

REGULAR MEETING OF MAYOR AND COUNCIL NOVEMBER 11, 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 WAS ABSENT**

ALSO PRESENT TERRY F BRADY, ESQ., MAYOR LARSON, KATHY GUERRERO, DEPUTY CLERK, KAT FLANAGAN, CFO, BRENDA KUHN, TAX COLLECTOR, ASHLEY DARMON, ASSISTANT TREASURER & ELAINE TOLLISON, ADMINISTRATIVE ASSISTANT

The Mayor asked if anyone had anything important that they wanted to talk about. He said he wanted to talk about the dog park. There are enough kids in town now and he feels it is time to bring the baseball field back and move the dog park outside the ball field in a fenced in area. The kids would get the baseball field without doing away with the dog park. Frank Mikuletzky said it could be used for flag football or something like that and the Mayor agreed it could be used for anything. He said comments could be heard during the open public session during the regular meeting. He asked if anyone agreed with him and thought it was a good idea. Michael Spark asked if the new park area would be big enough to handle the dogs in the summer, the Mayor said it would. Ed Wellington agreed, there is plenty of room. The Mayor also said Long Beach Township is opening a dog park so some of our volume may go there. He also mentioned the possibility of charging to use the dog park. Dottie Reynolds asked if reopening the baseball field would affect the helicopter landing area and the Mayor said it would not, the gate will just have to be moved. Dottie also asked if new trees would be planted where the dog park is going to be. The mayor said he was not sure, he was just bringing it up for discussion to see how everyone felt about making the change. He felt we should take care of our residents that want to play baseball, the dog park was only supposed to be a temporary thing. Dottie said it was a trial, it was a successful trial. The Mayor said he was thinking about getting a gate with a card swipe to charge for the use. He mentioned that there is a County dog park in Cape May and they charge \$40 for out of county and \$30 for residents. That would also be something to discuss.

The Mayor said there was not anything else to discuss except the Resolution for a Code Official. He asked if anyone had any problems with that, nobody did. He also mentioned the beach badge fees which were being passed with the adoption of the second reading of the ordinance.

He asked Terry Brady about the Resolution for the closed session and he said that was no longer needed.

Scott Sharpless said that there is a new Public Works employee and he is working out well. Public Works has been building boardwalks, the Mayor and Ed Wellington said they are really nice. 23rd, 22nd, 21st, and 20th Streets are complete as well as a third of 19th St., they are doing about seven sections per day. Scott said the goal is to be done up to 15th St. by the summer.

The Mayor asked Michael Spark about water meters. He asked if everyone

was in agreement to do water meters and Michael said yes. The Mayor said it would help with the sprinklers and that Harvey Cedars said their usage went way down because people realize how much water they are using. Kat mentioned the infrastructure trust loan and said the deadline passed for this year so it would have to wait until next year. Michael said we have the pits in. Kat said the loan gives a huge percentage. The Mayor said they could start with all new homes. Kat said they could pass an ordinance that is required and the Mayor said it would require all new homes to have a meter to get their CO. Michael said they would have to be sure it is the particular meter, they would have to have the brand and specifications before doing the ordinance. Kat suggested that the specifications not be put in the ordinance, in case they change later. She suggested saying the specifications have to be up from the construction office. Michael said the Borough would have to have a spec in hand prior to passing the ordinance. It was agreed that first reading should be in January. Michael said it is only going to state that the meter has to be installed, not include rates because they are not ready for that yet, that will all have to be established after some research is done. Michael said the town is about 95% pitted, the Mayor said the pits are the wrong size and will not fit the new meters. It is going to be a lot of money and Kat said an infrastructure plan will be needed. The Mayor said he would like to start with the ordinance to require the new homes to put in the new meter pits. The new meters will be through Wi-Fi and all meters will be read remotely and be run through our current system and Brenda can run reports each morning and see if there has been a water main break or any other problems. Frank Mikuletzky mentioned that the town should look into replacing waterlines any time a road is going to be repaved. The Mayor said the main road was just paved so they could not rip that up or awhile and Frank said that was the big one.

Mayor Larson then brought up overnight parking for trailers on all County roads and no parking for trailers between June 1st and October 1st on the County roads. We need to ask the County for permission to do this. The Mayor said we need to do a resolution to ask the County to consider it and then deal with the other parking issues over the winter. Michael asked if it would include RVs also, the Mayor said yes. Scott Sharpless brought up crosswalks from 25th to 20th Streets and that the Mayor said he spoke to the County Engineer. The Mayor said he & Ed thought that he was said at the Tax Payer's Association meeting that people did not want them. Ed Wellington said that they thought crosswalks were going to be put in on every street all the way down Central Ave. and they did not want that. Scott said it would only be between 25th and 20th Streets, the mayor said that would be fine and that it is just a matter of calling the County Engineer. Scott said they said they would do it but have not done anything yet. Scott said he would write a letter and the Mayor said he would call.

The Mayor Said the Tax Payer's Association is sending out their annual membership survey and said if the borough has any questions that they would like surveyed then they would include it in their survey. The letter will be mailed out in January.

With nothing further to be discussed at caucus a motion to end the caucus was made by Dottie Reynolds and seconded by Frank Mikuletzky and all were in favor.

THE MEETING of the Mayor and Council was called to order by Council President, Michael 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 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
WARR WAS ABSENT**

ALSO PRESENT: ALSO PRESENT TERRY F BRADY, ESQ., MAYOR LARSON, KATHY GUERRERO, DEPUTY CLERK, KAT FLANAGAN, CFO, BRENDA KUHN, TAX COLLECTOR, ASHLEY DARMON, ASSISTANT TREASURER & ELAINE TOLLISON, ADMINISTRATIVE ASSISTANT

THE MAYOR asked for a motion to approve the minutes of the October 14, 2015 regular meeting. On a motion by Mikuletzky, seconded by Wellington the minutes were approved.

MOTION: MIKULETZKY

SECOND: WELLINGTON

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

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

MOTION: REYNOLDS

SECOND: SHARPLESS

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

BUILDING & ZONING REPORT:

THE MAYOR asked for a motion to approve the reports. Wellington so moved, seconded by Reynolds.

MOTION: WELLINGTON

SECOND: REYNOLDS

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

COMMITTEE REPORTS:

WATER/SEWER: Michael Spark asked to make the report part of the minutes. He said they had a discussion about water meters during the caucus, they are going to start pursuing it and learn as much as they can before they write the ordinance about new properties putting meters in at their curb so they will be in full compliance when the time comes.

PUBLIC WORKS: Scott Sharpless asked to make the Public Works report a part of the minutes. Public Works has been busy building boardwalks and shutting down from the summer, they have been working hard. The Mayor said there have been water leaks, a lot of overtime. There will be a fourth guy who will be officially hired at the meeting, he has been working for a couple of weeks now. Dottie Reynolds asked if the new meters will help with the leaks and the Mayor said they would.

DOCKS AND HARBORS: Ed Wellington said the ramp had another good month and is running at \$35,0000 in ramp fees to date, up about \$1420 over last year at this time. He said it was a great weekend last week and if the fish stay around they should do well. He said the liveries are coming up for re-bidding this year. At the request of both of the current livery lease holders, the lease is going to go from a three year lease to a five year lease. Michael Spark asked if anyone could bid on them, Ed said anyone can bid. The Mayor said the current lessees own

the building and Ed said they also own the boats. He also said if someone else wins the bid then they would have to buy the building and boats from them or have them removed as Michael Spark added. Ed Wellington said that is the main reason that the current guys would like a longer lease, they would not be at risk every three years. The Mayor said they also need to get on the dredging.

BEACHES AND PARKS: **Dottie Reynolds** said they would be having the second reading of the ordinance to increase the beach badge fees at tonight's meeting. She also said that the Beach Committee will be meeting next week with the Lifeguard Captain and Lieutenant to work on schedules for next summer.

PUBLIC SAFETY: **Frank Mikuletzky** said the IRS scam is still going on, he reminded people that if they receive a phone call from the IRS asking for money, hang up and do not give them any information. He mentioned there are all kinds of scams going on and that it is important to be aware. He also reminded everyone that it is a good idea to register for Nixel alerts so they can receive text message for any alerts or emergency situations in the area. There will be no bicycle or pedestrian traffic on the bridge for awhile. There is a bus schedule which is available on the Borough's website and on the bulletin board at Borough Hall. The bus will transport bicyclists and pedestrians on and off the island. The Mayor mentioned another scam dealing with the warranty on your cars, again do not agree to anything over the phone.

