

**MAYOR AND COUNCIL MEETING      BARNEGAT LIGHT      JULY 20, 2011**

**THE CAUCUS MEETING** of the Mayor and Council was called to order by Mayor Larson at 7:30pm at the Borough Hall, on East 7<sup>th</sup> Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 7, 2011 and by mailing a copy of the notice to the Beach Haven Times and Asbury Park Press, newspapers designated by Mayor and Council on January 7, 2011, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 7, 2011.

**ROLL CALL: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**

**ABSENT: BOSSI**

**ALSO PRESENT: NANCY MANOOKIAN, DEPUTY CLERK, TERRY F. BRADY, BOROUGH ATTORNEY AND MAYOR LARSON**

**Mayor Larson** asked if anyone had something to discuss. Frank Mikuletzky questioned the boat slip refund on tonight's agenda. Our boat slip program was discussed. Slip #39 is being worked on. Court costs were mentioned and Borough Attorney, Terry Brady, Esq. explained this cost system. He will speak to our prosecutor. Bicyclists are being ticketed this summer. Dorothy Reynolds spoke regarding badges being shared by towns. Revenue could be a problem. Dogs on the beach don't seem to be a problem with summer. The new walkways are ready to be picked up. Concerns with JIF's approval of the walkways was mentioned. Frank mentioned flashing speed signs and that they are available. Placement was discussed. Another public works employee has been hired. Terry Brady stated that we had information on a class action suit for Morgan Stanley. We should take no action just wait and see what happens.

Tram use on the beach at night for a fee was discussed. Liability issues were questioned. An employee must be driving. This sounds good and \$250.00 might be a good permit fee. The details need to be worked out.

**THE MEETING** of Mayor and Council was called to order by Mayor Larson, at 8:00pm at the Borough Hall, on West 10th Street. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act by transmitting notice of same to the Beach Haven Times and the Atlantic City Press on January 7, 2009 and by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 7, 2011 Said news papers were designated by Mayor and Council on January 7, 2011, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 2, 2011.

**PLEDGE OF ALLEGIANCE**

**THE DEPUTY CLERK** stated that the minutes of this meeting are being recorded and will be on file in the office of the clerk.

**ROLL CALL: SPARK, SHARPLESS, MIKULETZKY, REYNOLDS, WARR**

**ABSENT: BOSSI**

**ALSO PRESENT: TERRY F. BRADY, MAYOR LARSON AND  
NANCY MANOOKIAN**

**The Mayor** asked for a motion to approve the June 15, 2011 regular meeting and the July 1, 2011 Special Meeting. Mrs. Reynolds moved to do so, seconded by Sharpless and carried by all.

**MOTION: REYNOLDS**

**SECOND: SHARPLESS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**

**NAYS: NONE    ABSTAIN: NONE    ABSENT: BOSSI**

**TREASURER'S REPORT:** On a motion by Mr. Sparpless, seconded by Mr. Spark and carried by all the report was approved.

**MOTION: SHARPLESS**

**SECOND: SPARK**

**AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS**

**NAYS: NONE ABSENT: BOSSI ABSTAIN: WARR**

**ZONING REPORT FOR MAY: The Mayor** asked for a motion to approve the reports. Mr. Warr so moved, seconded by Mrs. Reynolds.

**MOTION: WARR**

**SECOND: REYNOLDS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**

**NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**COMMITTEE REPORTS:**

**WATER/SEWER: Mike Spark** asked that the water/sewer report be a part of the minutes. He mentioned that use is up due to the summer.

**PUBLIC SAFETY: Frank Mikuletzky** asked that the court report be made a part of the minutes.

**DOCKS AND HARBORS: Scott Sharpless** said we are up the ramp from last year. The bathroom improvements will have a final inspection tomorrow. The outside shower is operational. The gazebo plans were discussed.

**BEACHES AND PARKS: Dottie Reynolds** reviewed tennis revenues. We're on track and all is doing good. She reviewed the skate park figures and the beach badges. The walkways are in and being picked up tomorrow.

Jim Lynch, a taxpayer here has offered us, thru Lucas Ford, a truck for the summer. Scott Sharpless made several trips to pick up the truck. This is a very nice offer. A thank you should be sent from the Borough. We're hoping that this can happen again next year.

**FINANCE: George Warr** said the purchase orders were reviewed and signed.

**OPEN PUBLIC SESSION:**

On a motion by Mr. Sharpless, seconded by Mrs. Reynolds and carried by all the public session was opened. There being no comment, on a motion by Mr. Warr, seconded by Mr. Sharpless and carried by all the public session was closed.

**ORDINANCES: SECOND READING**

**ORDINANCE 2011-003**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF A MOWER, AND APPROPRIATING \$15,000.00 THEREFOR.**

**The Deputy Clerk** read the above by title and number and the Mayor asked for a motion to open public hearing. Reynolds so moved, seconded by Reynolds and carried by all. There being no comment, Warr moved to close, seconded by Sharpless and carried by all. Spark moved to adopt, seconded by Reynolds.

**MOTION: SPARK**

**SECOND: REYNOLDS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**

**NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTIONS:**

**RESOLUTION 2011-093**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
AN EMPLOYEE EDUCATIONAL EXPENSE REIMBURSEMENT  
AGREEMENT & SALARY INCREMENT WITH THE BOROUGH  
ADMINISTRATIVE CLERK.**

**WHEREAS**, Kathy Guerrero is an employee of the Borough of Barnegat Light, in the position of Administrative Clerk; and

**WHEREAS**, it is the policy of the Borough of Barnegat Light to encourage existing employees to obtain state certification to statutory positions in order that they may qualify for promotions to the same if/when available; and

**WEREAS**, Kathy Guerrero will be pursuing the course of educational requirements prescribed by the State of New Jersey for certification as a Registered Municipal Clerk, pursuant to NJSA 40A:9-133.

**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 authorize the execution of an agreement with Kathy Guerrero to advance educational expenses and costs related to certification as a Registered Municipal Clerk under NJSA 40A:9-133, and to pay a salary increment related to the same. The Mayor and Borough Clerk are authorized to execute said agreement, a copy of which is attached hereto and incorporated herein by reference.

2. That certified copies of this resolution shall be forwarded to Kathy Guerrero.

**DATED: JULY 20, 2011**

**MOTION: REYNOLDS**

**SECOND: WARR**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**

**NAYS: NONE          ABSENT: BOSSI          ABSTAIN: NONE**

**RESOLUTION 2011-094**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
AN EMPLOYEE EDUCATIONAL EXPENSE REIMBURSEMENT  
AGREEMENT WITH THE BOROUGH ASSISTANT TREASURER.**

**WHEREAS**, Jaimie Wirkowski is an employee of the Borough of Barnegat Light, in the position of Assistant Treasurer; and

**WHEREAS**, it is the policy of the Borough of Barnegat Light to encourage existing employees to obtain state certification to statutory positions in order that they may qualify for promotions to the same if/when available; and

**WEREAS**, Jaimie Wirkowski will be pursuing the course of educational requirements prescribed by the State of New Jersey for certification as a Municipal Finance Officer, pursuant to NJSA 40A:9-140.2.

**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 authorize the execution of an agreement with Jaimie Wirkowski to advance educational expenses and costs related to certification as a Municipal Finance Officer under NJSA 40A:9-140.2. The Mayor and Borough Clerk are authorized to execute said agreement, a copy of which is attached hereto and incorporated herein by reference.

2. That certified copies of this resolution shall be forwarded to Jaimie Wirkowski.

**DATED: JULY 21, 2011**

**MOTION: MIKULETZKY**

**SECOND: SPARK**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR  
NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTION 11-096**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
EMPLOYING SEASONAL WORKER**

**WHEREAS**, the Borough of Barnegat Light is in need of seasonal employee in the public works department for the 2011 season; and

**WHEREAS**, the following person is employed as noted with the compensation listed below:

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Barnegat Light approves the following:

**SUMMER PUBLIC WORKS:**

Douglas Dremluck \$ 8.25/hr

**DATED: JULY 20, 2011**

**MOTION: SPARK**

**SECOND: REYNOLDS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR  
NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTION 11-097**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING INTERLOCAL AGREEMENT FOR CONSTRUCTION  
CODE SERVICES**

**WHEREAS**, the Borough of Barnegat Light entered into an Interlocal Services Agreement with the Boroughs of Beach Haven, Harvey Cedars and Surf City for the provision of construction Code Services; and

**WHEREAS**, certain amendments to Schedule C need to be made to this agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey that the attached Schedule C is hereby approved, effective January 1, 2011.

**BE IT FURTHER RESOLVED** that copies of this resolution with the schedules referred to above shall be sent to the Boroughs of Beach Haven, Harvey Cedars and Surf City.

**DATED: JULY 20, 2011**

**MOTION: SPARK**

**SECOND: REYNOLDS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR  
NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTION 11-098**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
EMPLOYING SEASONAL WORKER**

**WHEREAS**, the Borough of Barnegat Light is in need of a seasonal

employee for the 2011 season; and

**WHEREAS**, the following person is employed as noted with the compensation listed below:

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Barnegat Light approves this seasonal employee.

**DOCK MASTER ASSISTANT:**

Richard Binetsky \$ 8.25/hr

**DATED: JULY 20, 2011**

**MOTION: SHARPLESS**

**SECOND: REYNOLDS**

**VOTE: AYES: MIKULETZKY, SPARK, SHARPLESS, REYNOLDS, WARR**

**NAYS: WARR ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTION 2011-099**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A DEDICATION BY RIDER FOR DONATIONS AND IMPROVEMENTS FOR THE BOROUGH SKATE PARK.**

**WHEREAS**, the Borough of Barnegat Light operates a recreational skate park for the benefit and pleasure of its residents and the public at large; and

**WHEREAS**, many of the users of the Borough skate park have suggested that some improvements to the existing skate park be undertaken, and have expressed a willingness to donate funds for the costs of the same; and

**WHEREAS**, NJSA 40A:4-39 permits a municipality to include in its annual budget a Dedication By Rider, subject to the prior written consent of the Director of the State Division of Local Government Services; and

**WHEREAS**, said Dedication By Rider may be created for dedicated revenues anticipated during the fiscal year from any dog tax, dog license, revenues collected for school transportation, solid fuel license, sinking fund for term bonds, bequest, escheat, federal grant, motor vehicle fine dedicated to road repairs, relocation costs deposited into a revolving relocation assistance fund, fees collected in connection with recreation programs, receipts from franchise assessments, refund payments from a joint insurance fund, and, subject to the prior written consent of the director, other items of like character when the revenue is not subject to reasonably accurate estimate in advance; and

**WHEREAS**, it is the desire of the Borough of Barnegat Light to create, by Dedication By Rider, a specific dedicated fund for the revenues from donations and for the expenditures for various improvements to the Borough skate park.

**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 authorize a Dedication By Rider as follows:

"The dedicated revenues anticipated during the year 2011 from donations received from private citizens for various improvements to the Barnegat Light Borough Skate Park are hereby anticipated as revenue and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirement."

**Said dedicated revenues included in this resolution shall be available for expenditure by the Borough of Barnegat Light as and when received in cash during the fiscal year.**

2. That this Dedication By Rider is subject to the prior written approval of the Director of the Division of Local Government Services.

3. That two certified copies of this resolution shall be forwarded to the State Division of Local Government Services, the Borough Auditor and the Borough Treasurer.

**DATED: JULY 20, 2011**

**MOTION: SHARPLESS**

**SECOND: WARR**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR  
NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

### **RESOLUTION 2011-100**

#### **RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR THE PURCHASE OF A LAWN MOWER.**

**WHEREAS**, the Borough of Barnegat Light duly advertised for the receipt of bids for the purchase of a lawn mower; and

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

Central Jersey Equipment LLC	\$ 12,750.00
Farmingdale Tractor Co	13,292.45
Pole Tavern Equipment Sales	13,634.47

**WHEREAS**, said bids were taken under advisement and have been reviewed by the Borough and it has been determined that Central Jersey Equipment LLC., submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$12,750.00; and

**WHEREAS**, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for the purchase of a lawn mower to Central Jersey Equipment LLC, the lowest bidder therefor.

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

1. That the Mayor & Borough Council of the Borough of Barnegat Light do hereby award the contract for the purchase of a lawn mower to Central Jersey Equipment LLC., at the price of \$ 12,750.00.

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Central Jersey Equipment LLC., for said project, said agreement to be in conformance with bid specifications and bid submitted by Central Jersey Equipment LLC.

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:

Capital Appropriation Ordinance 2011-003

4. That a certified copy of this resolution shall be forwarded to Central Jersey Equipment LLC and the Chief Financial Officer.

**DATED: JULY 21, 2011**

**MOTION: REYNOLDS**

**SECOND: SHARPLESS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR  
NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTION 11-101**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A PRORATED REFUND OF BOAT SLIP FEES TO VINCE STANGO.**

**WHEREAS**, Vince Stango applied for and received a boat slip permit for municipal boat slip #21 for the 2011 season; and

**WHEREAS**, Vince Stango has been unable to use the boat slip, and has requested a refund of his permit fees related to the same; and

**WEREAS**, municipal boat slip #21 has been re-permitted as of July 1, 2011, and a prorated refund of slip fees is now appropriate.

**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 authorize a prorated refund of municipal boat slip permit fees to Vince Stango in the amount of \$1,155.00.

2. That certified copies of this resolution shall be forwarded to Vince Stango.

**DATED: JULY 20, 2011**

**MOTION: SHARPLESS**

**SECOND: REYNOLDS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**

**NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**RESOLUTION 11-102**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE BAY RAMP BATHROOM HANDICAP ACCESS RETROFIT CONTRACT.**

**WHEREAS**, a contract was previously awarded for the Bay Beach Bathroom Handicap Access Retrofit Project to Shore Connection Inc. at the price of \$ 44,417.00; and

**WHEREAS**, the Mayor and Borough Council wish to authorize a change order to provide for the installation of a hot water heater, which will result in an increase in the contract price in the net amount of \$ 600.00; and

**WHEREAS**, this change order and all other change orders amount to a total less than 20% of the original contract awarded to Shore Connection Inc.; and

**WHEREAS**, the change order has been recommended by the Borough Engineer and agreed to by the contractor.

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

1. That the Mayor & Borough Council of the Borough of Barnegat Light do hereby authorize the execution of Change Order Number 1 to the contract for the Bay Beach Bathroom Handicap Access Retrofit Project with Shore Connection Inc., to provide for an increase of the contract price of \$600.00, consisting of the installation of a hot water heater. The Mayor and Borough Clerk are hereby authorized to execute Change Order Number 1, a copy of which is attached hereto & is incorporated herein by reference.

2. That a 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:

Block Grant 2010

3. That a certified copy of this resolution shall be forwarded to Shore Connection Inc., the Chief Financial Officer and the Borough Engineer.

**DATED: JULY 20, 2011**

**MOTION: SPARK**

**SECOND: SHARPLESS**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, WARR**  
**NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE**

**CORRESPONDENCE:**

Betty Bauer's letter regarding a request for a memorial bench was mentioned. There was discussion. In the Fall and audit of all memorial benches will be done and then the program will be addressed.

Joan Marcus mentioned that there was no tax rate yet and explained the delay.

THERE BEING NO FURTHER BUSINESS BEFORE THE COUNCIL, ON A MOTION BY MR. WARR THE MEETING WAS ADJOURNED.

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

\_\_\_\_\_  
NANCY A. MANOOKIAN  
DEPUTY MUNICIPAL CLERK