

REGULAR MEETING OF MAYOR AND COUNCIL
April 10, 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, Ed Sulecki & Brenda Kuhn

Discussion: Mayor Larson said that a Recreational Use application was received for use of the pavilion. This application was from Zion Lutheran Church to have a picnic on June 30, 2019. This was discussed and the Mayor said that Council should vote on it in the regular meeting. Mayor Larson said that three yoga instructors sent in requests to do yoga classes at the pavilion. Councilman Wellington outlined what had been previously discussed regarding yoga classes at the pavilion. He said that we would hire the instructors as vendors for the season which would be 10 weeks. He said that the classes would be held on Tuesday mornings and they would be free to the public. Then he said that the instructors would be paid the same way that we pay our bands, as vendors. They would receive a 1099 at the end of the year. The next topic was water pumping. Mayor Larson said that we received a letter from a property owner outlining the problem caused by one of the neighboring properties. He said that last year was the most rain in NJ since 1885. He went on to say that more people are pumping their yards out to the streets with sump pumps. He said it wasn't just surface water, people were digging pits to put the pumps in and they were pumping water and brown slime was all over the streets. He said that owners had automatic pumps that just pumped all the time even if they aren't here. Mayor Larson said that this had to be addressed and asked council how to get this matter under control. He said that our code book says that if it is not permitted use...it's not permitted. There was a discussion about this topic. Some of the things talked about were pumping ground water, setting limits on depth of pumps, regrading properties, run PVC piping on town easement and run them to the storm drain, building retaining walls, etc. Councilwoman Foley asked Mayor and Council if we could take a look at the streets that are approved for DOT projects. She asked if there are undersized water mains on those streets could we replace them prior to the DOT project being started.

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

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:00pm 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, Kathleen Flanagan, Ed Sulecki & Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of March 13, 2019 regular meeting.

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

Proclamation:

Mayor Larson said that we had a Proclamation for National Library Week. Toni Smirniw, Branch Manager of the Long Beach Island Branch, Ocean County Library was here to accept the Proclamation and to tell everyone a little about the library. She said that the library's focus was on the community. She urged everyone to visit the library in person or online. She said that they have added a lot of fun things such as painting, flower arranging and they even had a bread baker there, with samples. Ms. Smirniw said that May 7, 2019 was the 30th birthday for the LBI Branch. The former manager, Linda Feaster who is also an author of a book about the Island and trends will be doing a presentation that day. Ms. Smirniw said that it was also the 60th birthday of the Friends of the Library She said that also in May, there will be a luncheon at a restaurant featuring Susannah Marren, author of Palm Beach Wife and that tickets would be going on sale on Monday.

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky said that he wanted to make the court report a part of the minutes. He reported that the Barnegat Light murderer was convicted and will be sentenced in June.

WATER/SEWER: Councilwoman Foley said that she wanted to make the water report a part of the minutes. She said that they were budgeting for a new truck for the water department. She said that the cell agreement was going to be renegotiating with the help of the CFO. She also said that 15 fire hydrants were being budgeted for and the plan is to do 15 per year in subsequent years until they are all replaced.

BEACHES AND PARKS: Councilwoman Reynolds said that last month the beach badge revenues were down but now we have sold \$2858.00 more that this time last year. She also reported that the dog park revenues were down by \$300.00.

DOCKS AND HARBORS: Councilman Alloway reported that there were still 5 slips available to rent.

PUBLIC WORKS: Councilman Wellington said that he wanted to make the Public Works report a part of the meeting minutes. He reported that for the last month they have been getting ready for the summer. He said that all of the docks at the boat slips were ready, the restroom at the docks is open, and the 2 new pickle ball nets were assembled. Councilman Wellington said that Councilwoman Reynolds, and Councilman Alloway attended the Fire Company Installation dinner and they gave out long service awards. He wanted to mention that Frank Mikuletzky received a service award for 61 years of service. He said that he has done tremendous service for this town over the years and he thought that it was special.

FINANCE: Councilman Spark said that the 2019 Budget was being introduced and that it would be talked about when it came up.

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

Dick Feehan, 12 East 15th Street, asked if there was an ordinance that says that everyone's property has to be brought up to grade level. Mayor Larson said no but if your property is brought up higher than your neighbors, you have to make it run off into the street. Councilman Wellington said that we should look at chapter 88 in Borough code about grading and filling. Tim Brindley, 1404 Bayview Avenue, said that the winter is over because he noticed that the laughing gulls are back in town. Connie Higgins, 10 East 11th Street, said that she was glad that the town is talking about the water issues. She said something needs to be done.

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

Mayor Larson said that we have introduction of the 2019 Municipal Budget. The clerk read it by title and recorded the vote.

Resolution 2019-062 Introduction of the 2019 Municipal Budget

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

Resolution 2019-062

MUNICIPAL BUDGET NOTICE

SECTION 1.

Municipal Budget of the Borough of Barnegat Light, County of Ocean for the Fiscal Year 2019

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2019;

Be it Further Resolved, that said Budget be published in the Beach Haven Times in the issue of April 26, 2019

The Governing Body of the Borough of Barnegat Light does hereby approve the following as the Budget for the year 2019:

RECORDED VOTE

(Insert last name)	{ SPARK	{	ABSTAINED {
	{ WELLINGTON	{	
	{ ALLOWAY	{	
AYES {	REYNOLDS	NAYS {	
	{ FOLEY	{	ABSENT {
	{ MIKULETZKY	{	

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Barnegat Light, County of Ocean, on

April 10, 2019

A Hearing on the Budget and Tax Resolution will be held at 10 EAST 7th STREET, on May 8, 2019 at 5:00 (PM) at which time and place

objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

SHEET 2

RESOLUTIONS:

The CFO asked about Resolution 2019-065. She asked if we would do another resolution on July 1st to raise the seasonal workers' salaries. She was told that it didn't apply to seasonal workers.

The clerk said that we would do the resolutions by consent agenda. After she read each one by title, Councilman Alloway said that he had to abstain from the LOSAP resolution 2019-070. The clerk said that we would take a vote on the remainder of the resolution and then take a vote for that one. The votes for resolutions 2019-063, 064, 065, 066, 067, 068, 069 are as follows:

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

RESOLUTION 2019-063

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTION OF EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, emergent conditions have arisen in that the Borough is expected to enter into contracts, commitments or payments prior to the 2019 budget adoption and no adequate provision has been made in the 2019 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,133,903.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20 as follows:

- Emergency temporary appropriations be and the same are hereby made in the amount of \$1,133,903.00 as follows:

<u>CURRENT FUND:</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
<u>GENERAL GOVERNMENT:</u>		
Mayor & Council	\$5,000.00	\$500.00
Municipal Clerk	\$35,000.00	\$6,000.00
Advertising		\$750.00
Financial Administration	\$18,500.00	\$3,750.00
Audit Services		\$5,000.00
Tax Collection	\$20,000.00	\$1,500.00
Tax Assessor	\$6,650.00	\$2,000.00
Legal Services		\$11,000.00

Engineering Services and Costs		\$4,750.00
Contribution to Chamber of Commerce		\$25.00
<u>Land Use Administration:</u>		
Planning Board	\$1,250.00	\$2,625.00
Zoning Board of Adjustment	\$4,000.00	\$1,375.00
<u>Insurance:</u>		
Liability Insurance		\$12,050.00
Workers Compensation		\$11,500.00
Employee Group Insurance		\$36,000.00
<u>Public Safety Functions:</u>		
Emergency Management Services	\$800.00	\$750.00
Aid to Volunteer Fire Company		\$1,000.00
Aid to Volunteer Ambulance Company		\$1,000.00
Municipal Court	\$3,875.00	\$1,000.00
Public Defender		\$300.00
Municipal Prosecutor		\$1,500.00
<u>Public Works Functions:</u>		
Streets and Roads	\$25,000.00	\$8,500.00
Garbage and Trash Removal		\$75,000.00
Sanitary Landfill Fees		\$22,000.00
Recycling	\$1,000.00	\$250.00
Public Buildings and Grounds	\$19,100.00	\$13,300.00
<u>Health and Human Services:</u>		
Board of Health		\$650.00
Animal Control		\$2,000.00
Aid to Health Care Facility		\$250.00
Mental Health Program		\$25.00
<u>Park and Recreation Functions:</u>		
Contribution to Senior Citizen Center		\$400.00
Parks and Playgrounds	\$7,875.00	\$1,900.00
Lifeguards	\$3,000.00	\$6,000.00
Beachfront Maintenance	\$20,000.00	\$9,000.00
Public Docks	\$1,000.00	\$2,500.00
Celebration of Public Events		\$2,500.00
<u>Uniform Construction Code:</u>		
Construction Code Official	\$3,500.00	\$1,600.00
<u>Utility Expenses:</u>		
Electricity		\$17,500.00
Street Lighting		\$6,750.00
Telephone		\$3,825.00
Natural Gas		\$5,500.00
Gasoline		\$3,000.00
<u>Statutory Expenditures:</u>		
Contribution to Social Security		\$13,650.00
Contribution to PERS		\$78,448.00
Unemployment Insurance		\$5,000.00
<u>Shared Service Agreements:</u>		
Construction Code Services-Other Expenses		\$7,000.00
Police-Other Expenses		\$165,000.00
Board of Health-Other Expenses-		\$10,000.00
<u>L.O.S.A.P.</u>		
Fire Company		\$6,200.00
Ambulance Company		\$2,000.00
<hr/>		
Totals		
	\$175,550.00	\$574,123.00
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Current Fund Operating Appropriations Grand Total		\$749,673.00
		<hr/> <hr/>

DEDICATED WATER & SEWER UTILITY

**Salaries &
Wages**

**Other
Expenses**

Operating: \$99,780.00 \$237,500.00

Statutory Expenditures:

Contribution to Social Security \$9,000.00
 Contribution to PERS \$37,000.00
 Unemployment Insurance \$950.00

Totals \$99,780.00 \$284,450.00

Water/Sewer Operating Appropriations Grand Total \$384,230.00

2. Said emergency temporary appropriations will be provided for the in the 2019 budget.
3. That certified copies of this resolution will be forwarded to the Barnegat Light Chief Financial Officer and to the Director, Division of Local Government Services.

RESOLUTION 2019-064

RESOLUTION OF THE BOROUGH OF BARNEGAT LGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING THE 2019 UPDATED LONG BEACH ISLAND MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION PLAN

WHEREAS, Barnegat Light is enrolled in the National Flood Insurance Program (NFIP) to provide flood insurance for the residents of Barnegat Light; and

WHEREAS, Barnegat Light takes part in the Community Rating System (CRS) program that is a voluntary component of the NFIP; and

WHEREAS, Barnegat Light, effective May 1, 2019, has achieved a Class 7 rating, increasing the NFIP discount to 15%, which the Borough staff will strive to maintain; and

WHEREAS, Barnegat Light’s current Class 8 rating provides for \$81,126 in flood insurance discounts for its residents and businesses; and

WHEREAS, Barnegat Light disseminates flood hazard information that not only is beneficial to the residents through mitigation of the hazardous effects of flooding, but is also beneficial in maximizing credit in the CRS program; and

NOW, THEREFORE, BE IT RESOLVED, by having completing a flood insurance assessment (FIA), in accordance with the 2017 CRS Coordinator’s Manual, it has been determined that 83.7% of the properties in Barnegat Light, a barrier island, are insured through the National Flood Insurance Program, and that by completing the annual Island wide program for Public Information update and executing that program for 2019, minutes of which are attached, marked Exhibit A, this level of coverage will remain high due to the fact that insurance is mandatory for properties that have federally backed mortgages in the special flood hazard area, and furthermore post “Sandy”, that flood insurance is a wise investment for all property owners including year round renters.

**Annual Meeting Multijurisdictional Program for Public Information for LBI
 March 12, 2019**

A meeting was held on Tuesday March 12, 2019 in the court room of the Beach Haven Borough Hall of the Long Beach Island Committee for a Multijurisdictional Program for Public Information (PPI) including all six towns on Long Beach Island under the 300 series of the 2017 CRS Coordinators manual. In attendance (see attached sign in sheet and photos) were representatives and stakeholders from all six towns (note some members have changed from the initial committee). The committee also included a flood insurance rep, real estate reps, business owner, public information person, bank rep, emergency management rep and one environmental group reps, floodplain managers and homeowners.

The table below represents the actual dollar amount savings for each municipality due to our participation in the CRS program and the diligence of the employees who complete the reports.

Community	NFIP Policies	NFIP Premium	CRS Discount
Barnegat Light	912	\$730,749	\$81,126
Beach Haven	2,119	\$2,488,234	\$829,413
Harvey Cedars	961	\$965,646	\$107,187
Long Beach Twsp.	6497	\$6,896,035	\$2,298,437
Ship Bottom	1,509	\$1,725,248	\$304,457
Surf City	1490	\$1,616,366	\$403,700

The target audiences for the PPI were discussed and there are no changes in the target audience they remain as follows:

1. Building contractors/architects/surveyors/engineers
2. Prospective purchasers throughout the Island real estate offices
3. Tourists and short-term renters in season
4. Long term renters
5. Non English-speaking residents
6. Elementary school children
7. Home improvement stores – Hands, Tuckerton Lumber
8. Homeowners/island community at large/ repetitive loss properties
9. Seasonal and year round business community
10. Flooded property owners and residents

Discussion on getting our PPI Website link on the shuttle buses for summer for distribution to Island visitors. J. Tallon will look into this for the committee.

It was noted that on March 7, 2019, Long Beach Township once again hosted the annual contractor meeting which all towns participated in by sending their construction official in regards to changes in the building and zoning codes, and all topics discussed were put in a synopsis which is attached to the PPI review. All of the municipalities also had their CRS Coordinators present at the meeting.

Discussion on creating a Stakeholder form with all of the Outreach topics that are covered during their events to make it easier for them to notify our committee of what was presented and distributed to the public. (This has been accomplished and attached to the minutes for distribution to the Stakeholders.) After their public event the synopsis will be sent to Bev Tromm for distribution to the other 5 CRS Coordinators in order to add it to the PPI.

Discussion on the participation of every town to continue to utilize the same messages, verbiage, when putting out Nixes of impending flooding, or storm information. Keep the messages simple and use short concise messaging.

Review of Table 5 PPI projects and initiatives ensued both OP and FRP (see attached). All 25 outreach projects are ongoing, and the committee has reviewed whether or not the desired outcomes were achieved, it was decided that all topics have been implemented, the desired outcomes have been achieved, and there are no changes to be made at this time. We will all continue to implement and monitor the program as it stands.

The six communities held three Island wide Flood Outreach programs using the **Smart Vent free risk evaluator program** in 2018 the first was held at the Surf City Library April 21, 2018 from 11am-1pm, the second was held May 12, 2018 at the Pacesetter Realtor Group in LB Township from 11am-1pm, the third was held October 13, 2018 at the Beach Haven Borough Hall with the same presenters. All six municipalities were represented with information on flood maps, flood insurance, elevation certificates, what to do in an emergency, emergency planning information, protecting your property, building responsibly, knowing your hazard, natural floodplain functions, etc. There were also Insurance stakeholders present to speak with the general public on flood insurance. Both outreach meetings were well

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Discussion on review that LB Township received of the PPI as it was submitted for 2017. It appears that the reviewer did not have all the information in the packet that some of the towns already have put in place therefore based on that critique we are going to implement a webpage specifically for the PPI which will include all outreach material that we use so that all towns will receive the same credit for the PPI. As to #2 above, after a brief discussion it was decided that we will adapt our Real Estate Brochure with all town phone numbers so that it covers all the municipalities on the Island and not just town specific, then it will be disbursed to all Realtors for their offices to use as a handout. This project has already taken place and is attached to the PPI for distribution, it will also be included on our new website. We are also initiating a Facebook and Twitter page which will put out the Six priority topics and four additional topics throughout the year. Outreach Projects must cover six topics – Topics are the only thing counted for CRS credit, not the Number of messages. The following are sample messages:

1. **Know your flood hazard**- "you are located in a special flood hazard area impacted by Superstorm Sandy in 2012"
2. **Insurance** -"Do you have a policy? Contents coverage? Renters can have flood insurance 30 day waiting period to take effect."
3. **Protect from hazard** "Prepare emergency response plan for your family, evacuation kit, reentry pass, pet supplies".
4. **Protect your property** "Elevate your home, utilities, install flood vents"
5. **Build Responsibly** "Consult building department, substantial improvement requirements"
6. **Natural Floodplain Functions** "Use designated beach walkovers, preserve wetlands, do not disturb dune grass"

Additional topics: (Additional topics for credit with PPI or under the changes in 2017 CRS Manual, any 4 messages of choice).

7. **Flood Insurance** "Renters should buy flood insurance for their contents"
8. **Flood Warning** "Know the flood warning signals – sign up for Nixle Promote Facebook PPI: <https://www.facebook.com/lbippi/>.
9. **Evacuation Route** "Know the evacuation route, rendezvous points."
10. **Prepare for the Hazard** "Whether its Hurricanes, high winds or flooding you should prepare your property for all hazards, take pictures of your contents etc"

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RESOLUTION 2019-065

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 2019 season; 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 approves the list of seasonal employees.

BEACH BADGE CHECKERS

Klase Britton 8.85 hr

BEACH BADGE BOOTH

Kay Giberson 15.75 hr

Torrey Dolan 9.35 hr

William Tomlinson 8.85 hr

TRAM DRIVERS

Al DiAntonio 16.00 hr

Reginald (Kurt) Kane 15.50

DOCK MASTER AND ASSISTANTS

Ed Kenny 14.00 hr

Stanley Madsen 11.25 hr

Rafael Martinez 10.00 hr

Merrill Thim 9.63 hr

RESOLUTION 2019-066

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING RESOLUTION 2019-057 SETTING 2019 SALARIES OF CERTAIN EMPLOYEES

BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light that the following rates of compensation shall be within the scale of limits set forth in Section I of Salary Ordinances 08-03, 09-02, 10-09, 10-10, 12-11, and 16-02; and

BE IT FURTHER RESOLVED, that the following Borough employees are actively employed by the Borough of Barnegat Light and shall receive the amount specified and set forth below:

<u>Name</u>	<u>Position</u>	<u>2019</u>
Kirk O. Larson	Mayor	4,000.00
Michael Spark	Council President	2,800.00
Samuel Alloway	Councilperson	2,500.00
Dorothy Reynolds	Councilperson	2,500.00
Edwin Wellington	Councilperson	2,500.00
Frank Mikuletzky	Councilperson	2,500.00

Mary Ellen Foley	Councilperson	2,500.00
Ashley Darmon	Assistant Treasurer	63,527.28
Brenda Kuhn	Municipal Clerk	75,670.25
Brenda Kuhn	Tax Collector/Water/Sewer	63,406.75
Kathy Guerrero	Deputy Municipal Clerk/Tax Clerk	67,245.78
Kathy Guerrero	Recycling Coordinator	3,000.00
Elaine Tollison	Administrative Clerk/Tax Clerk	52,005.53
Elaine Tollison	Planning Board Secretary	3,000.00
Elaine Tollison	Open Space Secretary	1,000.00
Elaine Tollison	Zoning Board Secretary	2,000.00
Elaine Tollison	Recreation Coordinator	*3,000.00
Kathleen Flanagan	Chief Financial Officer	39,264.90
Kathleen Flanagan	Payroll Clerk	5,000.00
Bernard Haney	Tax Assessor	19,417.74
Maureen Daniels	Court Administrator	7,355.63
James Liguori	Municipal Court Judge	6,772.56
Edward Sulecki	Supt. Water/Sewer	48,539.93
Edward Sulecki	Supt. Public Works	48,539.93
Albert Morison	Assistant Supt. Water/Sewer	40,800.00
Albert Morison	Assistant Supt. Public Works	40,800.00
Diana Stott	CRS Coordinator	2,575.50
Jeffrey Washburn	Zoning Officer/Code Enforcement	35.00 hr

RESOLUTION 2019-067

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING A VEHICLE –USE MANAGEMENT PLAN

WHEREAS, the Borough of Barnegat Light’s Coastal General Permit No. 2 - Beach and Dune Maintenance Activities was issued with a special condition; and

WHEREAS, the condition of the permit required the Borough to compose a “Vehicle-use Management Plan” in coordination with the NJDEP Division of Fish & Wildlife’s Endangered Species Program; and

WHEREAS, the 2019 “Vehicle-use Management Plan” is set forth in Attachment A; and

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 Vehicle-Use Management Plan is approved.
2. A certified copy of this resolution shall be forwarded to the NJDEP Division of Fish & Wildlife’s Endangered Species Program representative Christine Davis
3. Certified copies will be issued to Public Works, Beach Patrol, Barnegat Light Fire Volunteer Fire Company, Barnegat Light First Aid Squad, and Long Beach Township Police Department.

RESOLUTION 2019-068

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT OF BIDS FOR THE RECONSTRUCTION OF WEST 10th STREET.

WHEREAS, the Borough of Barnegat Light is in need of the reconstruction of West 10th Street; and

WHEREAS, the anticipated cost of said services is expected to exceed \$40,000.00 so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to advertise for and receive bids for the West 10th Street Reconstruction project in accordance with the specifications prepared by the Borough of Barnegat Light.

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

1. That the Borough of Barnegat Light does hereby authorize the receipt of bids for the West 10th Street Reconstruction project, said bids to be received at the time and place specified in the advertised notice to bidders.
2. That the Borough of Barnegat Light does hereby reserve the right to reject any and all bids as permitted by law.
3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and the Borough Engineer.

RESOLUTION 2019-069

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$353,955.44

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 \$353,955.44 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 2019-070

RESOLUTION OF THE BOROUGH OF BARNEGAT LGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE BARNEGAT LIGHT FIRST AID SQUAD WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2018

WHEREAS, Ordinance No. 01-019 of the Borough of Barnegat Light implemented the Length of Service Award Program (LOSAP) for the Barnegat Light First Aid Squad 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 First Aid Squad.

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 First Aid Squad members are hereby approved to receive the 2018 LOSAP award.

Cafiero, Michael	Selfridge, Robert
Crutchlow, William	Thomas, Alan
Knott, Joyce A.	Volpe, John
Lyon, James	Walsh, Kevin
Ovalle, Karen Bozar	Zimmerman Jr, James
Patterson, Laura	
Puskas, Cheryl	

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

ORDINANCES-FIRST READING

ORDINANCE 2019-04

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF WEST 10TH STREET LOCATED IN THE BOROUGH AND APPROPRIATING \$350,000 (INCLUDING AN EXPECTED GRANT IN THE AMOUNT OF \$220,000 FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND PROVIDING FOR THE ISSUANCE OF \$123,500 IN BONDS OR NOTES OF THE BOROUGH

The Clerk read Ordinance #2019-04 by title and recorded the votes.

Passage on First Reading

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

ORDINANCE 2019-05

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF EAST 23RD STREET LOCATED IN THE BOROUGH AND APPROPRIATING \$200,000 (INCLUDING AN EXPECTED GRANT IN THE AMOUNT OF \$135,000 FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND PROVIDING FOR THE ISSUANCE OF \$61,750 IN BONDS OR NOTES OF THE BOROUGH OF BARNEGAT LIGHT TO FINANCE THE SAME

The Clerk read Ordinance #2019-05 by title and recorded the votes.

Passage on First Reading

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

ORDINANCES-SECOND READING

ORDINANCE 2019-03

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF A RESTROOM AT BAYVIEW PARK LOCATED IN THE BOROUGH AND APPROPRIATING \$150,000 AND PROVIDING FOR THE ISSUANCE OF \$142,500 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 \$150,000 and including the sum of \$7,500 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 \$142,500 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 construction of a restroom at Bayview Park 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 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 15 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 \$142,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$10,000 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.

Ordinance 2019-03 was tabled at one of the special meetings and the Mayor asked for a motion to reconsider the ordinance. On a motion by Foley, seconded by Spark and all were in favor the ordinance was being taken off the table.

OPEN PUBLIC HEARING:

Mayor Larson asked for a motion to open the public hearing. On a motion by Wellington, seconded by Reynolds and carried by all, the public hearing was open. Tim Brindley asked if there would be two bathrooms and said that the park was Baybreeze Park, not Bayview Park. The clerk said that was how bond counsel wrote it. John Tennyson said for the record that he would like to see separate restrooms for men and women.

CLOSE PUBLIC HEARING:

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

Mayor Larson asked for a motion to adopt.

ADOPTION:

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

CORRESPONDENCE:

Request for filming on the beach. Motion: Reynolds/Second: Foley All in favor.

LBI PTA Used Clothing Drive

Family Health & Welfare-St. Francis

Letter Regarding Water Pumping-Already discussed

Zion Lutheran Church-Pavilion Picnic-Motion to approve: Spark/Second: Foley & all in Favor-Permit fee waived

Dale Short-OPMD Beach Access. Motion to approve: Foley/Second Reynolds & all in favor

MOTION TO ADJOURN:

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

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK

Reports to follow