OPEN PUBLIC SESSION:

On a motion by Sharpless, seconded by Reynolds and carried by all the public session was opened. Tim Brindley asked what the Master Plan is for the bridge for access across the bridge with a walkway, is it going to be on both sides? The Mayor said the plan is available online and Frank Mikuletzky said he was under the impression, from the meeting that he attended, that the walkway was going to be on one side and bicycle lane on the other side. The Mayor said he did see that in the newspaper last week. John Tennyson said the IRS scam information was put on the Tax Payer's Association's website and they sent it out on Nixel. He also asked the Mayor about two notes that the Tax Payer's Association had sent to the Mayor and Council. The first was requesting permission to put in a free library and they were hoping for an affirmative response and would answer any questions. Frank Mikuletzky asked if what they were looking for is a place to put it and approval and John said they were. It would be just one to start and if it worked they may ask permission later to put in a second one for children's books. Dottie Reynolds said she thought it would be a good idea and suggested putting it near the Post Office. John said that was their first thought and asked if it could be attached to the building or put it by the signboard. Dottie said it may also call attention to the library that is at Borough Hall. It was added that there are some people on the Board of the Tax Payer's Association who would like to come to Borough Hall and rotate the books at Borough Hall into their free library. Dottie asked if Council could do a voice vote so they could proceed, all members of Council were in favor. John added that they would provide immediate corrective action if there was any misuse. He also added that they will evaluate it in six months to see how it is going, if it is working, great, if not they will take it down. The second letter was asking Mayor and Council to think about a question that they would like asked of the residents as part of their annual membership drive. The Mayor said he may want to ask what the Borough should do with the Coast Guard property, but they may get too many varied responses. John suggested that there is ways to ask the question to narrow down the responses. The mayor said we would have to give the parameters of what

it could be used for and let the people know that they would not be able to ask for anything different. John said it is an option that is open to the town and would like them to take advantage of it. Anne Peavy asked if the Mayor and Council would consider what there is in town when deciding what to use the property for. She would like them to strike a balance between what already exists and what they decide to do there. She mentioned how wonderful the concerts are and how beautiful the sunsets are during the concerts at the Bayview gazebo. She suggested making the open space a Veteran's Memorial, a quiet, tranquil park. The Mayor said at this time no decisions are being made, first the buildings and parking lot needs to be removed and they are in the process of getting prices for that. Scott Sharpless said that the concerts are getting bigger and it is becoming a safety issue because people are going into the street and moving the concert area to the property would be much better and it would only be about seven nights during the summer.

Mary Ellen Foley, East 10th St., had two questions. The first question was in regard to the water meters, she said she lives in a two person house with a lot of bathrooms, she asked if there was a way to do a balance between how many people live in a house and how many spigots they have. The Mayor said the bill will only be based on usage, spigot counts will be eliminated. Her second item was a comment about the dog park, she felt that people with big dogs may object to moving the park because the area is not big enough. The Mayor said they are going to do the baseball field and they will work with the area for the dog park. She then asked if they could make a section for small dogs and one for large dogs. The Mayor said he did not see a problem with doing that.

Tim Brindley spoke about the Mayor's comment about possibly putting a bathroom in at the new property, the Mayor said they were thinking about it because they are probably going to have the concerts there. Tim said he thought it would be good to do that along with some benches and then just let the property find its own use. He also brought up the dog park and the Mayor said the town does not have a recreation area because it is being used as the dog park. Tim said the dog park has become a social area as well, the Mayor said he understood and that and the dog park is not going to be taken away, just moved.

Michelle Wellington, west 12th St., thanked the town and the Public Works guys for the beach walkways. She also talked about putting in the crosswalks, she asked if it would necessitate a sign at every crosswalk. The Mayor said no, the town controls that.

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

RESOLUTIONS:

RESOLUTION 2015-111

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT OF BIDS FOR THE LEASING OF CERTAIN MUNICIPAL PROPERTY (LIVERY LEASES).

WHEREAS, the Borough of Barnegat Light owns certain properties as set forth on the Notice To Bidders attached hereto and made a part hereof by reference; and the Mayor and Borough Council have determined that these properties are not needed for public use; and

WHEREAS, N.J.S.A. 40A:12-14 provides that a municipality may lease any lands or buildings or portions thereof not presently needed for public use to the person who will pay the highest rent therefor; and

WHEREAS, the governing body has set a certain price as being the minimum acceptable bid for the leasing of said property, as set forth on the Notice To Bidders attached hereto and made a part hereof.

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 properties set forth on the Notice To Bidders, attached hereto and made a part hereof, shall be offered for a five-year livery lease at public auction to the highest bidder thereon. The minimum bid that shall be accepted shall be as set forth on the Notice To Bidders in regard to each said livery lease. The lease auction shall take place at the time, date and place set forth in the published Notice to Bidders. The proposed Livery Lease forms are attached hereto and made a part hereof by reference.

2. That the Mayor and Borough Council of the Borough of Barnegat Light reserve the right to reject any and all bids on said properties.

3. That a notice of said livery lease auction shall be published in the official newspaper of the municipality by two (2) insertions, at least once a week during two consecutive weeks, the last publication to be not earlier than seven (7) days prior to such auction.

DATED: NOVEMBER 11, 2015

MOTION: MIKULETZKY

SECOND: SPARK

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

RESOLUTION 2015-112

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CONSENTING TO THE PROPOSED WASTEWATER MANAGEMENT PLAN AMENDMENTS TO THE WATER QUALITY MANAGEMENT PLAN.

WHEREAS, the Borough of Barnegat Light desires to provide for the orderly development of wastewater facilities within Ocean County; and

WHEREAS, the New Jersey Department of Environmental Protection requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service area, as well as related subjects, be in conformance with the approved Water Quality Management Plan; and

WHEREAS, the New Jersey Department of Environmental Protection has established the Water Quality Management Plan amendment procedure as the method of incorporating unplanned facilities into a Water Quality Management Plan; and

WHEREAS, a proposed Water Quality Management Plan amendment noticed in the New Jersey Register on October 5, 2015 for the Ocean County Wastewater Management Plan has been prepared by Ocean County.

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 hereby consents to the amendment entitled "Ocean County Wastewater Management Plan," and publicly noticed on October 5, 2015, prepared by Ocean County, for the purpose of its incorporation into the applicable Water Quality Management Plan(s).

2. That this consent shall be submitted to the New Jersey Department of Environmental Protection in accordance with NJAC 7:15-3.4.

DATED: NOVEMBER 11, 2015

MOTION: REYNOLDS

SECOND: WELLINGTON

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

RESOLUTION 2015-113

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE
EXECUTION OF A CHANGE ORDER TO THE EAST 8TH STREET
RECONSTRUCTION CONTRACT FOR FINAL AS-BUILT QUANTITY
ADJUSTMENTS.**

WHEREAS, a contract was previously awarded for the reconstruction of East 8th Street to Earle Asphalt Co., at the price of \$123,813.13; and

WHEREAS, the Mayor and Borough Council wish to authorize a change order to provide for final as-built quantity adjustments, which will result in a decrease in the contract price in the net amount of \$6,475.97; and

WHEREAS, this change order and all other change orders amount to a total less than 20% of the original contract awarded to Earle Asphalt Co. (-5.23% of original contract price); and

WHEREAS, this change order has been recommended by the Borough Engineer and agreed to by the contractor.

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 authorize the execution of Change Order Number 1 to the contract with Earle Asphalt Co., for the East 8th Street Reconstruction Project, to provide for a decrease of the contract price from \$123,813.13 to \$117,337.16, or a net decrease in the contract price in the net amount of \$6,475.97, consisting of final as-built quantity adjustments. The Mayor and Borough Clerk are hereby authorized to execute Change Order Number 1, a copy of which is attached hereto & is incorporated herein by reference.

2. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer, the Borough Engineer and Earle Asphalt Co.

DATED: NOVEMBER 11, 2015

MOTION: WELLINGTON

SECOND: MIKULETZKY

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

RESOLUTION 2015-114

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND
OF A TAX OVERPAYMENT**

WHEREAS, Foundation Title and Hudson City Savings both paid 4th quarter taxes on 1707 Central Ave., Block 34 Lot 4 causing and overpayment in the amount of \$2204.63

WHEREAS, Foundation Title has requested that the refund be made payable to them.

NOW, THEREFORE, BE IT RESOLVED, that the tax collector be authorized to make the adjustments on the account and that the finance department be authorized to refund the overpayment of \$1102.13 to Foundation Title.

DATED: November 11, 2015

MOTION: REYNOLDS

SECOND: SPARK

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

RESOLUTION 2015-115

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, EXPRESSING ITS THANKS
AND BEST WISHES TO GAIL WETMORE UPON HER
RETIREMENT.**

WHEREAS, Gail Wetmore has served as Municipal Clerk and Administrator for the Borough of Barnegat Light for several decades; and

WHEREAS, Gail Wetmore has retired from her many years of public service, effective November 1, 2015, after many years of faithful, loyal and exemplary service to the municipal government and the residents of Barnegat Light; and

WHEREAS, the Mayor & Borough Council wish to express their most heartfelt thanks and appreciation for the many years of public service that Gail Wetmore has given to the Borough community, and do further express their sincere best wishes upon her retirement.

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 express their most heartfelt thanks and appreciation for the many years of public service that Gail Wetmore has given to the municipal government, residents and community of the Borough of Barnegat Light.
2. That the Mayor and Borough Council do further express their sincere best wishes to Gail Wetmore upon her retirement.
3. That a certified copy of this resolution shall be forwarded to Gail Wetmore.

DATED: NOVEMBER 11, 2015

MOTION: WELLINGTON

SECOND: REYNOLDS

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

The Mayor added a few words here. He said he worked with Gail for over 23 years and she was one of his best friends. She did a great job keeping the town together and it is a shame that she has to retire. Michael Spark said he goes back 25 years with her. Dottie Reynolds agreed that everyone will miss her. Michael asked if the resolution could be read in totality, rather than just by title only. At this time the resolution was read by Kathy Guerrero.

RESOLUTION 2015-116

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, APPOINTING BRENDA KUHN
TO THE POSITION OF ACTING MUNICIPAL CLERK**

WHEREAS, a vacancy has been created in the position of Borough Clerk effective on November 1, 2015; and

WHEREAS, NJSA 40A:9-133 provides that, within 90 days of the occurrence of a vacancy in the office of municipal clerk by reason of the departure of a registered municipal clerk, the governing body may appoint a person who does not hold a registered municipal clerk certificate to serve as acting municipal clerk for a period not to exceed one year and commencing on the date of the vacancy; any person so appointed may, with the approval of the Director of the Division of Local Government Services, be reappointed as acting municipal clerk for a maximum of two subsequent one-year terms following the termination of the temporary appointment; and

WHEREAS, Brenda Kuhn does not currently hold a registered municipal clerk certificate, but is otherwise qualified to hold the position of Borough Clerk; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Brenda Kuhn as Acting Borough Clerk, during the period of time that she needs to obtain her registered municipal clerk certificate.

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 appoint Brenda Kuhn as Acting Borough Clerk, during the period of time that she needs to obtain her registered municipal clerk certificate, currently for a period of one year beginning on November 1, 2015. Brenda Kuhn shall be compensated for said additional services in accordance with the Barnegat Light Borough Salary Ordinance 2006-02, presently at the additional prorated annual salary rate of \$30,673.

3. That certified copies of this resolution shall be forwarded to Brenda Kuhn, the Borough Treasurer and the NJ Division of Local Government Services.

DATED: NOVEMBER 11, 2015

MOTION: SPARK

SECOND: WELLINGTON

VOTE: AYES: SPARK, WELLINGTON, REYNOLDS, MIKULETZKY

NAYS: NONE

ABSENT: WARR ABSTAIN: NONE

Dottie Reynolds said the town is fortunate to have competent person to take over. Brenda Kuhn thanked the Mayor and Council for the opportunity. The Mayor said there are four, five included Kat. Kat Flanagan said Kathy Guerrero did a great job in the interim and the Mayor said she is still going to be a VIP here. He also said Brenda will still be the Tax Collector along with the assistance of Elaine Tollison and Kathy and that everything is covered.

RESOLUTION 2015-117

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN EMPLOYEE EDUCATIONAL EXPENSE REIMBURSEMENT AGREEMENT WITH THE ACTING MUNICIPAL CLERK.

WHEREAS, Brenda Kuhn is an employee of the Borough of Barnegat Light, in the position of Acting Municipal Clerk; and

WHEREAS, it is the policy of the Borough of Barnegat Light to encourage existing employees to obtain state certification to statutory positions in order that they may qualify for the same; and

WEREAS, Brenda Kuhn will be pursuing the course of educational requirements prescribed by the State of New Jersey for certification as a Registered Municipal Clerk, pursuant to NJSA 40A:9-133.2.

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 the execution of an agreement with Brenda Kuhn to advance educational expenses and costs related to certification as a Registered Municipal Clerk under NJSA 40A:9-133.2. The Mayor and Borough Clerk are authorized to execute said agreement, a copy of which is attached hereto and incorporated herein by reference.

2. That certified copies of this resolution shall be forwarded to Brenda Kuhn.

DATED: NOVEMBER 11, 2015

MOTION: MIKULETZKY

SECOND: SHARPLESS

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

NAYS: NONE

ABSENT: WARR ABSTAIN: NONE

RESOLUTION 2015-118

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, APPOINTING KATHY
GUERRERO AS TAX CLERK**

WHEREAS, Kathy Guerrero is currently the Deputy Clerk of the Borough of Barnegat Light; and

WHEREAS, there is a need to fill the position of Tax Clerk in order to assist in the re-organization of employment in the Borough's offices; and

WHEREAS, Kathy Guerrero is qualified to serve, in addition to her current duties, as Tax Clerk, to serve at the pleasure of the Mayor and Borough Council.

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 appoint Kathy Guerrero to the position of Tax Clerk, in addition to her current position with the Borough, to serve at the pleasure of the Mayor and Borough Council.

2. That Kathy Guerrero shall be compensated in accordance with the Salary Ordinance of the Borough of Barnegat Light, as amended from time to time, presently at the additional prorated annual salary rate of \$15,000.

3. That certified copies of this resolution shall be forwarded to Kathy Guerrero and the Borough Treasurer.

DATED: NOVEMBER 11, 2015

MOTION: REYNOLDS

SECOND: WELLINGTON

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

Scott Sharpless congratulated Kathy Guerrero and she received a round of applause.

RESOLUTION 2015-119

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, APPOINTING FRANCES
ELAINE TOLLISON AS TAX CLERK.**

WHEREAS, Frances Elaine Tollison is an employee of the Borough of Barnegat Light working as an assistant in the Municipal Clerk's Office; and

WHEREAS, there is a need to fill the position of Tax Clerk in order to assist in the re-organization of employment in the Borough's offices; and

WHEREAS, Frances Elaine Tollison is qualified to serve, in addition to her current duties, as Tax Clerk, to serve at the pleasure of the Mayor and Borough Council.

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 appoint Frances Elaine Tollison to the position of Tax Clerk, in addition to her current position with the Borough, to serve at the pleasure of the Mayor and Borough Council.

2. That Frances Elaine Tollison shall be compensated in accordance with the Salary Ordinance of the Borough of Barnegat Light, as amended from time to time, presently at the additional prorated annual salary rate of \$15,000.

3. That certified copies of this resolution shall be forwarded to Frances Elaine Tollison and the Borough Treasurer.

DATED: NOVEMBER 11, 2015

MOTION: SHARPLESS

SECOND: WELLINGTON

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

Elaine received a round of applause.

RESOLUTION 2015-120

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$1,355,849.26**

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 \$1,355,849.26 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: NOVEMBER 11, 2015

MOTION: WELLINGTON

SECOND: SHARPLESS

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

RESOLUTION 2015-121

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF
OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CLOSED EXECUTIVE
SESSION TO DISCUSS MATTERS EXEMPT UNDER THE OPEN PUBLIC
MEETINGS ACT, SPECIFICALLY FOR THE PURPOSE OF DISCUSSING
THE MATTERS IDENTIFIED BELOW:**

Request for the purchase, lease or acquisition of property rights; specifically : request for release of riparian restrictions on Bayfront properties

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that all meetings of public bodies shall be open to the public at all times, except for certain enumerated exception; and

WHEREAS, according to NJSA 10:4-12(b), a closed executive session of a public body may be convened to discuss matters as noted in the title of this Resolution.

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 a closed executive session to discuss matters identified in the title of this Resolution.

2. That reasonably comprehensible minutes of the closed session shall be taken showing the time and place, the members present, the subjects considered, the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with NJSA 10:4-12.

DATED: NOVEMBER 11, 2015 TABLED

MOTION:

SECOND:

VOTE: AYES:

NAYS:

ABSENT: ABSTAIN:

RESOLUTION 2015-122

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING A LABORER FOR THE PUBLIC WORKS DEPARTMENT

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to employ a Laborer for the Public Works Department; and

WHEREAS, the position was duly advertised and interviews held with various applicants.

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 employ James Damico as Laborer #1, effective November 2, 2015, as a full-time employee, subject to the Borough's probationary period.
- 2. That James Damico shall be compensated in accordance with the Salary Ordinance of the Borough of Barnegat Light, as amended from time to time, presently at the rate of \$31,200 per year.
- 3. That certified copies of this resolution shall be forwarded to James Damico and the Borough Treasurer.

DATED: NOVEMBER 11, 2015

MOTION: SHARPLESS

SECOND: SPARK

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

NAYS: NONE

ABSENT: WARR ABSTAIN: NONE

ORDINANCES: SECOND READING

ORDINANCE 2015-009

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO PROVIDE FOR REVISED BEACH BADGE FEES

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 Sharpless and carried by all. The Mayor, Dottie Reynolds and Kathy Guerrero gave a summary of the fees. There were no comments so on a motion by Reynolds, seconded by Sharpless the public hearing was closed. Reynolds moved to adopt, seconded by Sharpless.

MOTION: REYNOLDS

SECOND: SHARPLESS

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

ORDINANCE 2015-010

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, REVISING THE BOROUGH'S BOATING & DOCK FEES

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 Wellington and carried by all. The Mayor and Ed Wellington gave a summary of the fees. There were no comments so on a motion by Sharpless, seconded by Spark the public hearing was closed. Reynolds moved to adopt, seconded by Wellington.

MOTION: REYNOLDS

SECOND: WELLINGTON

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

ORDINANCE 2015-011

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CAPITAL PURCHASE OF A BACKHOE, AND APPROPRIATING \$100,000.00 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$95,000.00 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. Sharpless moved to open public hearing, seconded by Spark and carried by all. There were no comments so on a motion by Spark, seconded by Reynolds the public hearing was closed. Sharpless moved to adopt, seconded by Wellington.

MOTION: SHARPLESS

SECOND: WELLINGTON

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

ORDINANCES: FIRST READING

The Clerk read the above by title and number and the mayor announced it is time to consider same for passage on first reading according to law.

Spark moved to introduce, seconded by Wellington.

MOTION: SPARK

SECOND: WELLINGTON

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

ORDINANCE 2015-012

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING KATHLEEN FLANAGAN TO THE POSITION OF QUALIFIED PURCHASING AGENT FOR THE BOROUGH

The Clerk read the above by title and number and the mayor announced it is time to consider same for passage on first reading according to law.

Terry Brady clarified that State Law requires this position must be

done by ordinance. Michael Spark said he was wondering why this position verses the Clerk, Terry said it is what the State requires. The Mayor said it is an important position and said it allows the Borough to purchase items at a higher price without going out to bid, it raises the bid threshold. Gail Wetmore was grandfathered in and since she is no longer here we need a new one and it is great that Kat Flanagan has the credentials.

Reynolds moved to introduce, seconded by Mikuletzky.

MOTION: REYNOLDS

SECOND: MIKULETZKY

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

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

ORDINANCE 2015-013

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 CODE ENFORCEMENT OFFICER

The Clerk read the above by title and number and the mayor announced it is time to consider same for passage on first reading according to law.

Terry Brady pointed out that in Section 2, which creates a salary, Kat Flanagan said there is enough salary in the position of Zoning Officer and while creating this position and the same person will hold both positions they will not have to wait 20 days after second reading before the appointment can be made. He further suggested that Section 2 be deleted so they can be forward at the December meeting rather than having to wait until January. Then in 2016 when the salary ordinance is adopted the salary can be added. The Mayor clarified to the public that Code Official is somebody we do not have and there is a gray line with issues that are not handled by the police or Board of Health, therefore this person will enforce our ordinances. The Zoning Officer was not a Code Official so he did not handle those jobs. This person will address issues that are brought to the Borough's attention.

Reynolds moved to introduce, seconded by Wellington.

MOTION: REYNOLDS

SECOND: WELLINGTON

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

NAYS: NONE ABSENT: WARR ABSTAIN: NONE

RESOLUTION 2015-123

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PETITIONING THE COUNTY OF OCEAN TO PROHIBIT THE PARKING OF TRAILERS AND RECREATIONAL VEHICLES ALONG ALL COUNTY ROADS WITHIN THE BOROUGH

WHEREAS, several roadways within the Borough of Barnegat Light are under the jurisdiction of the County of Ocean for regulatory purposes, such as Central Avenue & Bayview Avenue; and

WHEREAS, the practice of parking trailers, campers and large recreational vehicles along county roads interferes with the safe passage of other vehicles and the use of said roadways by the travelling public; and

WHEREAS, the Mayor & Borough Council wish to request that the County of Ocean establish parking regulations along all county roads within the Borough of Barnegat Light to prohibit the overnight parking of trailers, campers & large recreational vehicles on county roads, and to further prohibit the parking of trailers, campers & large recreational vehicles on county roads at all times of the day from June 1 to October 1 of each year.

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 petition the County of Ocean to establish parking regulations along all county roads within the Borough of Barnegat Light to prohibit the overnight parking of trailers, campers & large recreational vehicles on county roads, and to further prohibit the parking of trailers, campers & large recreational vehicles on county roads at all times of the day from June 1 to October 1 of each year.

2. That a certified copy of this resolution shall be forwarded to the County of Ocean.

DATED: NOVEMBER 11, 2015

MOTION: REYNOLDS

SECOND: MIKULETZKY

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

NAYS: NONE

ABSENT: WARR

ABSTAIN: NONE

CORRESPONDENCE:

Kathy Guerrero mentioned Anne Peavy's letter in reference to the miniature golf course, basically suggesting what she felt the town should and should not do. At this time nothing has been submitted to the Planning Board. The Mayor said she would be called if they do come before the board. Anne stated that she had done some research on a another town that had allowed a miniature golf course to come in, but they did not have any ordinances to support things that they could not do, so when they brought their design they could not prohibit them from doing a lot of things. She said it was a good idea to conceptualize what they would like the golf course to look like. The Mayor said that would be a board issue. Terry Brady suggested that the Planning Board should initiate any ordinance changes and then bring them to the Council to adopt an ordinance. Michael Spark said this would have to be done before the applicant comes before the Planning Board. The mayor thanked Anne Peavy for her suggestions. He also said if anyone had any Planning Board questions then they could see Elaine Tollison at Borough Hall. Barbara Truciletto, west 8th St., asked what the plan was to replace Al Oros as the Zoning Officer. The Mayor said he will be replaced at next month's meeting as he did not retire yet, his retirement date is December 1st. She asked if they had nay candidates and the Mayor said yes, he will start the following week. The new person will be Jeffrey (Sponge) Washburn and he will start working with Al on Tuesday and work with him for three days before Al retires.

On a motion by Spark and seconded by Sharpless the meeting was adjourned.

THERE BEING NO FURTHER BUSINESS BEFORE THE COUNCIL, ON A MOTION BY ED WELLNGTON, SECONDED BY MICHAEL SPARK AND CARRIED BY ALL THE MEETING WAS ADJOURNED.

APPROVED: _____

KATHY J. GUERRERO
DEPUTY CLERK