on behalf of Zion Evangelical Lutheran Church.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light that upon acceptance of said application to the Legalized Games of Chance Control Commission, the application fee for license payable to the Borough of Barnegat Light be and is hereby waived.

DATED: APRIL 8, 2015

MOTION: SPARK

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

RESOLUTION 15-059

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$1,368,759.00**

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 \$1,368,759.00 be authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

DATED: APRIL 8, 2015

MOTION: WELLINGTON

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

RESOLUTION 15-060

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT
COUNTY OF OCAN, STATE OF NEW JERSEY
FOR SELF EXAMINATION OF THE BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Barnegat Light* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2015 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Barnegat Light* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

DATED: APRIL 8, 2015

MOTION: WELLINGTON

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

ORDINANCES: SECOND READING:

ORDINANCE 2015-002

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONSTRUCTION OF BEACH WALKWAYS AND APPURTENANCES THERETO, AND APPROPRIATING \$200,000.00 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$190,000.00 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME.

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Spark moved to open public hearing, seconded by Sharpless and carried by all. John Tennyson asked if we could post info about the walkways on our web site. Spark moved to close seconded by Reynolds and carried by all. Sharpless moved to adopt, seconded by Mikuletzky.

MOTION: SHARPLESS

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

ORDINANCE 2015-003

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING VARIOUS REPAIRS AND IMPROVEMENTS TO THE 10TH STREET BOROUGH HALL, AND APPROPRIATING \$50,000.00 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$47,500.00 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME.

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Wellington moved to open public hearing, seconded by Reynolds and carried by all. John Tennyson asked if we could post info on our web site. He said he is getting surveys back from the taxpayers and one of them is beach walkways and the appearance of town hall. Sharpless moved to close seconded by Spark and carried by all. Spark moved to adopt, seconded by Mikuletzky.

MOTION: SPARK

SECOND: MIKULETZKY

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

ORDINANCE 2015-004

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO INCREASE THE WATER SERVICE SHUT OFF FEES.

The Clerk read the above by title and number and the Mayor announced it is time to concise same for passage on second reading according to law. Spark moved to open public hearing, seconded by Sharpless and carried by all. This will be on our website as well. Mayor explained why we are doing this. The \$75.00 fee during work hours will stay the same. This is after hours and on weekends. This will just cover our fees for what our labor is when we have overtime. Spark moved to close, seconded by Sharpless and carried by all. Sharpless moved to adopt, seconded by Reynolds.

MOTION: SHARPLESS

SECOND: REYNOLDS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN : NONE

ORDINANCE 2015-005

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO INCREASE THE 16TH STREET WEEKLY USE PERMIT FEE.

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Reynolds moved to open public hearing, seconded by Mikuletzky and carried by all. Mayor explained why we are doing this. Spark moved to closed, seconded by Sharpless and carried by all. Spark moved to adopt, seconded by Sharpless.

MOTION: SPARK

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

CORRESPONDENCE:

Resignation letter was read from Frank Ascolillo in Public Works. Wellington moved to accept, seconded by Reynolds and carried by all. The Mayor said someone asked him if the Cub Scouts could sleep on the beach in June. Scott said it was Susan Sudowski. Mayor said they are not going to have a fire. Dottie asked if they are coming at night. Mayor said they are going to clean the beaches. They want to do some kind of community service. They will wake up in the morning, clean the beaches and go home. No one objected to this. Gail said we need a letter so we can vote on it. Mayor said he wanted to give us a heads up. Scott said she contacted him. We have to have a letter so we can officially vote. We normally do not have scouts camping on the beach in the summer season.

THERE BEING NO FURTHER BUSINESS BEFORE THE COUNCIL, ON A MOTION BY MR. WELLINGTON THE MEETING WAS ADJOURNED.

APPROVED: _____

**GAIL J. WETMORE
MUNICIPAL CLERK**