

REGULAR MEETING OF MAYOR AND COUNCIL

August 11, 2021

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Borough Hall, 10 East 7th Street, Barnegat Light, NJ. 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 advertised in the Asbury Park Press and Beach Haven Times on January 27, 2021, both newspapers designated by Mayor and Council to receive such notice.

ROLL CALL: Wellington, Reynolds, Foley was attending via the phone
Spark, Alloway & Mikuletzky were not present.

Also present: Mayor Larson, Terry Brady and Brenda Kuhn
Michele Inman at 4:43
Sponge Washburn arrived at 4:54

Discussion: Mayor Larson started the discussion about the need for an ordinance that would help the property owners that are west of Central Avenue with regards to flooding. He said that Bayview Avenue is 3'-4' lower than Central Avenue. The Council wanted to find the best way to help this problem for the future. The discussion included raising the starting point for building, a requirement to have retaining walls to prevent runoff to adjacent properties and having proper drainage. Councilman Wellington said that you would take the crown of the road on Central and raise Bayview 20" and all the properties going closer to Central would have less of an increase because those properties gradually increase closer to Central Ave. Sponge said this would help the homeowners going forward. There was a lot of discussion on this matter.

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

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:00pm at Borough Hall, 10 East 7th Street, Barnegat Light, NJ. 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 advertised in the Asbury Park Press and Beach Haven Times on January 27, 2021, both newspapers 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: Wellington, Reynolds
Foley was attending via the phone.
Spark, Alloway & Mikuletzky were not present.

Also present: Mayor Larson, Terry Brady, Sponge Washburn, Michele Inman, and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of July 14, 2021 regular meeting.

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

COMMITTEE REPORTS:

PUBLIC WORKS: Councilman Wellington said that DPW did all the basic maintenance such as cleaning

the pathways to the beaches, mowing grass, etc. He said that 90% of the siding was done on the lifeguard house. He reported that the old playground equipment and the old rotten mulch was removed from the playground and the property was graded. He added that the contractors were assembling the new equipment and when they are finished a new surface would be put down and then beach sand would be put in around the perimeter.. He said that it should be ready in a week or two. He said that the Borough Hall was being sanded and painted.

BEACHES AND PARKS: Councilwoman Reynolds reported the the beach badge and dog park revenue were both up from last year. She gave an overview of the Beach Patrol report that was submitted by Captain John Schulze. She talked about the in-service training, the LIT program, the Ocean Mile Swim, and the LBI Beach Patrol Tournament. She said the Barnegat Light came in 2nd place. She also reported on rescues and EMT calls. She announced that Barnegat Light has an outstanding Lifeguard, 17-year-old Hugh Shields. She said that he represented Barnegat Light at the United State Lifesaving Association Championships in South Padre Island, TX. She said that he took gold in Ironman, Paddleboard, Rescue Relay and Silver in the 90-meter run! There was applause! Congratulations Hugh! Sponge added that Hugh was a Junior Firefighter and he is on the EMT squad. He added that he is quite a young man.

WATER/SEWER: Councilwoman Foley said there were approximately 19 meters left to activate. She said that DPW/WS repaired two leaky services and the annual water samples were taken for testing and review. She thanked Michele for taking upon herself to try to find better rates for our very high electric bills. She said the wells run 18 hours per day. Mayor Larson said that we set a fine for \$100 per week for not getting your meters activated. The Clerk said that she sent out letters to approximately 23 homeowners.

DOCKS AND HARBORS: Councilman Alloway was absent and the Clerk reported the dock revenue.

PUBLIC SAFETY: Councilman Mikuletzky was absent and no report was given.

FINANCE: Councilman Spark was absent and no report was given.

OPEN PUBLIC SESSION: Mayor Larson asked for a motion to open the open public session.

Motion: Reynolds Second: Wellington All in favor X

Dick Feehan asked about water draining onto adjacent properties and the proposed ordinance requiring retaining walls. Mayor Larson said it was for renovations or new construction. He asked how this would be enforced. Sponge said it would be part of the application process.

Sponge Washburn had a request from the fire company. He said there was an airlift on Saturday and the landing zone is in the dog park. He said they had seven minutes to prepare the landing zone and had to pick up over 22 tennis balls. He asked the people using the dog park to pick up the dog toys because they could be a hazard when the helicopter lands.

CLOSE PUBLIC SESSION: Mayor Larson asked for a motion to close the open public session.

Motion: Reynolds Second: Wellington All in favor X

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

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

RESOLUTION 2021-099

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROMOTING LABORER II TO THE POSITION OF ASSISTANT WATER PLANT OPERATOR

WHEREAS, Salary Ordinance 2020-04 includes the classification of Assistant Water Plant Operator; and WHEREAS, Salary Ordinance 2020-04 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 Assistant Water Plant Operator; 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 Assistant Water Plant Operator
2. That Christopher Foster shall be compensated in accordance with Salary Ordinance 2020-04.
3. Christopher Foster’s annual salary shall increase to \$53,000.
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 2021-100

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF ERROUNEOUS TAX PAYMENT

WHEREAS, there was a \$1,500.00 payment on Block 17 Lot 1, 902 Central Avenue by Samuel J. & Brandi K Rubin; and

WHEREAS, Samuel J. & Brandi K Rubin are not the owners of that property; and

WHEREAS, Samuel J. & Brandi K Rubin have requested, in writing, a refund of the same.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Barnegat Light Tax Collector is authorized to reverse the Rubin payment.
2. That the Barnegat Light CFO is authorized to refund the payment of \$1,500.00.
3. That certified copies will be forwarded to the Tax Collector and CFO
4. That the checks will be mailed to:

Samuel J. & Brandi K Rubin
81 Donnybrook Drive
Demarest, NJ 07627

RESOLUTION 2021-101

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SETTING
SALARY OF CERTAIN EMPLOYEE AND APPOINTING PAYROLL CLERK

WHEREAS, it is the desire of the Borough Council to increase the salary of the Assistant Treasurer, Michele Inman, to \$59,690.00; and

WHEREAS, it is also the desire to appoint Michele Inman to the position of Payroll Clerk with a stipend of \$2,000.00 per year; and

WHEREAS, this increase in salary and stipend shall be retroactive to July 1, 2021.

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 Michele Inman's salary shall be increased to \$59,690.00.
2. That Michele Inman shall receive a stipend of \$2,000.00 for the position of Payroll Clerk.
3. That the increase shall be retroactive to July 1, 2021.
4. That certified copies of this resolution shall be forwarded to the CFO and the Assistant Treasurer.

RESOLUTION 2021-102

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE SCADA CONTRACT WITH ABS ELECTRIC, INC.

WHEREAS, a contract was previously awarded for the SCADA Project to ABS Electric, Inc. at the price of \$78,514.86; and

WHEREAS, the Mayor and Borough Council wish to authorize a change order to provide for additional conduit and controls to be run between the well 2 building and the main control, which will result in an increase of \$6,216.53 in the contract price; and

WHEREAS, this change order and all other change orders amount to a total increase of 15.09% of the original contract awarded to ABS Electric, Inc.; and

WHEREAS, this 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 and Borough Council of the Borough of Barnegat Light do hereby authorize the execution of Change Order Number 2 to the contract with ABS Electric, Inc., for the SCADA Project, to provide for an increase of the contract price from \$78,514.86 to \$84,731.39, or a net increase in the contract price in the net amount of \$6,216.53, consisting of additional conduit and controls to be run between the well 2 building and the main control. The Mayor and Borough Clerk are hereby authorized to execute Change Order Number 2, a copy of which is attached hereto & is incorporated herein by reference.

2. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer, the Borough Engineer and ABS Electric Inc.

RESOLUTION 2021-103

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$944,434.70

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 \$944,434.70 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.

ORDINANCES:

ADOPTION: 2021-11

PUBLIC HEARING: The Mayor asked for a motion to open to the public. There was a motion by

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

ORDINANCE 2021-11

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY"

THE MAYOR AND COUNCIL OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, DO ORDAIN:

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 such compensation shall be within the scale of limits herein below set forth:
Annual Unless Noted Otherwise

SECTION II. Salary, wages and scales listed herein shall be effective as of January 1, 2021

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

CLASSIFICATION	NOT LESS THAN	NOR MORE THAN
Mayor	100.00	12,000.00
Council President	1,200.00	6,000.00
Councilmembers	1,000.00	5,000.00
Administrator	10,000.00	50,000.00
Municipal Clerk	22,500.00	150,000.00
Chief Financial Officer	15,000.00	80,000.00
Tax Collector	500.00	80,000.00
Tax Search Officer	500.00	1,500.00
Utility Collector	500.00	75,000.00
Deputy Municipal Clerk	14,500.00	65,000.00
Qualified Purchasing Agent	2,000.00	10,000.00
Assistant Treasurer	14,500.00	80,000.00
Administrative Clerk	14,500.00	50,000.00
Superintendent Public Works	20,000.00	80,000.00
Superintendent Water Sewer	20,000.00	80,000.00
Assistant Supt. Public Works	20,000.00	80,000.00
Assistant Supt. Water Sewer	20,000.00	80,000.00
Public Works Foreman	20,000.00	70,000.00
Assistant Water Plant Operator	30,000.00	60,000.00
Public Works Repairer	30,000.00	60,000.00
Laborer I	16,000.00	45,000.00
Laborer II	17,000.00	65,000.00
Laborer III	18,000.00	75,000.00
Construction Leader	15.00 hr	60.00 hr
Construction Helper	10.00 hr	25.00 hr
Tax Clerk	8,500.00	35,000.00
Payroll Clerk	1,500.00	7,500.00
General Clerk	4,000.00	35,000.00
Tax Assessor	7,500.00	25,000.00
Assessor's Clerk	1,500.00	5,000.00
Zoning/Code Enforcement Officer	5,000.00	50,000.00
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
Municipal Judge	4,000.00	15,000.00
Court Administrator	3,000.00	15,000.00

Deputy Court Administrator	250.00	5,000.00
Violations Clerk	100.00	4,000.00
CRS Coordinator	2,000.00	3,500.00
Safety Coordinator	100.00	3,000.00
Recreation Coordinator	500.00	7,500.00
Deputy Recreation Coordinator	500.00	4,000.00
Emergency Mgt. Coordinator	1,000.00	5,000.00
Deputy Emergency Mgt. Coordinator	1,000.00	5,000.00
Radiological Officer	500.00	3,000.00
Seasonal (part time) Worker	10.00 hr	20.00 hr
Lifeguard Captain	500.00 wk	3,000.00 wk
Lifeguard Administrative Asst.	500.00 wk	1500.00 wk
Lifeguard Lieutenant	450.00 wk	1,200.00 wk
Lifeguard	440.00 wk	\$750.00 wk

ADOPTION: The Mayor asked for a motion to adopt.

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

ADOPTION: 2021-12

PUBLIC HEARING: The Mayor asked for a motion to open to the public. There was a motion by Foley, seconded by Reynolds and carried by all.

Mayor asked for a motion to close the Public Hearing. On a motion by Wellington, seconded by Reynolds and carried by all, the hearing was closed to the public.

The Mayor asked for a motion to adopt. The Clerk said that there were not enough Council members to adopt the Bond Ordinance. Mayor Larson Called Councilman Mikuletzky. The Mayor told Councilman Mikuletzky that the public hearing was completed. The Clerk read the ordinance by title and recorded the votes.

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

**BOROUGH OF BARNEGAT LIGHT
COUNTY OF OCEAN**

BOND ORDINANCE NO. 2021-12

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO WEST 13TH STREET, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 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

BE IT ORDAINED 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 members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Barnegat Light, in the County of Ocean, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$450,000, said sum being inclusive of all appropriations heretofore made therefor, including \$300,000 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and the sum of \$7,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$142,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, 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 improvements hereby authorized and the purposes for which the obligations are to be issued consist of various improvements to West 13th Street located in the Borough, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$142,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$450,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$450,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$7,500 down payment for said purposes, and the \$300,000 grant funds expected to be received from the NJDOT.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time 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 such notes occurs, such report shall 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 following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough 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 aggregate amount not exceeding \$50,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget 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 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are 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, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CORRESPONDENCE:

Approval of Barnegat Light Social Affairs Application
Kites on the Beach approval

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Spark **Second:** Wellington **All in Favor**

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK