

REGULAR MEETING OF MAYOR AND COUNCIL JULY 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, REYNOLDS, MIKULETZKY, WARR
ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, ESQ. GAIL WETMORE, RMC**

Mayor Larson asked if the Council wanted to talk about **the** smoking ordinance. George Warr asked if the banning of smoking on the beach was just added to the existing ordinance. Gail said to ask Terry Brady. Terry stated that the only thing that was added to the existing ordinance was banning smoking on the beaches and that was added as letter V on page three. He presented the ordinance in its entirety so both the public and council could see how the smoking ban fit in with the rest of the ordinance.

Mayor Larson asked what was going on with the dredging. Ed Wellington stated that he had tried to reach out to Frank Little today, but did not speak to him. He said he knew it was going to take awhile. Council agreed, at least a year, maybe two.

Scott Sharpless said the kiddie park is done.

Mayor Larson said we have not received anything from the Fire Company about the garage. Frank Mikuletzky said they are moving forward getting notifications on the utilities, they are waiting for clearance from the gas company verifying that there is no gas hooked up to the property. They have the letters for water & sewer and electric company. It will take a couple of weeks for the gas company. The Fire Company is still waiting for the architect's drawings. Michael Spark asked if there were any preliminary sketches. Frank said no, but he did see some things a year ago. There is going to be a block foundation and the rest will be steel. He stated that it is already passed and it is going to happen. Mayor Larson said it is going to be two garage doors and it is only going to be between 16 and 18 feet high.

Mayor Larson said Public Works is going to start installing the carpet in the old Borough Hall. Scott Sharpless said he will tell Ed Sulecki. The local PBA asked if they could use the Administrator/Clerk's office in the old Borough Hall for an office. They would need some filing cabinets and a table. Gail said she has not heard back from the Chief yet. Can it be given to a private entity? We may have to offer it out for bid. Terry Brady will see if it is legal to give it to a private entity rent free. He said the Borough can lease to a non-profit organization or association. An ordinance can be adopted with the details. Michael Spark said he would rather see an educational group use it. Gail said the PBA mainly wants it for storage. In the meantime they are going to put in the new carpet and paint. Ed Sulecki also got bids for the roof and it was put into the budget as a capital project and Scott is looking into solar panels. Dottie Reynolds returned to the Fire Company garage, she would like it to look nice. Scott said we should plant some shrubbery or trees, it will be close enough to the Post Office so the trees will line it on that side and then plant some cedar trees on the other side. Dorothy said the Fire Company should come up with something. Gail said the Fire Company is supposed to show

us the plans. Ed Wellington said the there were people that were concerned at the last meeting and the tax payers deserve to see what it is going to be and that the architect is supposed to be doing a rendition.

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, REYNOLDS, MIKULETZKY, WARR
ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, ESQ., GAIL WETMORE AND KAT FLANAGAN, CFO**

THE MAYOR asked for a motion to approve the minutes of the June 10, 2015 regular meeting. On a motion by Reynolds, seconded by Warr the minutes were approved.

MOTION: REYNOLDS

SECOND: WARR

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

NAYS: NONE ABSTAIN: NONE ABSENT: NONE

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

MOTION: WARR

SECOND: WELLINGTON

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

BUILDING & ZONING REPORT:

The Mayor asked for a motion to approve the reports, May and June reports for Zoning and June report for Building. Wellington so moved, seconded by Sharpless.

MOTION: WELLINGTON

SECOND: SHARPLESS

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

COMMITTEE REPORTS:

WATER/SEWER: Michael Spark said the warmer it gets, the more we use. Six million gallons more used this month than last month and July is usually another eight or nine million used as the summer progresses. We are on track as we were in the past, but he wants everyone to be aware. The water report will be made part of the minutes.

