

**REGULAR MEETING OF MAYOR AND COUNCIL
November 13, 2019**

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 2, 2019 and was published in the Asbury Park Press and Beach Haven Times on January 10, 2019, 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, Stuart McGowan and Brenda Kuhn

Discussion: Mayor Larson opened the Caucus meeting by saying that we received the application for the Community Development Block Grant and we would look into mobi mats for the beaches. The Superintendent said that they were a lot easier to put down and take up than the wooden walkway and the beachgoers really like them. The Mayor asked the Council what they thought purchasing the Light Ship Bell. (USLHE 1904) There was discussion and all seemed to be favorable. The next topic was the parking lot at the Post Office. He said that it would be paved, sealed and relined over two days next week. Michael Spark complimented our Superintendent and his staff on the improvements at the Bay Beach. Councilwoman Foley said that a resolution to purchase meters was on the agenda tonight. There was discussion about purchasing meters and meter pits and the installation of the meters inside the homes vs in pits. The Mayor asked if the inspections for the new meters would be done by the Building department. The Superintendent said that the inspections would be done by his department. After installation they would have to call for activation and our water department would inspect to make sure everything was working property and that there were no illegal connections. Then the Mayor said that he and Stu were talking about buying a pole barn for behind Barber House to store all the lifeguard equipment. Stu said that would free up the Octagon building to house the meters. The CFO talked about the Best Practices Checklist that must be submitted to the State annually. She that this year the municipalities had to get 30 out of 84 and we hit the target with 40.5. She said that enacting resolutions such as the Diane Allen Equal Pay Act and one regarding Equal Rights was helpful. She also said that she answered yes to many questions that were asking if we were open to assistance from the State. She said that this would trigger the State to come and offer tips. The CFO said that because we hit the target there would be no reduction in aid.

Mayor Larson asked for a motion to close the Caucus. On a motion by Foley, seconded by Mikuletzky 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 2, 2019 and was published in the Asbury Park Press and Beach Haven Time on January 10, 2019, 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 Stuart McGowan, Kathleen Flanagan and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of October 9, 2019 regular meeting.

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

COMMITTEE REPORTS:

FINANCE: Councilman Spark said that we would be voting on a resolution to transfer appropriations from line items that had money left over to others that were short. The Councilman said that the Borough was paying \$838,000 for the bills this month. He also said that he and the CFO discussed having a Budget meeting, possibly after the Organization meeting. By prompting of the CFO, he said that he wanted the Council to consider hiring a different Labor Attorney. The Mayor said that is a reorg issue.

PUBLIC WORKS: Councilman Wellington said that the fencing and final grading at bay beach was done this month and in the spring new parking material would be installed. He said that the black pines were taken out in front of Public Works and it was graded and seeded. He said that the area in front of the Post Office was cleaned up and pavers were installed. They also planted a small cedar tree and it would be decorated for the holiday season. He added that the paver that were used were the ones that were replaced by the memorial bricks He said that some light sand work was done on beach trails at 7th and 8th Streets and more would be done over the winter. The Councilman said that some of the dune grass was planted by Boy Scouts and there were 3 or 4 bunches left if anyone was interested. He said that four new dog waste receptacles were installed on Bayview by the bay beach and due to the cold weather various areas have been winterized.

DOCKS AND HARBORS: Councilman Alloway said that revenue up \$960 from last year and hopefully stripers will increase that number. Councilwoman Foley asked if the docks get taken up for the winter. The answer was no. There was talk about barnacles

BEACHES AND PARKS: Councilwoman Reynolds said that thanks to the mailing our revenue for the sales of the 2020 beach badges was \$5582. She said that Beaches and Parks open public meeting was held and some of the things that were discuss were:

- The changing topography of the beaches and if the Army Corp of Engineers should be contacted
- Mobi mats
- The possibility of keeping at least two beaches open until 6:00pm
- More checkers and increasing the hourly rate to \$12.00-12.50
- Head Checker
- Looking into accepting credit cards for badges
- Increasing lifeguard salaries to a median with rest of island-approval budget committee
- Tram will run according to open beaches and guarded
- Tennis courts are fine
- Request for 3 additional pickleball courts- cuts the basketball down to half court
- Skateboard park being repaired
- Someone suggested having a small dog area at the dog park-there was discussion
- Bay Breeze Park restroom

Mayor Larson said that we should have a budget meeting in December.

