

REGULAR MEETING OF MAYOR AND COUNCIL January 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, Sharpless, Wellington, Reynolds, Mikuletzky and Foley

Also present: Mayor Larson, Terry Brady, Elaine Tollison and Brenda Kuhn.

Discussion: Mayor Larson talked about the need for property owners to find their meters. He said that we would send a notice to owners with our next mailing telling them that the meters must be found. He said that we could mark them out but owners would have to find them or hire a plumber to do it for them and once found they must remain accessible at all times to the Borough.

There was talk about all the broken water pipes in town due to the cold weather and the warming.

Mayor Larson said that someone had inquired about using one of our bulkheads. Currently our ordinance only allows us to accept applications for temporary use of 16th Street. He said that we were going to introduce an ordinance to add 4th & 7th Streets.

Mayor Larson said that we needed to come up with a name for the park and vote on it. The Clerk suggested that everyone come up with a name and bring it to the next meeting.

There was a discussion about pavers for the park and that we should introduce an ordinance at the next meeting to allow it. Councilman Sharpless asked if we needed to setup a Dedication by Rider account for this. They said that the CFO should look into the cost.

Councilwoman Reynolds said that the Taxpayers Association asked for the Borough to submit something for their January newsletter. She said that there were several projects going on and asked if each Chairperson could introduce their committee members and talk a little about their projects.

There was a conversation about the DEP putting a hold on issuing CAFRA permits until the new Governor gets in on the 16th or 17th.

The Clerk said that the CDBG was due in February. She talked with the Superintendent about the grant and he suggested using the money for the bathrooms at the park. There was discussion about the bathrooms.

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

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:00pm at the Borough Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall 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, Sharpless, Wellington, Reynolds, Mikuletzky and Foley

Also present: Mayor Larson, Terry Brady, Elaine Tollison, Brenda Kuhn and Kathleen Flanagan (4:50)

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of December 13, 2017 regular meeting.

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | | | X | | | |
| Sharpless | | | X | | | |
| Wellington | | | X | | | |
| Reynolds | X | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | X | X | | | |

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of January 3, 2018 reorganization meeting

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | X | | X | | | |
| Sharpless | | X | X | | | |
| Wellington | | | X | | | |
| Reynolds | | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | | X | | | |

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of December 21, 2017 special meeting.

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | | | X | | | |
| Sharpless | | | X | | | |
| Wellington | | X | X | | | |
| Reynolds | X | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | | X | | | |

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

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | | | X | | | |
| Sharpless | X | | X | | | |
| Wellington | | X | X | | | |
| Reynolds | | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | | X | | | |

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

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | | | X | | | |
| Sharpless | | | X | | | |
| Wellington | | | X | | | |
| Reynolds | X | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | X | X | | | |

COMMITTEE REPORTS:

FINANCE: Councilman Spark said that we spent \$239,156.21 out of our 2017 budget. He said that the Regional School tax was \$169,335 and the County taxes were 23,343.94. Councilman Spark congratulated the tax collector for having a 99.70 percentage of collection rate. He talked about the frenzy that was created by the new tax law. He said there was more than a million dollar increase in the amount of taxes collected in December 2017 compared to December 2016.

PUBLIC WORKS: Councilman Sharpless said that the Public Works employees were rock stars. He said there were a lot water pipe breaks and a lot of plowing. He said that they did an awesome job.

WATER/SEWER: Councilwoman Foley said that she wanted to submit the Water Sewer report a part of the record. She said that we need help from the owners in finding the meters. If owners can’t find them they will be required to hire a plumber to find it for them. We will only mark out an estimate where it is located.

BEACHES AND PARKS: Councilwoman Reynolds said that we were selling holiday and preseason badges. She said that we are under by \$1200 but a lot of 2018 holiday badges were sold in 2017.

DOCKS AND HARBORS: Councilman Wellington said nobody has been putting boats in the water. He said we awarded a contract for the floating dock system and the construction has begun. He said that they should be completed by February and installed in the spring. Councilman Wellington talked about the progress at the pavilion. He said that the weather has slowed construction down. He said that the gables and dormers are done and the trusses were being supported from inside which is progress that you can’t see. He said that the cupolas were being constructed today. Councilman Sharpless asked if the pavilion would be ready for the summer concert series. Councilman Wellington said he thought it would be ready but probably not the landscaping or pavers.

PUBLIC SAFETY: Councilman Mikuletzky said he would like to make the court report a part of the meeting minutes. He also said that it was a low crime month.

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

Connie Higgins thanked Public Works for the good work on New Year’s Eves Day. She said that there was a water main break on her street and the DPW worked like dogs in the cold weather and they got the water back on that day. She also recommended the *Best of the Eagles* for part of our concert schedule.

Barry Mescolotto asked if there was any plan for parking at the pavilion. Mayor Larson said that parking wasn’t a problem there. He said there was plenty of parking. Mr. Mescolotto said that that it was a bigger venue and he was more concerned with people coming from out of town and signs would help.

Being no further public comments the Mayor asked for a motion to close the Open Public Session. On a motion by Wellington, seconded by Reynolds and carried by all, the open public session came to a close.

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 | | | |
| Sharpless | X | | X | | | |
| Wellington | | | X | | | |
| Reynolds | | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | X | X | | | |

RESOLUTION 2018-040

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AS SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF LONG BEACH FOR THE PROVISION OF POLICE SERVICES

WHEREAS, the Shared Services Act, NJSA 40A:65-1 et. seq. authorizes two or more municipalities to enter into a Shared Services agreement for the provision of certain governmental services; and WHEREAS, Section 4 of P.L. 1973, c. 208(C.40:8A-4) has been amended and approved a Chapter 356, on January 5, 1996 to authorize that such agreements can be adopted by Resolution; and WHEREAS, the Borough of Barnegat Light has requested the Township of Long Beach to provide Police services; and WHEREAS, it is deemed to be in public interest for the Borough of Barnegat Light to execute such an agreement with the Township of Long Beach for the Police Services in accordance to the terms set forth in the said agreement for the term January 1, 2018 through December 31, 2020. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Long Beach for Police Services, a copy of which is attached hereto, in accordance with the provision of the law; and BE IT FURTHER RESOLVED that this Resolution shall take effect January 1, 2018.