FINANCE:

PUBLIC WORKS: Scott Sharpless said the kiddie park is completed and all of the equipment is in and the people are loving it. Two truckloads of treated woodchips were put down. He thanked Mrs. Brindley for judging

the Independence Day parade. Over 250 participant ribbons were handed out, by far bigger than he has ever seen, easily 600 people. Beach Olympics July 9th on 24th Street beach. The Bullzeye Band played on July 6th and the Kootz concert will be on July 13th. The 2nd annual Discover Barnegat Light Day will also be on July 13th, there will be many events throughout the town. Route maps are available at Borough Hall and at businesses around town. Public Works has been doing a great job. They are building boardwalks and all that is required to replace the boardwalks on 22nd Street. They are also cutting lawns and keeping the town put together. The Mayor asked what is going to happen to the walkways on 10th Street. The existing boardwalk is buried, he asked if a new walkway could be put on top rather than trying to unbury the one that is there. Scott said that would be the logical thing to do. The Mayor just wanted an answer for the residents there. Anything that is not buried will be torn up. Dottie Reynolds and Ed Wellington agreed, the parade was a great success.

DOCKS AND HARBORS: Ed Wellington said the summer has been a little schizophrenic in reference to revenue at the ramp. Last month revenue was up \$800 or \$900 from this time last year, this month revenue is down \$1400 year to date. There are no fish and less activity at the ramp. He reached out to Frank Little about the status of the application for the maintenance dredging permit, but he was unable to reach him. He hopes to have a better report next month. Michael Spark said the booth at the boat ramp had flooded after a rainstorm last week. Ed said Winnie and Ed Kenny are working on replacing the boards that are rotting.

BEACHES AND PARKS: Dottie Reynolds said beach badge revenue is also schizophrenic. Season, senior and weekly badge sales are up. Daily badge sales are down. We are down \$4198 as of July 8th. Scott said it was surprising because the beaches have been packed. The lifeguards had 37 rescues and a total of 51 victims, one broken ankle. She thanked the LIT instructors for having the LIT Tournament on July 7th, all of the island LITs participated which totaled 250 children. Captain Don wanted to give a special thank you to the following: the First Aid Squad for being there and the Fire Company for having a jet ski in the water, to Public Works for completing work at the Lifeguard house and the local landscaper who volunteered his time doing landscaping work, Eric Svelling for his donation to the new lifeboat in memory of his father, the Jazzy Scallop Larson/Puskus Fisheries to their donation to purchase a new IRB in memory of Captain John Larson, Mr. & Mrs. Panacek who had a dinner for the lifeguards on July 7th when they presented the check for the IRB and the ladies at Borough Hall for all they do to get the beach patrol ready for the season and the tax payers for the new beach truck. We need two beach badge checkers, two quit. They do not have to work five days, call Kathy at Borough Hall. The 2nd session of LIT will begin on Monday July 13th and there are openings. Also, a second session of the 10 and 11 year-old program has been added as requested by the parents. The first session was a trial and it went well and was very popular so the second session was added. There are some openings in that program as well. People are requesting the roll-up walkways and we can take orders at this time, however they probably will not be installed this summer. The Bay Beach is open, also the children's park is open, thank you to Scott and Public Works for the new safety features and the handicap equipment is in use. The No Smoking Ordinance is on tonight's agenda. Scott mentioned the Lifeguard Tournament. This year's races are being hosted by Barnegat Light and will be on July 31st and August 1st on the 22nd Street beach.

PUBLIC SAFETY: Frank Mikuletzky said there is nothing to report on the police. He reminded everyone to keep up the safety practices on the whole island with biking with traffic and walking against traffic. He

see skateboarders as a problem because they are going with the walkers but they are going fast like the bikers. He is waiting for an answer from the Police Department as to which rules they should be following. He said people should be aware of all of the activity, including pedestrians crossing at the red lights because they are crossing no matter and not observing the light. He referenced the accident that happened in Harvey Cedars, it was not caused by narrow lanes, it was because a bicyclist was going the wrong way and she received a ticket for it. The water report will be made part of the minutes.

FINANCE: George Warr said the bills for the month were \$279,079, \$102,670 went to the local school district. The Council has put together a budget with no tax increase. The Tax Assessor informed Council that there was a computer conversion error while converting the programs, which changed the category of the tax exempt properties in Barnegat Light and put them on the tax roll. The figure the Council received was an inflated figure of the ratables and the budget was produced using that figure. The error was detected and Kat has been in contact with the Director of Local Finance and our budget will stay intact, but there will be a tax increase, probably 1.7 cents. This way the budget does not have to be redone. The Mayor said if the budget had to be redone temporary tax bills would have to be sent out and then send out the regular tax bills. Kat said she spoke to the Assistant Director, she was told the error caused an \$89 million discrepancy. We still have to raise the same amount of money, we just have less properties to raise it on which would cause the taxes to be raised. She presented the Director with three different scenarios and it was advised that we keep the budget as it is and raise the taxes.

On a motion by Reynolds, seconded by Wellington and carried by all the public session was opened. Craig Mathews, a resident of Loveladies, spoke about the 30th Street beach entrance. He said it was converted after Sandy and is now has dunes with a walkway and it is the only street with rubber mats which are dangerous. Mayor Larson told him they were removed. He said that people were messing with them at night. He and Scott both said they had been staked down and someone ripped them out. Mr. Matthews said he did not think that was the case, he felt they ripped with the stake. He requested permanent or semi-permanent wooden slats. The Mayor told him it is too steep for wooden walkways. He told him the dune was built after Sandy when the water came through and down 30th Street and the residents panicked. Also, as a result of a lawsuit in the past all walkways have to have handicapped access which have a lot of specifications. The other streets were done prior to the lawsuit. Mr. Mathews asked what if there is a solution for elderly people. Scott mentioned that 29th Street is handicapped accessible. Dottie mentioned the beach walkway program, but they would not be ordered for this year. Joseph Cornell spoke about the mats that are at the Bay Beach and feels they should be at every street in Barnegat Light. Scott stated that they are \$8000 for each mat. Mayor Larson does not see a problem because it is just a steep dune whereas a walkway would be more dangerous. Dottie said we should look at it and see if a walkway can be put in someplace and people could purchase the 8' lengths for \$135 and then the Borough puts in the difference to complete the price of \$273 for the roll-up mats. Mr. Cornell also said the LIT Tournament was run very well, but noted that the 10 & 11 year-olds had to participate with the 13 year-olds. He said in the future they should compete separately. Dave Bossi brought up the raccoon problem. There are a lot around 10th & 11th Streets; he asked if the town could be more proactive next year. Mayor Larson said we are catching them and they are being released at the State Park, they are also being caught in High Bar Harbor and released there. He said that is not the answer. Now they had their babies and they cannot be trapped. If they can be taken off the island, he would like to see the town start a program and set aside

\$5000-\$7000 each year and get ahead of the problem. Gail said people have called the Borough Hall and asked for the name of the company we used in the past, but she is not sure what they found out. Ed Wellington said Stafford Animal Control is bound to not take a raccoon more than a half mile from where it is caught. Therefore calling Animal Control is not going to resolve the problem. Steve Danatos invited the Mayor and Council members to the Tax Payer's Association Meet and Greet on Saturday July 11th. He also said there was an Open Space Meeting last week and after he went on the website for the auction for the Coast Guard property. The auction will open on July 24th and requires a \$40,000 deposit to bid and the minimum bid is \$400,000 and in increments of \$20,000 and the Coast Guard can close it down at any time. Gail said there is a resolution that will be voted on at tonight's meeting. Mayor Larson said he was sure that the Coast Guard would notify everyone in advance before they shut it down in case anyone wants to make another bid. He spoke about flood insurance and the community discount and Barnegat Light does not currently qualify for the highest discount, only 10% and there are discounts available up to 25%. He said there used to be someone in the Borough that worked on this, but that person no longer works for the Borough. Gail said the Borough still has someone who works on it. This was brought up at a previous meeting and the reason that we do not get the higher discount is because we do not have a problem. The towns that get the additional discount are raising houses and doing things to fix the problems that they have. Mr. Donatos said from his understanding after looking at the FEMA website is that the qualifications for the higher discount is based on how the town is set up for disaster recovery, not the elevation of the houses. Gail said we had someone here and that is what we had been told. She referred him to Al Oros in the Zoning Department. She realized it seems unfair, but that is how it is set up.

Being no further comment, on a motion by Warr, seconded by Spark and carried by all the public session was closed.

RESOLUTIONS:

RESOLUTION 15-078

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE CANCELLATION AND REFUND
OF WATER & SEWER CHARGES**

WHEREAS, Block 46, Lot 14, account #1009-0, also know as 11 W 24th Street had a cut & cap of the water supply

WHEREAS, the water and sewer bill for the year 2015 in the amount of \$594 was issued and the entire year was paid

WHEREAS, the property owner is not responsible to pay water and sewer charges for the second half in the amount of \$297

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, that the Tax/Utility Collector be authorized to cancel the billing for the second half in the amount of \$297 and for the Finance Office to refund the owner.

DATED: JULY 8, 2015

MOTION: SPARK

SECOND: REYNOLDS

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 15-079

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE CANCELLATION
OF WATER & SEWER CHARGES**

WHEREAS, Block 37, Lot 17, account #820-0, also know as 1907 Seaview Avenue had a cut & cap of the water supply

WHEREAS, the water and sewer bill for the year 2015 in the amount of \$693 was issued

WHEREAS, the property owner is not responsible to pay water and sewer charges after the cut and cap

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, that the Tax/Utility Collector be authorized to cancel the billing from the date of the cut & cap in the amount of \$556.29

DATED: JULY 8, 2015

MOTION: REYNOLDS

SECOND: WARR

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 15-080

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
REFUNDING LIT SESSION # 2**

WHEREAS, the fee for the use of Barnegat Light's LIT program is \$100.00 for one session and an additional \$75 for the second if the child is participating in both sessions; and

WHEREAS, a participant has registered for the second session and cannot attend.

THEREFORE, BE IT RESOLVED that \$100.00 should be refunded to:

Ellen Glyn
26 Heather Lane
Mahwah, NJ 07430

BE IT FURTHER RESOLVED that the Borough Treasurer will issue this check.

DATED: August 12, 2015

MOTION:

SECOND:

VOTE:

AYES:

NAYS: ABSENT: ABSTAIN:

This Resolution was tabled, waiting for clarification of the refund amount. Did the participant register for two sessions and participate in the first session or just register for the second session?

RESOLUTION 15-081

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PARTICIPATION IN THE AUCTION FOR THE PURCHASE OF PROPERTY IN THE BOROUGH OF BARNEGAT LIGHT.

WHEREAS, the Borough of Barnegat Light has an interest in purchasing property as part of the Borough's Open Space Conservation program; and

WHEREAS, an auction of property by the U.S. General Services Administration has been advertised for property designated as Sixth Street & Bayview Avenue, Barnegat Light Block 12, Lot 15; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to authorize the Borough's participation in said auction for the purpose of purchasing the same as part of its Open Space Conservation Program.

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 Borough of Barnegat Light does hereby authorize the Mayor to participate in the auction of property by the U.S. General Services Administration for the purchase of property designated as Sixth Street & Bayview Avenue, Barnegat Light Block 12, Lot 15, as part of its Open Space Conservation program, within the funding limits of Barnegat Light Ordinance 2013-005.

2. That the Mayor and Borough Treasurer are hereby authorized and directed to provide the required \$40,000 deposit funds for said auction event.

3. That the purchase of said property shall be contingent upon the results of said auction, and the procedures required by NJSA 40A:12-1 et seq., for the purchase of property by a municipality.

4. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following line item appropriations or ordinances constitute the availability of funds for this contract:

Barnegat Light Ordinance 2013-005

DATED: JULY 8, 2015

MOTION: SHARPLESS

SECOND: SPARK

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION 2015-082

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ASSIGNMENT OF THE 2013-2017 GARBAGE COLLECTION CONTRACT FROM PINTO BROTHERS DISPOSAL LLC TO MEADOWBROOK INDUSTRIES LLC.

WHEREAS, in 2012 the Borough of Barnegat Light duly advertised for the receipt of bids for a 5-year contract for garbage collection and disposal services; and

WHEREAS, it had been determined that Pinto Brothers Disposal LLC submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$971,573.00 (5 yrs) plus roll-off containers (per load); and

WHEREAS, the Borough of Barnegat Light accordingly awarded a contract for garbage collection

and disposal services to Pinto Brothers Disposal LLC, the lowest bidder; and

WHEREAS, the Borough has been informed that Pinto Brothers Disposal LLC has transferred some of its assets (by sale) to Meadowbrook Industries LLC, including the Barnegat Light garbage collection contract; and

WHEREAS, the contract between the Borough of Barnegat Light and Pinto Brothers Disposal LLC provided that:

The bidder may not assign, sell, transfer or otherwise dispose of the Bid or any portion thereof or any right or interest therein. This section is not intended to limit the ability of the successful bidder to assign or otherwise dispose of its duties and obligations under the contract provided that the Borough of Barnegat Light agrees to the assignment or other disposition.

WHEREAS, Meadowbrook Industries has supplied the Borough with all appropriate documentation in order to secure the Borough that the Pinto contract will be adequately performed by Meadowbrook, in accordance with the bid requirements and the requirements of the Local Public Contracts Law; specifically, that Meadowbrook has provided the Borough with its Renewable Performance Bond, its Certificate of Liability Insurance, its Certificate of Public Convenience and Necessity/A-901 Approval Letter, its Statement of Bidder's Qualification, Experience and Financial Ability with credit references and most current balance sheet annexed, its most recently filed 2014 Annual Report, its Stockholder Statement of Ownership, its Affirmative Action Affidavit and Statement with Certificate of Employee Report attached, its Vehicle Dedication Affidavit, and its Non-Collusion Affidavit; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to authorized the assignment of the 2013-2017 contract for garbage collection and disposal services from Pinto Brothers Disposal LLC to Meadowbrook Industries LLC.

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 of the Borough of Barnegat Light do hereby authorized the assignment of the 2013-2017 contract for garbage collection and disposal services from Pinto Brothers Disposal LLC to Meadowbrook Industries LLC.

2. That the Borough's consent to the assignment of the 2013-2017 contract for garbage collection and disposal services from Pinto Brothers Disposal LLC to Meadowbrook Industries LLC is subject to receipt of NJDEP approval of the same and an executed assignment from Pinto Brothers Disposal LLC to Meadowbrook Industries LLC.

3. That Meadowbrook Industries LLC shall be subject to all terms, conditions, rules and regulations set forth in the original contract with Pinto Brothers Disposal LLC.

4. That certified copies of this resolution shall be forwarded to the Chief Financial Officer, to the Borough Superintendent of Public Works, to the Borough Recycling Coordinator to Pinto Brothers Disposal LLC, to Meadowbrook Industries LLC and to the NJDEP.

DATED: JULY 8, 2015

MOTION: REYNOLDS

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, WELLINGTON, REYNOLDS, MIKULETZLY, WARR

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION 15-083

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$279,079.23**

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 \$279,079.23 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.

DATED: JULY 08, 2015

MOTION: WARR

SECOND: WELLINGTON

VOTE:

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 15-084

**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 2015 season; and

WHEREAS, the following person is 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 following employee.

TRAM DRIVER: TERRY SCHOENBACH \$15.00/HR

DATED: JULY 8, 2015

MOTION: REYNOLDS

SECOND: WELLINGTON

VOTE: AYES: SPARK, WHARPLESS, WELLINGTON, REYNOLDS, MIKULETZKY, WARR

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCES:

SECOND READING:

ORDINANCE 2015-006

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 32 OF THE BOROUGH CODE, ENTITLED "OFFICERS AND EMPLOYEES" TO CREATE THE POSITION OF SAFETY OFFICER.

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. Mikuletzky moved to open public hearing, seconded by Reynolds and carried by all. Richard Feehan asked what the Safety Officer is going to be responsible for. Gail answered that our joint Insurance requires that we have a Safety Officer and he will be responsible for all of the

Right to Know and other safety issues. We have always had one, however it was never a paid position. We are the only town that does not pay, it will now be a paid position. It requires a lot of work, including after hours work, which Winnie Smith is currently doing and doing a great job. The Safety Officer has to schedule classes for Blood Borne Pathogens, write up all Fire and First Aid calls. There were no further comments so on a motion by Reynolds, seconded by Spark the public hearing was closed. Mikuletzky moved to adopt, seconded by Reynolds.

MOTION: MIKULETZKY

SECOND: REYNOLDS

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

ORDINANCE 2015-007

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE MANAGED CARE OF FERAL CATS.

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 Spark and carried by all. Dave Bossi asked, in a nut shell what are we doing? Dottie explained that in 2012 a Trap, Neuter, Return program was started on the island, Harvey Cedars was the first town. If someone calls the hotline for a stray, feral cat then they are provided with a trap and shown how to use it or a volunteer will trap it if they are unable. They cats then go to one of the participating veterinarians and they spay or neuter the cat and give them rabies and distemper shots, treated for fleas and micro chipped and then returned to their colony. All kittens go to a foster home until they are three pounds and then go through the same process. All cats are also ear tipped so it is known that they have gone through the program. This program is used world-wide and is the most effective way to reduce the stray cat population. Since it was started in 2012, according to Animal Control records the calls from Long Beach Island have been reduced by 70%. Dave Bossi asked why there is a need for an ordinance if the program has been in place since 2012. Dottie said it puts it place and explains the rules and we will get more help from Animal Control. Mayor Larson asked, what happens if they trap a person's cat. Dottie said they can usually tell and this is why this program is better than Trap & Kill. She added that if cats are not healthy than they are euthanized. Nancy Manookian asked how the cats co-exist with the raccoons and feeding of feral cats. Dottie said they seem to co-exist with everything. Kat Flanagan asked about the reduced vet bills, who pays the bills? Dottie said they are paid by donations through the Long Beach Island Feral Cat Program which receives grants from Philadelphia and the rest is donations. There were no further comments so on a motion by Sharpless, seconded by Mikuletzky the public hearing was closed. Sharpless moved to adopt, seconded by Reynolds.

MOTION: SHARPLESS

SECOND: REYNOLDS

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

ORDINANCE 2015-008

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROHIBITING SMOKING ON THE BOROUGH BEACHES

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. Sharpless moved to open public hearing, seconded by Reynolds and carried by all. John Tennyson thanked Gail for distributing his email to the

Mayor and Council which was the results of a survey conducted by the Tax Payer's Association. It was done to assist in the decision making process. There was a high response rate to the survey. He read the results to the audience. 73% supported a total ban, 19% supported a partial ban, which would be to allow smoking outside the flag area and 8% opposed any ban. Nancy Manookian asked how the ban will be enforced. Mayor Larson the lifeguard would have to be notified and they would notify the Captain or Lieutenant on duty and they would approach the smoker. Hopefully just having the ban will make people not do it. Terry Brady said one of the reasons why it was added to the list in the ordinance the way it was, was so it can be enforced the same way the other restrictions are enforced. For the most part, just knowing that it is not permitted will stop them from doing it. Mayor Larson said it is more to prevent people from smoking and saying that they can because there is not a law saying that they can't. Connie, said it is an unfriendly, unwelcome thing to do. She said we buy badges, we pay taxes here and the ban would say you're not welcome on the beach because you smoke. She said the Borough should first start with enforcing the anti-litter law and put bags at the entrances to the beaches. The Mayor reminded her that it was the smoking ban that was being discussed. She felt it started from the issue of littering. Scott said it is also the smoke. She said the wind takes the smoke and there is no way that people could be affected by the smoke. Nancy Manookian disagreed, she said there are times that she is downwind of the smoke and she has asthma and COPD and she gets the smoke. The mayor and Gail explained that the restrictions in the ordinance are not there to hurt people. Other towns on the island have this restriction and they seem to handling it well. Dave Bossi asked if e-cigarettes are included in the ban, the mayor said no. Dave also asked if there is going to be another sign at the end of the streets. Dottie Reynolds said no, no more signs. Connie asked how people are supposed to know. Gail said they would find a way to let people know. Connie also asked when the first reading was and Gail told her last month, the June meeting. There were no further comments so on a motion by Spark, seconded by Reynolds the public hearing was closed. Spark moved to adopt, seconded by Sharpless.

MOTION: SPARK

SECOND: SHARPLESS

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

The Mayor commented that he had been asked to extend the period that dogs cannot be on the beach to October. He said he spoke to Scott about it. It would require another ordinance with advertising and new signs. Scott said he feels it is more of a problem now than in September. The Mayor said a cop goes up to the beach in the morning and they have given out some tickets. Dottie said maybe when we change the signs again they might consider changing it to October.

THERE BEING NO FURTHER BUSINESS BEFORE THE COUNCIL, ON A MOTION BY FRANK MIKULETZKY, SECONDED BY GEORGE WARR AND CARRIED BY ALL THE MEETING WAS ADJOURNED.

APPROVED: _____

**KATHY J. GUERRERO
DEPUTY CLERK**