WATER/SEWER: Councilwoman Foley said that bumps in the road on Central Avenue at 11th and 27th Street have been leveled by infrared heat and that it would also be sealed. She said that a motor was installed at well #2. She said that 2 service leaks were fixed. She said that the DPW/WS Staff had safety and other training and were now able to clean sewer pump station and we won't have to hire a contractor which will allow us to save money. The Councilwoman said that we would be going out to bid for meters and a chorine tank at well # 2 in the next couple months. She announced that we now have a Conservation Drought Plan. She stated Fall Hydrant flushing was completed and will be done again in the spring. The Councilwoman also reported that a broken water main on Seaview Avenue was fixed.

PUBLIC SAFETY: Councilman Mikuletzky said he wanted to make the court report a part of the minutes. He said that according to the court report Fish & Game got \$1695.00 and the Borough kept \$425.50 of the \$2402.21 collected. He also commended the Superintendent for getting the bumps in the road fixed because it was a safety factor.

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

Kay McDonnell, 18 West 10th Street, asked if adding fence at the dog park would interfere with the helicopter landing. She also said that the sign at the 1st Aid Squad was on all night and that it was light pollution. The Mayor said that we don't own it. Ms. McDonnell said there were also electronic signs at the Post Office and the Fire Company. The Mayor asked if they could be turned down so they weren't so bright and the answer was no but they could be put on a timer.

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

RESOLUTIONS:

The clerk asked if the resolution could be done by consent agenda. All councilmembers agreed. The clerk read Resolutions 2019-127-137, with the exception of 2019-129 by title and 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 2019-127

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF WATER & SEWER BILLING ON ACCOUNTS 1243-0 AND 707-0 DUE TO CUT AND CAP FROM THE WATER SUPPLY AND REFUND OF PAYMENT

WHEREAS, the water and sewer bill for the calendar year 2019 were issued; and
WHEREAS, the full year billing has been received by the Utility Collector; and
WHEREAS, the Utility Collector was notified that Permit # 19-011D was issued on October 11, 2019 to account #1243-0, Block 57, Lot 4 for a cut & cap from the water supply; and
WHEREAS, the Utility Collector was notified that Permit # 19-012D was issued on October 16, 2019 to account #707-0, Block 31, Lot 14 for a cut & cap from the water supply; and
WHEREAS, a prorated portion of the second half billing for 2019 should be cancelled in and refunded; and
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, as follows:

That a certified copy will be forwarded to the Utility Collector and the CFO.
That the Utility Collector be authorized to cancel a prorated portion of the 2nd half billing.
That the CFO is authorized to refund the owners of accounts 1243-0 and 707-0.
That breakdown of the cancellation and refund is as follows:
The refund for account # 1243-0 in the amount of \$142.80 should be sent to:

Frederick Solas
14 Ammerman Way
Chester, NJ 07930

The refund for account # 707-0 in the amount of \$154.60 should be sent to:

Michael A. Gibbs
400 East Park Avenue
Charlotte, NC 28203

RESOLUTION 2019-128

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AGREEMENT WITH GOVDEALS FOR THE SALE OF MUNICIPAL PROPERTY NOT NEEDED FOR PUBLIC USE BY ONLINE AUCTION METHOD.

WHEREAS, the Borough of Barnegat Light is the owner of certain personal property which is no longer needed for public use; and
WHEREAS, it is the desire of the Borough to sell said surplus property in "as is" condition, without express or implied warranties, by online auction method; and
WHEREAS, GovDeals is part of Sourcewell Co-op; and

WHEREAS, it is the desire of the Borough of Barnegat Light to authorize an agreement with GovDeals for the auctioning of surplus municipal property.