RESOLUTION 2018-041

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REMOVE ITEMS FROM THE FIXED ASSET SCHEDULE

WHEREAS, municipalities are required to maintain a record of Fixed Assets, which includes land, buildings, vehicular equipment, and general equipment with a cost in excess of five thousand dollars (\$5,000) individually; and WHEREAS, changes must be made to the Fixed Asset Listing when there are changes such as sales of equipment or acquisition of property; and WHEREAS, there are items on the existing Fixed Asset Listing that do not exceed the threshold; and NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey that the CFO is authorized to remove certain items on the existing Fixed Asset Listing. BE IT FURTHER RESOLVED that a copy of the items to be removed from the Fixed Asset Listing is attached hereto.

RESOLUTION 2018-042

RESOLUTION AUTHORIZING A POLICY CONCERNING NOTIFICATION OF ALL TAX APPEALS FILED AND ENTERED WITH THE OCEAN COUNTY BOARD OF TAXATION

WHEREAS, Borough of Barnegat Light wishes to set forth a policy whereby the Tax Assessor, within three (3) days of receiving the list, but no later than June 1st of each year, will notify the Chief Financial Officer and the Governing Body of all appeals that have been filed and entered with the Ocean County Board of Taxation; and NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light certifies that it met, discussed, and established a policy that the Municipality's Tax Assessor will deliver the list of tax appeals from the Ocean County Board of Taxation to the Chief Financial Officer and the Governing Body within three (3) days of receiving the list, but no later than June 1st of each year. Municipalities where a revaluation/reassessment has taken place, the list of tax appeals can be reported when the information becomes available.

RESOLUTION 2018-044

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING AN INTERIM MUNICIPAL COURT ADMINISTRATOR

WHEREAS, the Borough of Barnegat Light needs the services of a Court Administrator in accordance with NJSA 2B:12-10; and WHEREAS, Maureen F. Daniels is fully qualified to hold said position, but is not yet certified in accordance with NJSA 2B:12-11; WHEREAS, Maureen F. Daniels has been selected by the Borough for this position, and has been

approved for appointment by the Assignment Judge of the Ocean County Vicinage of the New Jersey Superior Court, subject to receipt of appropriate certification in due course.

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:

That Maureen F. Daniels is hereby appointed to the position of Interim Municipal Court Administrator as of January 1, 2018 for a term that will expire December 31, 2018.

That certified copies of this resolution shall be forwarded to Maureen F. Daniels, the Borough Treasurer and Joseph Sclama, Municipal Division Manager, Ocean County Superior Court.

RESOLUTION 2018-045

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$595,643.19

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 \$595,643.19 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 2018-046

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH BEACH HAVEN, SURF CITY AND HARVEY CEDARS FOR CONSTRUCTION CODE ENFORCEMENT SERVICES

WHEREAS the State Uniform Construction Code Act, NJSA 52:27D-119 et. seq., requires that each municipality must make provisions for the enforcement and administration of the Uniform Construction Code; and

WHEREAS NJSA 40A:65-1 et. seq., authorizes several municipalities to agree to provide code enforcement services jointly by contract when approved by resolution under NJSA 40A:65-5; and

WHEREAS it is the desire of the Borough of Barnegat Light to contract with the municipalities of Beach Haven, Surf City and Harvey Cedars to jointly employ a Construction Code Official/Building Subcode Official, a Building Inspector and a Permit Clerk.

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. The Mayor and Clerk are hereby authorized and directed to enter into and execute a Shared Services Agreement with the municipalities of Beach Haven, Surf City and Harvey Cedars for the provision of Uniform Construction Code enforcement and administration services.
2. A copy of this agreement shall be kept on file and be available for public inspection at the office of the Borough Clerk.
3. This agreement shall take be effective as of January 1, 2018 and shall continue in full force and effect for four (4) years, expiring on December 31, 2021.
4. A certified copy of this resolution shall be forwarded to the Borough of Beach Haven, Borough of Surf City, Borough of Harvey Cedars and the Construction Code/Building Subcode Official.

ORDINANCES:

ORDINANCE 2018-01

ORDINANCE OF THE BOUROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Passage on First Reading: Date: January 10, 2018

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | X | | X | | | |
| Sharpless | | | X | | | |
| Wellington | | | X | | | |
| Reynolds | | X | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | | X | | | |

ORDINANCE 2018-02

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, INCREASING THE FEES FOR THE BOROUGH DOG PARK.

Passage on First Reading: Date: January 10, 2018

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | | | X | | | |
| Sharpless | | X | X | | | |
| Wellington | | | X | | | |
| Reynolds | X | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | | X | | | |

ORDINANCE 2018-03

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 168-23 OF THE BOROUGH CODE, ENTITLED "PERMIT REQUIRED FOR TEMPORARY USE OF PUBLIC RIGHT-OF-WAY," TO ADD WEST 4TH & WEST 7TH STREETS.

Passage on First Reading: Date: January 10, 2018

| Larson | Moved | Second | Aye | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Spark | | | X | | | |
| Sharpless | | | X | | | |
| Wellington | | X | X | | | |
| Reynolds | X | | X | | | |
| Mikuletzky | | | X | | | |
| Foley | | | X | | | |

MOTION TO ADJOURN:

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

APPROVED: _____

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK