

**REGULAR MEETING OF MAYOR AND COUNCIL June 14, 2017**

**THE CAUCUS MEETING** of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, on East 7<sup>th</sup> Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in the Borough Hall on January 4, 2017 and it was published on January 12, 2017 in the Beach Haven Times and the Asbury Park Press, newspapers designated by Mayor and Council on January 4, 2017 to receive such notice, and by filing a copy of the notice with the Acting Borough Clerk on January 4, 2017.

**ROLL CALL:** Spark, Sharpless, Wellington, Reynolds, Mikuletzky, Warr

**Also present:** Mayor Larson, Terry Brady, Elaine Tollison, Ashley Darmon, Sponge Washburn and Brenda Kuhn

**Discussion:** Mayor Larson talked about the Taxpayers Association Meeting and how there was a vote about raising the building height limit. He said there was a vote and that it was approximately 95-5 opposed to raising the limit. There was lot of discussion about this topic such as starting 1’ off the crown of the road, using fill, having an uneven skyline, flooding and many other things.

The next topic of discussion was water meters and pits. Councilman Spark said that we have been working with Stafford Township to locate the meters and 25-30 have never been found. He is urging the property owners to uncover and locate their meters. He cautioned the public that 10-15’ from the road is actually Borough property and many have landscaped and hardscaped this area. Councilman Mikuletzky mentioned that once the pits are exposed that they must remain exposed for access by the Borough. Councilman Spark said that going to meters is mandated by the state.

Mayor Larson talked about putting a non-binding referendum question on the ballot for the general election. The question is “Do the people of this town really want a dog park?” He stated that there have been many problems with the dog park.

Councilwoman Reynolds said she thought we should consider the ban on balloons. She said that some other towns have been adopting ordinances to ban them.

Councilman Sharpless said that that there is a lot of support for the skateboard park. He was looking for the consent of council before he moves forward with planning the renovations of the park. He gave some ballpark figures and the Mayor told him to get something together. Councilman Mikuletzky added that the users of the park must start obeying the rules.

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

**THE MEETING** of the Mayor and Council was called to order by Councilman Spark at 5:00pm at the Borough Hall, on East 7<sup>th</sup> Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in the Borough Hall on January 4, 2017 and it was published on January 12, 2017 in the Beach Haven Times and the Asbury Park Press, newspapers designated by Mayor and Council on January 4, 2017 to receive such notice, and by filing a copy of the notice with the Acting Borough Clerk on January 4, 2017.

**PLEDGE OF ALLEGIANCE**

**The Acting 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, Warr

**Also present:** Mayor Larson, Terry Brady, Elaine Tollison, Ashley Darmon, Sponge Washburn and Brenda Kuhn

**APPROVE MINUTES:** Councilman Spark asked for a motion to approve the minutes of May 10, 2017 regular meeting.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington			X			
Reynolds			X			
Mikuletzky		X	X			
Warr	X		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			
Warr			X			

**BUILDING AND ZONING REPORT:** Councilman Spark asked for a motion to approve the Building and Zoning Report.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds		X	X			
Mikuletzky			X			
Warr			X			

**Mayor Larson** announced that Brenda Kuhn passed the Municipal Clerks exam and she is taking the oath of office and she is going from Acting Borough Clerk to the real Clerk! Terry Brady, the Borough Attorney administered the oath of office.

**COMMITTEE REPORTS:**

**WATER/SEWER:** Councilman Spark said that he would like to make the monthly report a part of the meeting minutes. He said there was a big increase in the water usage.

**PUBLIC WORKS:** Councilman Sharpless said that Public Works was busy. He told everyone that the Independence Day Parade will be July 1, 2017 and line up starts at 6pm on West 11<sup>th</sup> Street.

**DOCKS AND HARBORS:** Councilman Wellington said that the boat ramp revenue is consistent with last year. The total for this year is \$15, 400. He said that the NJDOT channel dredging project is back on track for this fall with Great Lakes Dredging doing the work. He said that it will probably be November or December before they will get to our project. Councilman Wellington talked about the Pavilion project. He said that we were getting prices for the steel and that Stanley Madsen has completed the materials list and will provide it to the CFO and Engineer.

**BEACHES AND PARKS:** Councilwoman Reynolds said tennis fees are down but that was because of the new rules. She said that seasonal beach badges revenue is up. Councilwoman Reynolds said there was an unusual number of Piping Plovers on our beaches and she cautioned everyone to observe caution in and around the fenced nesting areas. She said vehicle use must be limited to emergencies only.

**FINANCE:** Councilman Warr said that the bills paid for the month were \$348,085.67 and of that \$147,000 was Regional School Tax.

**PUBLIC SAFETY:** Councilman Mikuletzky said he would like to make the court report a part of the meeting minutes. The he spoke to Chief Deely and was told that they are going to be concentrating on pedestrian and bike safety rules. He said that on Friday the traffic lights would be on.

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

Joe Cornell, 2902 Bayview Ave. said that he was there to commend the Mayor and Council for putting in the walkways on 30<sup>th</sup> Street. Bob Crimmins, 16 E 18 Street, thanked the Mayor and Council on reconsidering raising the building height. Ron Goebel, 11 E 7 Street, said that he had water issues and talked to the code enforcement officer about it. He said he was asking for help. Sponge Washburn said that it was hard to tell where the water is coming from but his property is lower than most on the street. He said that he called Frank Little to see if he had any ideas. Tom Scangerello, Professional Planner, said he was there representing Bob Dole. Bob Dole then spoke to the Mayor and Council about his concerns. Mr. Scangerello said that they were concerned about the character, safety, health and welfare of Barnegat Light. Ernie Branin, 16 W 26 Street, want to ask about access to meter pits and he wanted to know who was responsible to raise the meter to the level that is required. Councilman Sparks said that the property owner would be responsible. Mr. Branin then discussed the crown of the road and raising the building height. He was concerned about where the water runoff would go. There was further discussion about water and how raising the building height would affect it. He said that another issue was the rising tides. Connie Higgins, 10 E 11 Street, said that she didn't understand why the meters couldn't put on the outside of the house. She was told that we need access to the meters without trespassing on the properties. There were problems with this because we need to be able to repair, replace, the meters but we also need to get to the shutoffs at the curb. He said that Harvey Cedars made their property owners pay for the new meters. Mary Ellen Foley, 6 E 10 Street, asked if the Borough wanted people to call when they locate their meter pits. John Tennyson, 6 W 22 Street, said that the Taxpayers Association's survey asked what do people like to do in the form of recreation and 47% said miniature golf. He thought it was interesting since most people were not in favor of the proposed miniature golf course being built in Barnegat Light.

**CLOSE PUBLIC SESSION:** Mayor Larson asked for a motion to close the public session. On a motion by Warr, seconded by Sharpless and carried by all the public session came to an end.

**ORDINANCES:**

**ORDINANCE 2017-011**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR HYDRANT REPLACEMENT IN THE BOROUGH, AND**

**APPROPRIATING \$10,000 THEREFOR FROM THE BOROUGH'S UTILITY CAPITAL IMPROVEMENT FUND**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. The sum of \$10,000 is hereby appropriated from the Borough of Barnegat Light, in the County of Ocean, New Jersey (the "Borough") Utility Capital Improvement Fund for hydrant replacement in the Borough, including all work and materials necessary therefore or incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by law.

Brenda Kuhn, Acting Municipal Clerk

Passage on First Reading: Date: May 10, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington			X			
Reynolds	X		X			
Mikuletzky		X	X			
Warr			X			

The Clerk stated that the there was a second reading and Public Hearing on Ordinance 2017-011

**OPEN PUBLIC HEARING:**

Mayor Larson asked for a motion to open the Public Hearing. On a motion by Sharpless and carried by all the Public Hearing for ordinance 2017-011 was open.

There was no comment from the public. Mayor Larson asked for a motion to close the Public Hearing. On a motion by Spark, and carried by all, the public hearing closed to the public.

**ADOPTION:**

**Final Passage: Date: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington			X			
Reynolds	X		X			
Mikuletzky		X	X			
Warr			X			

**ORDINANCE 2017-012**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE METHOD OF FIXING AND DETERMING ANNUALLY, SALARIES AND RATES OF COMPENSATION TO BE PAID TO ALL PERSON EMPLOYED BY THE BOROUGH OF BARNEGAT LIGHT, AND PROVIDING FOR THE METHOD OF PAYMENT THEREOF.**

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

**SECTION I**

All persons employed by the Borough of Barnegat Light shall be paid compensation for that employment as may from time to time be fixed by Resolution of the Governing Body of the Borough of Barnegat Light, provided that such compensation shall be within the scale of limits set forth below in Section II.

**SECTION II**

The various employees and personnel of the Borough of Barnegat Light shall be paid salary scales and hourly rates within the framework established below:

<b><u>CLASSIFICATION</u></b>	<b><u>NOT LESS THAN</u></b>	<b><u>NOR MORE THAN</u></b>
Mayor	100.00	12,000.00
Council President	1,200.00	6,000.00
Councilmembers	1,000.00	5,000.00
Municipal Clerk	22,500.00	125,000.00
Deputy Municipal Clerk	14,500.00	60,000.00

Borough Administrator	10,000.00	50,000.00
Administrative Clerk	14,500.00	50,000.00
Tax Collector	6,000.00	80,000.00
Tax Search Officer	500.00	1,500.00
Tax Clerk	8,500.00	35,000.00
Utility Collector	6,000.00	60,000.00
Chief Financial Officer	15,000.00	80,000.00
Assistant Treasurer	14,500.00	75,000.00
Qualified Purchasing Agent	2,000.00	10,000.00
Payroll Clerk	1,500.00	7,500.00
General Clerk	4,000.00	30,000.00
Tax Assessor	7,500.00	25,000.00
Assessor's Clerk	1,500.00	5,000.00
Zoning/Code Enforcement Officer	5,000.00	30,000.00
Clean Communities Coordinator	1,000.00	3,000.00
Recycling Coordinator	1,000.00	5,000.00
Planning Board Secretary	1,500.00	4,000.00
Zoning Board Secretary	1,500.00	4,000.00
Construction Code Control Clerk	2,000.00	15,000.00
Registrar	500.00	5,000.00
Court Administrator	3,000.00	10,000.00
Deputy Court Administrator	250.00	5,000.00
Violations Clerk	100.00	4,000.00
Municipal Judge	4,000.00	15,000.00
Superintendent Public Works	20,000.00	80,000.00
Superintendent Water Sewer	20,000.00	80,000.00
Public Works Foreman	20,000.00	70,000.00
Laborer	16,000.00	45,000.00
Laborer II	17,000.00	65,000.00
CRS Coordinator	2,000.00	3,500.00
Emergency Mgt. Coordinator	1,000.00	5,000.00
Deputy Emergency Mgt. Coord.	1,000.00	5,000.00
Radiological Officer	500.00	3,000.00
Seasonal (part time) Worker	8.44 hr	20.00 hr
Lifeguard Captain	500.00 wk	1500.00 wk
Lifeguard Administrative Assistant	500.00 wk	1500.00 wk
Lifeguard Lieutenant	450.00 wk	800.00 wk
Lifeguard	200.00 wk	800.00 wk
Safety Coordinator	100.00	3,000.00
Construction Leader	15.00 hr	60.00 hr
Construction Helper	8.44 hr	25.00 hr

**Passage on First Reading: Date: May 10, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

The Clerk stated that the there was a second reading and Public Hearing on Ordinance 2017-012

**OPEN PUBLIC HEARING:**

Mayor Larson asked for a motion to open the Public Hearing. On a motion by Sharpless, seconded by Wellington and carried by all the Public Hearing for ordinance 2017-012 was open.

There was no comment from the public. Mayor Larson asked for a motion to close the Public Hearing. On a motion by Sharpless, seconded by Wellington and carried by all, the public hearing closed to the public.

**ADOPTION:**

**Final Passage: Date:** June 14, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds			X			
Mikuletzky			X			
Warr		X	X			

**ORDINANCE 2017-013**

**ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM**

**WHEREAS**, the State Legislature has adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

**WHEREAS**, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

**WHEREAS**, the Mayor and Borough Council of the Borough of Barnegat Light has considered the guidelines issues by the Local Finance Board;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council that:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:
  - a. Construction Code Clerk
  - b. Zoning/Code Enforcement Officer
2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:
  - a. Tax Collector
  - b. Chief Financial
  - c. Officer/Qualified Purchasing Agent
  - d. Tax Assessor
  - e. Superintendent of Public Works
  - f. Construction Code Official
3. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.
4. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
5. A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

**INTRODUCTION:**

**Passage on First Reading: Date:** May 10, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless	X		X			
Wellington		X	X			
Reynolds			X			
Mikuletzky			X			
Warr			X			

The Clerk stated that the there was a second reading and Public Hearing on Ordinance 2017-013

**OPEN PUBLIC HEARING:**

Mayor Larson asked for a motion to open the Public Hearing. On a motion by Wellington, seconded by Sharpless and carried by all the Public Hearing for ordinance 2017-013 was open.

There was no comment from the public. Mayor Larson asked for a motion to close the Public Hearing. On a motion by Spark, seconded by Wellington and carried by all, the public hearing closed to the public.

**ADOPTION:**

**Final Passage: Date:** June 14, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds			X			
Mikuletzky			X			
Warr	X		X			

**ORDINANCE 2017-014**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE TO PROHIBIT GAS-POWERED GENERATORS ON CONSTRUCTION SITES.**

**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.** There is hereby created and established a new Section 76-21 of the Borough Code of the Borough of Barnegat Light, to be entitled “Prohibited construction operations,” to provide as follows:

**Chapter 76**

**Construction Codes, Uniform**

**§76-21. Prohibited construction operations.**

- A. Power generators. Gas powered electric generators shall be prohibited on construction sites, but rather a temporary electric power pole shall be installed and activated to bring electric power to the construction site.
- B. Exceptions. Exceptions may be made to this ordinance under the following circumstances:
  - 1. In case of urgent necessity in the interest of public health and safety

**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:** May 10, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds		X	X			
Mikuletzky			X			
Warr			X			

The Clerk stated that the there was a second reading and Public Hearing on Ordinance 2017-014

**OPEN PUBLIC HEARING:**

Mayor Larson asked for a motion to open the Public Hearing. On a motion by Mikuletzky, seconded by Reynolds and carried by all the Public Hearing for ordinance 2017-014 was open.

Mayor Larson, Councilman Wellington and Councilman Spark explained the ordinance. They said it would require construction sites to use a power pole instead of a gas powered generator. There was no comment from the public. Mayor Larson asked for a motion to close the Public Hearing. On a motion by Sharpless, seconded by Wellington and carried by all, the public hearing closed to the public.

**ADOPTION:**

**Final Passage: Date:** June 14, 2017

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington	X		X			
Reynolds			X			
Mikuletzky			X			
Warr			X			

**First Reading:**

**ORDINANCE 2017-015**

**ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 76-14 OF THE BOROUGH CODE, ENTITLED “FEE SCHEDULE,” AMENDING THE CONSTRUCTION CODE FEES.**

The Clerk read Ordinance 2017-015 by number and title.

**Passage on First Reading:**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTIONS:**

**RESOLUTION 2017-078**

**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 2017 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 approves same.

**BEACH BADGE BOOTH ATTENDANT:** Samantha MacLean \$ 8.44/hr

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark	X		X			
Sharpless			X			
Wellington			X			
Reynolds		X	X			
Mikuletzky					X	
Warr			X			

**RESOLUTION 2017-079**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE BARNEGAT LIGHT VOLUNTEER FIRE COMPANY WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2016**

**WHEREAS**, Ordinance No. 01-018 of the Borough of Barnegat Light implemented the Length of Service Award Program (LOSAP) for the Barnegat Light Volunteer Fire Company and was passed by voters by a referendum on November 6, 2001; and

**WHEREAS**, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year: and

**WHEREAS**, the Governing Body has received and reviewed such certified list from the President of the Barnegat Light Volunteer Fire Company

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Barnegat Light as follows:

1. Per the certified list received, the following Barnegat Light Volunteer Fire Company members are hereby approved to receive the 2016 LOSAP award.

Anderson, Keith	Manookian, Richard E.
Applegate, Harry	Mikuletzky, Frank F.
Ballinger, Arthur	Mikuletzky, Morgan J.
Cane, Kurt	Mimm, Kevin
Connelly, David J.	Perko, James
Ely, Gerald	Reynolds, Dewitt
Fox, Warren	Richard, Jacques
Grimste III, Frederick	Roth, Vincent P.
Haviland, Stanley	Russo, Peter
Hollander, Kimberly	Volpe, John A.
Kaminski, Edward	Voris, David M.
Kaminski, Edward J.	Washburn, Jeffrey
Kuhlman, Howard	
Manookian, Nancy A.	
2. Qualified members will each receive \$708.00 for the 2016 LOSAP award, pursuant to application approval.
3. The certified list of members shall be posted on the official bulletin board of the Municipal Clerk of the Borough of Barnegat Light and at the Barnegat Light Volunteer Fire Company for a period of thirty (30) days to allow sufficient time for membership review.
4. Appeals shall be mailed to the Municipal Clerk of the Borough of Barnegat

Light, P. O. Box 576, Barnegat Light, NJ 08006-0576, and must be received within thirty (30) days of the posting date of the approved certified list.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark	X		X			
Sharpless			X			
Wellington		X	X			
Reynolds					X	
Mikuletzky					X	
Warr			X			

**RESOLUTION 2017-080**

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

**WHEREAS**, Brenda L. Kuhn currently serving a one-year term as Acting Municipal Clerk, said term to expire on November 1, 2017; and

**WHEREAS**, NJSA 40A:9-133 provides that every municipality shall appoint a municipal clerk for a three-year term by the governing body of the municipality, provided that no person shall be appointed as a municipal clerk unless that person holds a registered municipal clerk certificate; and

**WHEREAS**, Brenda L. Kuhn has been issued a registered municipal clerk certificate, and is in all other respects fully qualified to hold the position of Borough Clerk; and

**WHEREAS**, it is the desire of the Mayor and Borough Council to appoint Brenda L. Kuhn as Borough Clerk, for a full three-year term.

**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 Brenda L. Kuhn as Borough Clerk, effective immediately, for a full three-year term, to expire on June 13, 2020.
2. That certified copies of this resolution shall be forwarded to Brenda L. Kuhn and the NJ Division of Local Government Services.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-081**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING APPLICATION OF LARSON PUSKAS FISHERIES EDUCATION PARTNERSHIP TO HOLD A RAFFLE IN THE BOROUGH ON JUNE 24, 2017 AND WAIVING FEE PAYABLE TO BOROUGH FOR SAME**

**WHEREAS**, Larson Puskas Fisheries Educational Partnership has made application to conduct a 50/50 raffle in accordance with the Act and Rules and Regulations of the Legalized Games of Chance Control Commission; and

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

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

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-082**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR KUBEL'S FOR THE YEAR 2017-2018**

**WHEREAS**, Barlight Corp has applied to the Alcoholic Beverage Control Commission for renewal of the



Plenary Retail Consumption License #1501-33-003-006 for the year 2017-2018, for the premises known as Kubel's at 706 Bayview Avenue; and

**WHEREAS**, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and

**WHEREAS**, a check in the amount of \$2,000.00 for the license renewal fee has been paid to the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light, County of Ocean that a Retail Plenary Consumption License be issued to Kubel's for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington	X		X			
Reynolds		X	X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-083**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR DAYMARK FOR THE YEAR 2017-2018**

**WHEREAS**, 404 Broadway Restaurant Partners, LLC has applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Consumption License #1501-33-002-004 for the year 2017-2018, for the premises known as Daymark at 706 Broadway; and

**WHEREAS**, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and

**WHEREAS**, a check in the amount of \$2,000.00 for the license renewal fee has been paid to the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light, County of Ocean that a Retail Plenary Consumption License be issued to 404 Broadway Restaurant Partners, LLC for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless	X		X			
Wellington		X	X			
Reynolds			X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-084**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR THE KEEPERS AT BARNEGAT LIGHT CORPORATION FOR THE YEAR 2017-2018**

**WHEREAS**, The Keepers at Barnegat Light Corporation have applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Distribution License #1501-44-001-004 for the year 2017-2018, for the premises at 608 Broadway; and

**WHEREAS**, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and

**WHEREAS**, a check in the amount of \$2,000.00 for the license renewal fee has been paid to the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that a Retail Plenary Distribution License will be issued to The Keepers at Barnegat Light Corporation for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington	X		X			
Reynolds			X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-085**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF**

**OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR THE RECONSTRUCTION OF WEST 19<sup>TH</sup> STREET TO CJ HESSE INC.**

**WHEREAS**, the Borough of Barnegat Light duly advertised for the receipt of bids for the West 19<sup>th</sup> Street Reconstruction Project; and

**WHEREAS**, at the time, place and date set for the receipt of bids, formal bids were received by the Borough as follows:

Johnson Baran Corp	\$123,305.44
C.J. Hesse Inc.	\$115,211.02
Earle Asphalt Company	\$121,513.13

**WHEREAS**, said bids were taken under advisement and have been reviewed by the Borough Engineer and it has been determined that C.J. Hesse Inc., submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$115,211.02; and

**WHEREAS**, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for the West 19<sup>th</sup> Street Reconstruction Project to C.J. Hesse Inc., the lowest bidder; and

**WHEREAS**, part of the funding for said project comes from financing awarded by the NJ Department of Transportation, and the award is, therefore, subject to NJDOT review and approval, per their grant rules and regulations.

**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 award the contract for the West 19<sup>th</sup> Street Reconstruction Project to C.J. Hesse Inc. at the price of \$115,211.02, subject to NJDOT review and approval.

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with C.J. Hesse Inc. for said project, said agreement to be in conformance with bid specifications and bid submitted by C.J. Hesse Inc.

3. 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 Bond Ordinance 2017-003**

4. That a certified copy of this resolution shall be forwarded to C.J. Hesse Inc., the NJDOT, the Chief Financial Officer and the Borough Engineer.

5. This contract award is subject to NJDOT review and approval, per their grant rules and regulations.

**DATED: June 14, 2017**

	Moved	Second	Aye	Nay	Abstain	Absent
Larson						
Spark			X			
Sharpless	X		X			
Wellington			X			
Reynolds			X			
Mikuletzky		X	X			
Warr			X			

**RESOLUTION 2017-086**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING LIFEGUARDS FOR SUMMER 2017**

**WHEREAS**, the Borough of Barnegat Light is in need of lifeguards for summer 2017; and

**WHEREAS**, the following people are 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 list of 2017 lifeguards:

**LIFEGUARDS:**

Adams	Lifeguard Administrative Assistant Donald, E	\$ 925.00 /wk
Adams	Douglas, P	\$ 515.00 /wk
Adams	Donald, P	\$ 515.00 /wk
Balla	Noah, S	\$ 410.00 /wk
Balla	Hanna	\$ 390.00 /wk
Baxter	Andrew	\$ 515.00 /wk
Borchert	Max, J	\$ 410.00 /wk
Caffrey	Lifeguard Captain Scott, W	\$ 850.00 /wk
Caffrey	Carson	\$ 390.00 /wk
Castiello	Nathan, J	\$ 515.00 /wk
Coughlin	Gregory, R	\$ 450.00 /wk

D'Antonio	Christian, E		\$ 420.00	/wk
Dolan	Taylor		\$ 390.00	/wk
Health	Nicholas		\$ 390.00	/wk
Heffernan	Beth		\$ 400.00	/wk
Horner	Madeline, R		\$ 390.00	/wk Q
Humberston	Nathan, D		\$ 515.00	/wk Q
Humberston	Noah, E		\$ 410.00	/wk Q
Huo	Sam		\$ 390.00	/wk
Jennings	Jason, L		\$ 515.00	/wk Q
Jennings	Taylor		\$ 450.00	/wk
Jones	Frederick, M	(LIT)	\$ 435.00	/wk
Jones	Benjamin, J		\$ 420.00	/wk
Juau	Harper		\$ 390.00	/wk
Kay	Jennifer, A		\$ 420.00	/wk
Keh	Lucas		\$ 390.00	/wk Q
Kim	Noah		\$ 390.00	/wk
Kohl	Zachary, E		\$ 470.00	/wk
Kuscan	Nolan		\$ 390.00	/wk Q
Larralde	Alex, J		\$ 400.00	/wk
Lentz	Gavin, J		\$ 460.00	/wk
Livesey	Seth, F		\$ 515.00	/wk
Luckangelo	Jake, O		\$ 400.00	/wk
Macchia	Michael, G		\$ 410.00	/wk
Malay	Madelyn, D	(EMT, LIT)	\$ 465.00	/wk
Massa	Tony		\$ 440.00	/wk
Meyer	Mackenzie		\$ 390.00	/wk
Patterson	Laura	(EMT)	\$ 405.00	/wk
Patterson	Kaddy		\$ 390.00	/wk
Pecci	Collin, M	(EMT, LIT)	\$ 450.00	/wk
Ro	Andrew		\$ 390.00	/wk
Ross	John		\$ 505.00	/wk
Schulze	John		\$ 515.00	/wk
Selfridge	Robert, J	(EMT)	\$ 530.00	/wk
Selfridge	Hobson, A		\$ 410.00	/wk
Slahetka	Theodore, N		\$ 410.00	/wk
Slahetka	Elizabeth, R		\$ 400.00	/wk
Smith	Michael, N	(LIT)	\$ 440.00	/wk Q
Von Rosendahl	Brienne	(LIT)	\$ 445.00	/wk Q
Westerburg	Zakarias, D		\$ 425.00	/wk
Wierman	Nicholas, B		\$ 410.00	/wk
Wiles	James, P		\$ 450.00	/wk

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-087**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CHANGE ORDER SFY 2014 ROAD PROJECT FOR WEST 11<sup>TH</sup> STREET**

**WHEREAS**, a contract was previously awarded for the SFY 2014 Road Project for West 11<sup>th</sup> Street to Earl Asphalt Co. at the price of \$ 140,113.13; and

**WHEREAS**, the Mayor and Borough Council wish to authorize a change order which will result in a

decrease in the contract price in the net amount of \$15,765.12; and

**WHEREAS**, this change order and all other change orders amount to a total less than 20% of the original contract awarded to Earl Asphalt Co. and

**WHEREAS**, the 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 & Borough Council of the Borough of Barnegat Light do hereby authorize the execution of Change Order Number 1 to the contract for the West 11<sup>th</sup> Street SFY 2014 Road Project with Earl Asphalt Co. to provide a decrease in the contract price in the net amount of \$15,765.12. 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 Earl Asphalt Co. the Chief Financial Officer and the Borough Engineer.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless		X	X			
Wellington			X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-088**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING BOROUGH SAFETY COORDINATOR**

**WHEREAS**, the Borough of Barnegat Light, County of Ocean, State of New Jersey desires to appoint a "Safety Coordinator" by order of the Ocean County Municipal Joint Insurance; and

**WHEREAS**, Donald Adams has the necessary qualifications and desire to be so appointed.

**NOW, THEREFORE, BE IT RESOLVED** that;

1. Donald Adams is hereby appointed Safety Coordinator of the Borough of Barnegat Light and shall serve at the pleasure of Mayor and Council.
2. Donald Adams will be compensated \$1,500.00 per year.
3. He will perform all the required duties of the Safety Coordinator as from time to time directed by the Ocean Municipal Joint Insurance Fund.
4. Certified copies of this resolution will be forwarded to the Ocean County JIF, Connor Strong and the Barnegat Light CFO.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-089**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING AN APPLICATION FOR RECREATIONAL AREA USE PERMIT FOR A SPECIAL EVENT AND WAIVING THE FEE FOR SAME**

**WHEREAS**, Jennifer Wampole has applied for a Recreational Use Permit for a beach wedding on August 5, 2017 at 6:30pm; and

**WHEREAS**, Ordinance 2012-009 requires permits for use of recreational areas and insurance coverage for the event; and

**WHEREAS**, Ordinance 2012-012 allows for Mayor and Council to grant special event permit fee waivers or partial waivers by resolution; and

**WHEREAS**, Jennifer Wampole has provided the Borough with a Special Event Liability Insurance Policy Declaration Page, naming Barnegat Light as an additional insured party ; and

**WHEREAS**, it is the desire of the Borough Council to waive the permit fee; and

**WHEREAS**, it is the desire of the Mayor and Council to approve the application..

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

1. That the application be approved.
2. That the application fee is waived.

**DATED: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
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Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds	X		X			
Mikuletzky			X			
Warr			X			

**RESOLUTION 2017-090**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$348,085.67**

**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 \$348,085.67 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: June 14, 2017**

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Sharpless			X			
Wellington		X	X			
Reynolds			X			
Mikuletzky			X			
Warr	X		X			

**CORRESPONDENCE:**

The Barnegat Light Tourism Coalition requested use of the gazebo and surrounding area for a Jeep Show on July 10, 2017 and for an Antique Car Show on September 17, 2017. All were in favor.

**MOTION TO ADJOURN:**

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

**APPROVED:** \_\_\_\_\_

**KIRK O. LARSON, MAYOR**

\_\_\_\_\_ **BRENDA L. KUHN, MUNICIPAL CLERK**