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 sale of the surplus municipal personal property shall be conducted through GovDeals pursuant to Sourcewell Contract 041316-GDI in accordance with the terms and conditions of the Sourcewell Contract. The Mayor and Borough Clerk are authorized to execute an agreement in accordance with the same. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and are also available in the Office of the Borough of Clerk. The sale is being conducted pursuant to Local Finance Notice 2008-9. The sale will be conducted online and the address of the auction site is govdeals.com. The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
A list of the surplus property to be sold is as follows:

See SCHEDULE A for a list of items

The Borough of Barnegat Light reserves the right to reject any and all bids.

RESOLUTION 2019-128

SCHEDULE A

2001 Dodge 2500 4x4

2004 Ford F-250 4x4

2008 Ford F-350 4x4

17 fire hydrants. They are Clow 5 ¼ barrel all 4 foot bury.

105 35 gallon drums

John Deere Z950A Bagger

2001 Ram 2500

2-drawer filing cabinet w/ keys

Muratec F-120 fax machine

Swintec 7040 Typewriter + 9 cassette ribbon

Olympia Standard 220 Typewriter + 2 cassette ribbons

Micre Cartridge MCR80AM [replaces CF280A (M)]

Dell monitor

RESOLUTION 2019-130

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING LABORERS FOR THE DEPARTMENTS OF PUBLIC WORKS AND THE WATER/SEWER

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to employ Laborers for the Departments of Public Works and Water/Sewer; and

WHEREAS, the positions were 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 Hunter Riddell as Laborer #1, as a full-time employee, subject to the Borough's probationary period.
2. That the Mayor and Borough Council do hereby employ Mark Visinski as Laborer #1, as a full-time employee, subject to the Borough's probationary period.
3. That Hunter Riddell and Mark Visinski 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 \$17.00 per hour for the six-month probationary period.
4. That certified copies of this resolution shall be forwarded to Hunter Riddell, Mark Visinski and the Borough Treasurer.

RESOLUTION 2019-131

RESOLUTION OF BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN STATE OF NEW JERSEY ADOPTING THE 2019 MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN FOR OCEAN COUNTY

WHEREAS, Barnegat Light Borough Council recognizes the threat that natural hazards posed to people and property within Borough of Barnegat Light and

WHEREAS, Borough of Barnegat Light has prepared a multi-hazard mitigation plan, hereby known as the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County identifies mitigation goal and actions to reduce or eliminate long-term risk to people and property in Borough of Barnegat Light from the impacts of future hazards and disasters; and,

WHEREAS, adoption by Borough of Barnegat Light demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey adopts the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County.

BE IT FURTHER RESOLVED, that copies of this resolution shall be made available to the Ocean County Sheriff's Office.

RESOLUTION 2019-132

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROMOTING CHRISTOPHER FOSTER TO THE POSITION OF LABORER II

WHEREAS, Salary Ordinance 2018-08 includes the classification of Laborer II; and

WHEREAS, Salary Ordinance 2018-08 provides the rate scale of limits for compensation for said position; and

WHEREAS, it is the desire of Mayor and Council of the Borough of Barnegat Light to promote Christopher Foster to the position of Labor II; 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, as follows:

1. That Christopher Foster is promoted to Labor II

2. That Christopher Foster shall be compensated in accordance with Salary Ordinance 2018-18.
3. Christopher Foster's hourly rate shall increase by \$2.00.
4. That certified copies of this resolution shall be forwarded to the CFO, Christopher Foster and the International Brotherhood of Teamsters Local No. 35.

RESOLUTION 2019-133

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF SECURITY DEPOSIT TO CERTAIN LIFEGUARDS

WHEREAS, Theodore Barber donated 510 Broadway to the Borough for lifeguard housing, and WHEREAS, the lifeguards living in the Barber House for the 2019 season were required to submit a \$100.00 security deposit; and

WHEREAS, the property has been inspected; and

WHEREAS, it is the desire of the Mayor and Borough Council to refund the entire deposit to the lifeguards; and

WHEREAS, the Finance Office has provided a list of lifeguards that occupied the Barber House and submitted the \$100.00 deposit for same; and

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

1. That a certified copy will be forwarded to the Finance Department.
2. That the Finance Department is authorized to refund the security deposits to each of the lifeguards on Attachment A

Resolution 2019-133

November 13, 2019

Attachment A

Security Deposit	Name
Cash	Horner, Madeline
Cash	Walsh, Stephen
Cash	Salamy, John
Cash	Thomas, Ashley
Cash	Baxter, Andrew
Cash	Mennonna, Chiara
Cash	Brown, Lenny
Check 1038	Sciubba, Robert
Cash	Westerberg, Zakarias
Check 605	Jacob, Brigit

RESOLUTION 2019-134

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF APPROPRIATIONS ACCORDING TO 40A:4-58

WHEREAS, the Borough of Barnegat Light in the County of Ocean and State of New Jersey finds it necessary to transfer money from certain 2019 budget appropriations to carry on and pay its obligations and that such transfers are permitted by law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light that the Treasurer is hereby authorized to make the following transfers:

CURRENT FUND:

FROM:

Construction	OE	9-01-22-195-200	\$8,700.00
Electricity		9-01-31-430-241	\$1,000.00
Financial Administration S&W		9-01-20-130-100	\$500.00
Lifeguards	OE	9-01-28-380-200	\$7,000.00

Public Docks	OE	9-01-28-385-200	\$9,000.00
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TO:

Zoning Board	OE	9-01-21-185-200	\$200.00
Emergency Mgmt	OE	9-01-25-252-200	\$3,500.00
Beachfront Maintenance	OE	9-01-28-380-400	\$5,000.00
Telephone		9-01-31-440-251	\$1,000.00
Municipal Court	S&W	9-01-43-490-100	\$500.00
Streets & Roads	OE	9-01-26-290-200	\$5,000.00
BeachMaintenance	OE	9-01-28-380-400	\$11,000.00

RESOLUTION 2019-135

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$838,731.93

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 \$838,731.93 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 2019-136

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF A SKID STEER FROM JESCO EQUIPMENT FOR \$63,491.20.

WHEREAS, the Borough of Barnegat Light is in need of a skid steer; and
WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and
WHEREAS, the Educational Services Commission of New Jersey has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;
WHEREAS, the ESCNJ Co-op has established a price of \$63,491.20 for a skid steer, to be purchased from Jesco Equipment.
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 purchase of a skid steer from Jesco Equipment for \$63,491.20 in accordance with the NJSCNJ Co-op pricing available for the same.
2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Jesco Equipment for said purchase, said agreement to be in conformance with bid specifications and bid submitted by Jesco Equipment through the ESCNJ Co-op system.
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:

Streets & Roads OE	9-01-26-290-200
Public Buildings & Grounds OE	9-01-26-310-200
Parks & Playgrounds OE	9-01-28-375-200
Beachfront Maintenance OE	9-01-28-380-400
Water/Sewer OE	9-09-55-502-000

4. That a certified copy of this resolution shall be forwarded to Jesco Equipment, ESCNJ Co-op, the Chief Financial Officer and the Borough Qualified Purchasing Agent.

RESOLUTION 2019-137

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF OCEAN FOR RECYCLING DISPOSAL AND REVENUE SHARING

WHEREAS, the Borough of Barnegat Light collects recyclable waste materials from its residents; and
WHEREAS, the County of Ocean operates two recycling centers for the receipt, processing and marketing of source-separated commingled recyclable materials; and
WHEREAS, the County of Ocean has adopted a Recycling Plan for the Ocean County Solid Waste District, which has been approved by the State of New Jersey; and
WHEREAS, it is the desire of the Borough of Barnegat Light to enter into an agreement with the County of Ocean for the disposal and revenue sharing of recyclable materials generated within the Borough of Barnegat Light; and
WHEREAS, N.J.S.A. 40:8A-5 authorized any local government agency to contact with another local government agency for the provisions of government services, including the disposition of recyclable materials.

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 Clerk of the Borough of Barnegat Light are hereby authorized to execute an Interlocal Service Agreement with the County of Ocean for the disposal and revenue sharing of recyclable materials.
2. That a copy of the Ocean County Recycling Center Use and Revenue Sharing Agreement shall be kept on file in the office of the Borough Clerk and shall be made available for inspection during regular business hours.
3. That a certified copy of this resolution shall be forwarded to the Borough Recycling Coordinator and the County of Ocean.

ORDINANCES:

INTRODUCTION:

ORDINANCE NO. 2019-14 BOND

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF WATER METERS AND VARIOUS UTILITY SYSTEM UPGRADES, APPROPRIATING \$950,000 THEREFOR AND AUTHORIZING

THE ISSUANCE OF \$950,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY

Passage on First Reading: DATED: November 13, 2019

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

ORDINANCE NO. 2019-15-BOND

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO West 6th Street, APPROPRIATING \$375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$57,950 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY

Passage on First Reading: DATED: November 13, 2019

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

ORDINANCE 2019-16

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 153 OF THE BOROUGH CODE TO REQUIRE METER PITS FOR ALL WATER METERS.

Passage on First Reading: DATED: November 13, 2019

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

ORDINANCES-SECOND READING /PUBLIC HEARING

The Clerk read Ordinance #2019-07 by title and said there would be a public hearing.

ORDINANCE 2019-07

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REPLACEMENT OF WATER/SEWER LINES ALONG 23RD STREET IN THE BOROUGH AND APPROPRIATING \$275,000 AND PROVIDING FOR THE ISSUANCE OF \$275,000 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

The Clerk read Ordinance #2019-07 by title and said there would be a public hearing.

OPEN PUBLIC HEARING:

Mayor Larson asked for a motion to open the public hearing. On a motion by Wellington and carried by all, the public hearing was open.

CLOSE PUBLIC HEARING:

Being no public comment, Mayor Larson asked for a motion to close the public hearing. On a motion by Spark, seconded by Foley and carried by all, the public hearing was closed.

Mayor Larson asked for a motion to adopt.

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

ORDINANCE 2019-07

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REPLACEMENT OF WATER/SEWER LINES ALONG 23RD STREET IN THE BOROUGH AND APPROPRIATING \$275,000 AND PROVIDING FOR THE ISSUANCE OF \$275,000 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

BE IT ORDAINED BY THE MAYOR AND 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Barnegat Light, in the County of Ocean, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$275,000. Pursuant to N.J.S.A. 40A:2-7(h) and N.J.S.A. 40A:2-11(c), no down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$275,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the replacement of the water/sewer lines along 23rd Street located in the Borough, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond 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 amended 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a self-liquidating improvement of a municipal public utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$275,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

- (d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.
- (e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).
- (f) The Borough reasonably expects to commence the acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the exclusion from gross income of interest on the bonds and notes authorized hereunder which are issued as tax-exempt bonds as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Clerk read Ordinance #2019-010 by title and said there would be a public hearing.

ORDINANCE 2019-10

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR REPAIRS TO THE MUNICIPAL BUILDING LOCATED IN THE BOROUGH AND APPROPRIATING \$200,000 AND PROVIDING FOR THE ISSUANCE OF \$190,000 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

OPEN PUBLIC HEARING:

Mayor Larson asked for a motion to open the public hearing. On a motion by Foley, seconded by Reynolds and carried by all, the public hearing was open.

Mayor Larson said that the options were to paint or reshingle. Councilman Wellington said that the issue is that there is lead paint and the removal is very expensive that's why we are looking into reshingling. Barbara Tuncellito asked what material would be used and the answer was double dipped cedar. Mayor Larson said that whatever we do must be approved by the Coast Guard/Historical Society. He said the siding has been on since 1938. Connie Higgins asked if it would still be \$200,000. It was explained to her that it would because there is also rot at the window trim and the cupola that would have to be taken care of. Mayor Larson said that we may not spend all of it but the money would be allocated if needed.

CLOSE PUBLIC HEARING:

Mayor Larson asked for a motion to close the public hearing. On a motion by Alloway, seconded by Foley and carried by all, the public hearing was closed.

Mayor Larson asked for a motion to adopt.

Final Passage: Date: November 13, 2019

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

ORDINANCE 2019-10

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR REPAIRS TO THE MUNICIPAL BUILDING LOCATED IN THE BOROUGH AND APPROPRIATING \$200,000 AND PROVIDING FOR THE ISSUANCE OF \$190,000 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

BE IT ORDAINED BY THE MAYOR AND 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Barnegat Light, in the County of Ocean, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$200,000 and including the sum of \$10,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$190,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is repairs to the Borough Municipal Building, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond 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 amended 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$190,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Borough reasonably expects to commence the purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the exclusion from gross income of interest on the bonds and notes authorized hereunder which are issued as tax-exempt bonds as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CORRESPONDENCE:

The Mayor said there was an application for use of the pavilion as shown below. All were in favor.

APPLICATION FOR RECREATIONAL USE PERMIT
For use of Beach & Bay areas, Courts & Pavilions
Ordinance 2012-009

Name of Applicant: Brittany Fiorile Date: 10/27/19
Address: 90 Sudder Ave
Phone: 917-376-1611 Email: brittany.fiorile@yohio.com
Area requested for use: Beach: Court: Bay: Street: Pavilion: (6th + 7th St)

RULES

1. No food allowed in any of the permitted areas.
2. No tents may be installed.
3. No stapling, nailing or taping on any of the Borough's structures.
4. Carry in-out, everything you bring in must be taken with you including garbage.

Describe Activity: Beach run for walking Germany
Date of requested activity: 5/30/2020 Time requested: 5:00
How many people will be attending your requested event? 100

Mayor Larson said a thank you letter was received from the LBTPD. He said that they were thanking the Borough for use of the tram for a pumpkin picking hayride.

The Mayor said that we also received a thank you for our support for a Pre-wedding beach bonfire. The Borough provided a porta-potty, trash cans, mobi mats, beach wheels and dug a fire pit.

Mayor Larson asked if we could schedule a Budget meeting tentatively on December 19, 2019 at 2:00pm.

Rich Brodman said that the Taxpayer's Association would hold their wine and cheese party on May 31, 2020.

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.

After the meeting was closed Councilman Spark said that resolution 2019-129 was not read. The meeting was reopened and the resolution was voted on as follows:

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

RESOLUTION 2019-129

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING ASHLEY DARMON AS PAYROLL CLERK.

WHEREAS, Ashley Darmon is currently the Assistant Treasurer of the Borough of Barnegat Light; and WHEREAS, there is a need to fill the position of Payroll Clerk in order to assist in the re-organization of employment in the Borough's offices; and

WHEREAS, Ashley Darmon is qualified to serve Payroll Clerk , in addition to her current duties, as Assistant Treasurer, to serve at the pleasure of the Mayor and Borough Council; and
WHEREAS, Ashley Darmon's current position of Assistant Treasurer will have increased responsibilities; 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, as follows:

1. That the Mayor and Borough Council do hereby appoint Ashley Darmon to the position of Payroll Clerk at the pleasure of the Mayor and Borough Council.
2. That Ashley Darmon 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 \$7,500 for Payroll Clerk and an additional \$2,972.72 for the position of Assistant Treasurer.
3. That certified copies of this resolution shall be forwarded to Ashley Darmon and the Borough Treasurer.

The Mayor asked to adjourn the meeting and all were in favor.

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK