

REGULAR MEETING OF MAYOR AND COUNCIL October 10, 2018

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall on January 3, 2018 and was published in the Asbury Park Press on January 8, 2018 and in the Beach Haven Times, both newspapers are designated by Mayor and Council to receive such notice.

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

Also present: Mayor Larson, Terry Brady, Brenda Kuhn,

Discussion: Mayor Larson said he missed the last meeting and he would have been the tie breaker on the vote for the wildlife feeding ordinance. He said that we would let that ordinance die but possibly introduce a new wildlife feeding ordinance but add that the LBI Health Department would make the determination if there was a real problem. There was a lot of discussion on this topic and there were clear opposition from the council. The next topic that was discussed was the ordinance that was up for second reading, public hearing and adoption tonight. The ordinance would require that sellers of real property would be required to uncover their water meter pit for inspection. If the meter pit wasn't adequate the seller would be required to replace the pit, at their expense, prior to being issued a CO for the sale of the property. There was a lot of discussion about the pros and cons of this ordinance. The Council also discussed the water meter replacement project. They said that the project would be put out to bid.

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

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:06pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall on January 3, 2018 and was published in the Asbury Park Press on January 8, 2018 and in the Beach Haven Times, both newspapers are designated by Mayor and Council to receive such notice.

PLEDGE OF ALLEGIANCE

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

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

Also present: Mayor Larson, Terry Brady, Ed Sulecki and Brenda Kuhn.

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of September 12, 2018 regular meeting.

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

APPROVE TREASURER'S REPORT: Mayor Larson asked for a motion to approve the Treasurer's Report.

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

APPROVE BUILDING AND ZONING REPORT: Mayor Larson asked for a motion to approve the Building and Zoning Report.

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

COMMITTEE REPORTS:

BEACHES AND PARKS: Councilwoman Reynolds said that the beaches were being cleaned up and that all the lifeguard equipment was put away. She said that there was going to be two beaches and parks meetings. One of them would be for the everyone and the second would be for the guards. She said the open public meeting would be on Thursday, November 8, 2018. Councilwoman Reynolds said that the revenue for the dog park was \$7000 and she added that it came from outside of Barnegat Light.

DOCKS AND HARBORS: Councilman Alloway said that the revenue was still down from last year. He said that dock attendants are only working on the weekend but when stripper season comes in they will work more.

FINANCE: Councilman Spark said that the total being paid out this month was in the amount of \$413,938.47. He said that \$158,250.00 of that total was being paid to Regional School taxes.

PUBLIC SAFETY: Councilman Mikuletzky said that he would like to make the Court Report a part of the meeting minutes. He reported that the court collected a total of \$1516.00.

PUBLIC WORKS: Councilman Wellington said that he would like the Public Works Report to be a part of the meeting minutes. He reported that there was a total of 568 work hours for the month. He said that 120 hours were spent on the beaches, 171 hours on buildings and grounds, 106 hours working on water/sewer and streets & roads. He said that the remainder was spent at the docks, parks & playgrounds, recycling, training, and recycling.

WATER/SEWER: Councilwoman Foley talked about the water meter project. She said that the Borough would go out to bid for the project.

The Ocean County Historian, Tim Hart, came to the meeting on behalf of the Ocean County Board of Chosen Freeholders to present Barnegat Light with a flag to commemorate the 100th anniversary of World War I and the eleven Barnegat City Citizens that served our Nation in the Great War. The flag was made by volunteers at the Seaport Stitchers of Tuckerton.

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

Rich Brodman asked if any of the water pits in town are suitable for installation of the new meters and the answer was yes. Catherine Rush asked if there was a plan to close off the 30th Street beach access and to return vegetation. She was told that pilings were going to be installed soon and that the vegetation would grow back. Sarah Lambert was confused about the meter pits and Councilman Spark gave her an explanation. He told her that there would be no added expense to property owners to install meter pits but it would be up to the owner to uncover the pit. Jim Curley and Bernadette Callanan from the Friends of the Island Library were at the meeting to accept a Proclamation of the Mayor and Council declaring October 21-27, 2018 as National Friends of Libraries week. Both Mr. Curley and Ms. Callanan spoke to Mayor, Council and residents about the all of the programs at the library and the organization of volunteers. The clerk read a portion of the proclamation and presented it to them. Rich Brodman asked if donation checks could be mailed. Connie Higgins asked the Council to consider putting out donation boxes at the Pavilion for the summer bands. Barbara Truncellito talked about Coastal Volunteers in Medicine which is a volunteer group that provides care to patients who do not have health insurance. She asked Mayor and Council if an announcement about the group and the need for donations could be made at one of our concerts. No one thought it was a good idea to use that forum for fund raising for any organization.

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

RESOLUTIONS:

The clerk said that the resolution would be done by consent agenda. She read each resolution by title and then recorded the votes as follows:

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

RESOLUTION 2018-129

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SEWER REFUND IN THE AMOUNT OF \$75.00

WHEREAS, Block 12 Lot 1, account #175-0 also known as 301 Broadway was assessed a \$75.00 water turnoff charge due to a leak; and

WHEREAS, the owner paid the charged two times and one of the payments was applied to sewer causing an overpayment of \$75.00; and
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light as follows:

1. That the Tax and Utility Collector be authorized to make the necessary adjustments on the account for the refund.
2. That the CFO is authorized to process a refund in the amount of \$75.00 for the overpayment.
3. The payment will be sent to:

James E. Jr. & Judith Lynch
72 E. Union Street
Bordentown, NJ 08505

RESOLUTION 2018-130

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING A CORRECTIVE ACTION PLAN TO IMPLEMENT RECOMMENDATIONS IN THE 2017 ANNUAL AUDIT REPORT.

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and
WHEREAS, the Borough Auditor has conducted an Annual Audit of the 2017 finances of the Borough of Barnegat Light; and

WHEREAS, said Audit Report found interfund receivables and payables appear on the balance sheets of the various funds as of December 31, which has an effect on cash flow and with respect to the current fund. Interfund receivables impact upon the amount of fund balance that can be utilized in the budget cycle; and

WHEREAS, said Audit Report recommends that all interfunds, where practicable, be liquidated prior to year-end; and

WHEREAS, the Borough Chief Financial Officer has developed a corrective action plan, implementing said recommendations; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to approve and adopt the corrective action plan submitted by the Chief Financial Officer, a copy of which is attached hereto.

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 & Borough Council of the Borough of Barnegat Light do hereby approve and adopt the corrective action plan submitted by the Chief Financial Officer, a copy of which is attached hereto.
2. That a copy of this resolution and said corrective action plan shall be filed with the NJ Division of Local Government Services.

RESOLUTION 2018-131

RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE *2019 Road Improvement Project-West 6th Street*

WHEREAS, the Governing Body wishes to submit a grant application and execute a grant agreement with the Department of Transportation for the improvement of West 6th Street in the amount of \$316,830.75.

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

1. That the Council formally approves the grant application for the above stated project.
2. That the Mayor, Municipal Clerk and the Borough Engineer are hereby authorized to submit an electronic grant application identified as MA-2019-West 6th Street-00283 to the New Jersey Department of Transportation on behalf of the Borough of Barnegat Light.
3. That the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Barnegat Light and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
4. That three (3) certified copies will be forwarded to the Borough Engineer.

RESOLUTION 2018-132

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE BONUS TO BEACH BADGE CHECKERS AS PER ORD. 00-05

WHEREAS, the Beaches and Parks Committee indicated that they would pay a bonus per Ordinance 00-05 to each checker; and

WHEREAS, the 2018 Beach Badge Report indicates the numbers sold by all "on the beach" checkers.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to compensate the Beach Badge Checker bonuses for badges sold on the beach as follows:

- | | | |
|----|----------------|----------|
| 1. | Dennis Pantzer | \$629.00 |
| 2. | Anthony Cali | \$313.00 |
| 3. | Kelsey Waltz | \$282.00 |
| 4. | Klase Britton | \$237.00 |

RESOLUTION 2018-133**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING RESOLUTION 2018-100**

WHEREAS, the Borough of Barnegat Light adopted Resolution 2018-100. employing lifeguards for summer 2018 and setting compensation for same; and

WHEREAS, some of the salaries listed on Resolution 2018-100 need to be amended; and

WHEREAS, the lifeguards were employed for the 2018 season and the compensation has been amended as needed on the list below.

NOW, THEREFORE, BE IT RESOLVED that the governing Body of the Borough of Barnegat Light approve the 2018 lifeguards and the amended compensation as listed below:

	<u>Name</u>	<u>Base Rate</u>	<u>EMT</u>	<u>LIT</u>	<u>Weekly Rate</u>
Adams	Donald, E	\$ 925.00			\$ 925.00
Caffrey	Scott, W	\$ 850.00			\$ 850.00
Adams	Douglas	\$ 525.00			\$ 525.00
Adams	Donald, P	\$ 525.00			\$ 525.00
Balla	Hanna	\$ 400.00			\$ 400.00
Balla	Noah	\$ 420.00			\$ 420.00
Baxter	Andrew	\$ 525.00			\$ 525.00
Borchert	Max	\$ 420.00			\$ 420.00
Button	Sarah	\$ 470.00			\$ 470.00
Caffrey	Carson	\$ 400.00			\$ 400.00
Coughlin	Gregory	\$ 470.00			\$ 470.00
D'Antonio	Christian	\$ 440.00		\$ 20.00	\$ 460.00
Dolan	Taylor	\$ 400.00			\$ 400.00
Garcia	Krysta	\$ 400.00			\$ 400.00
Heath	Nicholas	\$ 400.00			\$ 400.00
Heffernan	Beth	\$ 410.00			\$ 410.00
Heffernan	Mandy	\$ 390.00			\$ 390.00
Horner	Madeline	\$ 400.00			\$ 400.00
Humberston	Nathan	\$ 525.00			\$ 525.00
Huo	Sam	\$ 400.00			\$ 400.00
Jennings	Jason	\$ 525.00			\$ 525.00
Jennings	Taylor	\$ 460.00			\$ 460.00
Jones	Benjamin	\$ 430.00			\$ 430.00
Juall	Harper	\$ 400.00			\$ 400.00
Kay	Jennifer	\$ 440.00			\$ 440.00
Keh	Lucas	\$ 400.00			\$ 400.00
Kohl	Zachary	\$ 490.00			\$ 490.00
Kuscan	Nolan	\$ 400.00			\$ 400.00
Larralde	Alex	\$ 410.00			\$ 410.00
Livesey	Seth	\$ 525.00			\$ 525.00
Luckangelo	Jake	\$ 410.00			\$ 410.00
Macchia	Michael	\$ 420.00			\$ 420.00
Malay	Madelyn	\$ 460.00	\$ 15.00	\$ 15.00	\$ 490.00
Massa	Tony	\$ 470.00			\$ 470.00
Mennonna	Chiara	\$ 390.00			\$ 390.00
Meyer	Mackenzie	\$ 400.00			\$ 400.00
Mumau	Rachel	\$ 400.00			\$ 400.00
Narleski	Jaclyn	\$ 390.00			\$ 390.00
Patterson	Laura	\$ 400.00	\$ 15.00	\$ 15.00	\$ 430.00
Patterson	Kady	\$ 400.00			\$ 400.00
Pecci	Collin	\$ 440.00	\$ 15.00	\$ 15.00	\$ 470.00
Pecci	Nolan	\$ 400.00			\$ 400.00
Pettit	Grace	\$ 390.00			\$ 390.00
Ro	Andrew	\$ 400.00			\$ 400.00
Ross	John	\$ 525.00			\$ 525.00
Schiepe	Benjamin	\$ 440.00			\$ 440.00
Schulze	John	\$ 525.00			\$ 525.00

Selfridge	Robert	\$ 525.00	\$ 20.00	\$ 545.00
Selfridge	Hobson	\$ 420.00		\$ 420.00
Slahetka	Theodore	\$ 420.00		\$ 420.00
Slahetka	Elizabeth	\$ 410.00		\$ 410.00
Smith	Michael	\$ 460.00		\$ 460.00
Von Rosendahl	Brienne	\$ 435.00		\$ 435.00
Walsh	Stephen	\$ 390.00		\$ 390.00
Westerburg	Zakarias	\$ 460.00		\$ 460.00
Weirman	Luke	\$ 390.00		\$ 390.00
Wierman	Nicholas	\$ 420.00		\$ 420.00
Wiles	James	\$ 480.00		\$ 480.00

RESOLUTION 2018-134

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A WATER/SEWER REFUND IN THE AMOUNT OF \$226.64

WHEREAS, Block 21 Lot 2, account #458-0 with an address of 1104 Central Avenue was cut and capped from the water system; and

WHEREAS, Resolution 2018-122 authorized cancellation of water and sewer billing; and

WHEREAS, before the adjustment was made, the owner paid the water and sewer charges which caused and overpayment in the amount of \$226.64.

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

1. That certified copies of this resolution shall be forwarded to the Tax & Utility Collector and the Chief Financial Officer.
2. That the Tax and Utility Collector be authorized to make the necessary adjustments on the account.
3. That the CFO to process a refund in the amount of \$226.64 for the overpayment on the account.
4. That the check be made payable and sent to:

Catherine Mooney
71 Fieldstone Drive
Springfield, NJ 07081

RESOLUTION 2018-135

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$413,938.47

WHEREAS, the Finance Committee of the Borough of Barnegat Light has examined the vouchers presented for payment,

NOW, THEREFORE, BE IT RESOLVED, that the approved vouchers amounting to **\$413,938.47** be authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

RESOLUTION 2018-136

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING PART-TIME GENERAL CLERKS

WHEREAS, the Borough of Barnegat Light is in need of temporary part-time General Clerks for 2018; and

WHEREAS, Regina Ehrline and Lora Wozniak are qualified for the temporary part-time positions and will be employed on an "as needed basis".

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Barnegat Light, County of Ocean, State of New Jersey as follows:

1. That Regina Ehrline and Lora Wozniak are hereby employed on an "as needed basis" for the year 2018.
2. Regina Ehrline and Lora Wozniak shall be compensated \$15.00 per hour.

ORDINANCES:

Second Reading:

ORDINANCE No. 2018-15

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 64-4 OF THE BOROUGH CODE, ENTITLED "BOAT SLIP PERMIT FEES," TO REVISE THE BOAT SLIP & BOROUGH RAMP FEE SCHEDULES

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

SECTION 1. Section 64-4 of Article I of the Borough Code of the Borough of Barnegat Light, entitled "Boat slip permit fees," is hereby amended and supplemented to provide as follows:

CHAPTER 64
BOATING

Article I
Public Docks and Wharves

§ 64-4. Boat slip permit fees.

A. The following fees shall be charged for a permit for the use of the municipal boat slips:

Use of the Municipal ramp shall be included in all slip permit fees.

- (1) Seasonal boat slip permit. A fee of \$2,100.00 shall be charged for a permit for the use of one municipal boat slip for the entire season (April 1 through December 1 annually, or until vacated, whichever is sooner).
- (2) Weekly boat slip permits, if available, may be issued at the discretion of the Borough. A fee of \$125 per week (Saturday through Saturday, 7 nights) shall be charged for the use of one municipal boat slip for one week. Boats may enter the slip no earlier than 12:00pm and must be removed by 11:00am the following Saturday.
- (3) A weekend boat slip permit, if available, may be issued at the discretion of the Borough. A fee of \$50 per weekend (Friday through Sunday, 2 nights) shall be charged for the use of one municipal boat slip for one weekend. Boats may enter the slip no earlier than 12:00pm on Friday and must be removed by 11:00am Sunday.
- (4) A daily fee of \$30 per day shall be charged for the use of one municipal boat slip, if available, during April 1 through December 1.

B. Permit renewal fee. Any application to renew a boat slip permit must be made and approved prior to January 1 of each year. The Borough reserves the right to withhold any boat slip from being offered for a new or renewal permit.

C. Refund of permit fee. There shall be no refund of any permit fee or portion thereof for any reason whatsoever once the boat slip permit fee has been deposited by the Borough. In the event a permittee has unusual and extraordinary circumstances, the Borough may, in its sole discretion, allow a permittee to terminate the permit prior to the end of the season. Upon vacation of the boat slip, the Borough may re-permit the slip on a prorated seasonal, weekly or weekend basis. The Borough shall charge a \$100 processing fee for any request to terminate a permit prior to the end of the season, at which time the Borough may return all or part of the remaining pro-rated permit fee to the original permit holder, in the Borough's sole discretion.

SECTION 2. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

INTRODUCTION:

Passage on First Reading: Date: **September 12, 2018**

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

Public Hearing: The Mayor asked for a motion to open the Public Hearing on Ordinance No. 2018-15. On a motion by Spark, seconded by Wellington and carried by all it was open for public discussion.

Being no public comment, the Mayor asked for a motion to close the public session. On a motion by Spark, seconded by Reynolds and carried by all the Public Hearing concluded.

ADOPTION:

The Mayor asked for a motion to adopt.

ADOPTION:

Final Passage: Date: **October 10, 2018**

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

ORDINANCE No. 2018-16

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 153 OF THE BOROUGH CODE, ENTITLED "SEWERS AND WATER", TO REQUIRE WATER METER PITS & SHUT-OFF VALVES PRIOR TO RE-SALE OF PROPERTIES.

The aforementioned ordinance was introduced and passed on first reading on September 12, 2018. Mayor and Council talked about this ordinance and decided to take no further action on it.

CORRESPONDENCE:

LBI PTA Used Clothing Fundraiser is being held Saturday, October 20th 8:30-2:00 in the Ethel Jacobsen Parking Lot.

Fisheries Survival Fund-Wind Farm Case

Boy Scout Camping on the Beach request-9th Street beach

October is Pregnancy & Infant Loss Month

MOTION TO ADJOURN:

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

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK