

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT AUGUST 17, 2011

THE CAUCUS MEETING of the Mayor and Council was called to order by Council President Spark at 7:30pm at the Borough Hall, on East 7th 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, BOSSI, WARR

ABSENT: MAYOR LARSON

ALSO PRESENT: GAIL WETMORE, TERRY F. BRADY, BOROUGH ATTORNEY AND JAIMIE WIRKOWSKI (ALSO ED SULECKI, DPW)

Councilman Spark asked if anyone had something to discuss. Frank Mikuletzky wanted to discuss the letter regarding the First Aid Squad on the beach at night. Police are giving out warnings and tickets to bicyclists who don't obey traffic rules. Frank said he has been stopping violators and telling them what is what. Scott Sharpless said the bathroom is completed at the dock. Gazebo will be built in September. The boat ramp was closed down last Friday due to lack of money in the line item. Dottie Reynolds said she wants to have a discussion with the beach committee regarding the walkways. People want to purchase more and we have to come up with a price. She mentioned a letter received about the lifeguards on 9th Street. She would be dealing with same. Ed was asked by Mike Spark if his department can keep up with the walkways we currently have. He said they are keeping up but that the walkways are 100 pounds a section. What Dottie originally had was a lot lighted. One of the walkways on 9th street has evidently been run over and is broken already. They will fix it. Dottie said she is still attempting to figure out a way to acknowledge those who purchased the sections of walkway. She is working with a company now. Dave Bossi said a temporary worker is needed in Public Works. He mentioned that T. Golden had given in two sets of plans for the lifeguard house landscaping. Thanks to Tom Stiles for knowing this gentlemen and getting it started. George wan had nothing except that there is a resolution on this evening to cancel certain taxes. Terry Brady said he is asking for a brief closed session this evening to discuss matters of litigation. Terry also warned of E-mail's being considered meetings if there is a quorum. He also said Barnegat Light has an excellent Sunshine Law record. On a motion by Bossi, seconded by Warr and carried by all there was a 5 minute recess before the regular meeting.

THE MEETING of Mayor and Council was called to order by Council President Spark, at 8:00pm at the Borough Hall, on East 7th 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, 2011 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 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, BOSSI, WARR

ALSO PRESENT GAIL WETMORE, TERRY F. BRADY, JAIMIE WIRKOWSKI AND ED SULECKI

Councilman Spark asked for a motion to approve the July 20 regular meeting. Mikuletzky moved to do so, seconded by Sharpless and carried by all.

MOTION: MIKULETZKY

SECOND: SHARPLESS

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

NAYS: NONE ABSTAIN: BOSSI ABSENT: NONE

TREASURER'S REPORT: On a motion by Warr, seconded by Reynolds and carried by all the report was approved.

MOTION: WARR

SECOND: SHARPLESS

AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI

NAYS: NONE ABSENT: BOSSI ABSTAIN: WARR

ZONING REPORT FOR JULY: The Council President asked for a motion to approve the reports. Reynolds so moved, seconded by Bossi.

MOTION: REYNOLDS

SECOND: BOSSI

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

NAYS: NONE ABSENT: NONE 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 as it was last month. It is up more in Barnegat Light than in what we supply to Long Beach Township. Ed said that the water tower was video inspected and it is in pretty good shape.

PUBLIC SAFETY: Frank Mikuletzky asked that the court report and police report be made a part of the minutes. Only Frank had the police report so everyone else will have one in their box tomorrow.

DOCKS AND HARBORS: Scott Sharpless reported that the bathroom at the dock is completed. The Gazebo will be started in September. He said we are up in boat ramp fees. He also mentioned we have already run out of money for salary there and are trying to rework the schedule. He reminded everyone that the following will be here tomorrow evening at the dock.

BEACHES AND PARKS: Dottie Reynolds gave the figures on the beach badges. We are over \$8000.00 from 2010. As of this report we owe \$2071.00 in checker bonuses. Tennis is down. Skate Park is a bit more than last year. We will be locking the dog park at dusk each day and it will open at 7:15am. Charlotte Sykes and the DPW will be handling the locking and unlocking. Also there is a hole that dogs have dug in the dug out and it needs to be repaired. Frank Mikuletzky asked about parking by the dog park and it was decided to do an ordinance on first reading this evening to lift the ban on parking right along the park.

FINANCE: George Warr mentioned the large amount of money that leaves the Borough for County Taxes and the schools.

The Bike Rodeo has been changed to the 28th. The museum is having a wine and cheese tasting on August 24th at the museum. The 18th there is an open house at the Coast Guard Complex.

OPEN PUBLIC SESSION:

On a motion by Bossi, seconded by Sharpless and carried by all the

public session was opened. Tom Stiles asked about the resolution that is cancelling certain taxes this evening. He was told to speak with Joan at the Borough Hall if he needed more info. Connie Higgins thought it would be a good idea to give information on purchasing walkways to the real estate agencies so they can alert their renters. She also mentioned that her kids were stung by jellyfish and she was told by the guards we were short on supplies this year and didn't even have enough band aids. When asked she said the parties on 11th street (beach) have not been bad this year. Tom Stiles said dog waste is getting to be a worse issue this year. All agreed - what can we do? Mary Schwartz said she is speaking for herself, not as president of the BLTPA and she is worried about the Harvey Cedars road situation. Dick Feehan said Harvey Cedars brought it on themselves. He still is not happy with the walkway at 15th street and said Dottie Reynolds promised and promised the residents a walkway. She attempted to explain and he said she has become a politician. There being no further comments, on a motion by Mr. Warr, seconded by Mr. Spark and carried by all the public session was closed.

ORDINANCES: FIRST READING

ORDINANCE 2011-004

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE NO PARKING ZONE ALONG 10TH STREET.

Terry Brady, Attorney read the above by title and number and the Council President asked for a motion to pass on first reading and publish according to law. Bossi so moved, seconded by Sharpless and carried by all.

MOTION: BOSSI

SECOND: SHARPLESS

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

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTIONS:

RESOLUTION 2011-103

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2011 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) FOR THE RECYCLING TONNAGE GRANT.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any local unit when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, the State of New Jersey has approved a grant to the Borough of Barnegat Light under the Solid Waste Administration Recycling Tonnage Grant Program in the total amount of \$1,801.46 to be received in 2011; and

WHEREAS, it is the desire of the Borough of Barnegat Light to amend the 2011 municipal budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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 an amendment to the 2011 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous Revenues

Section F: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services –

Public & Private Revenues Offset with Appropriations:

RECYCLING TONNAGE GRANT . . . \$1,801.46

2. That the Mayor and Borough Council do hereby further authorize an Appropriation of an equal sum under the caption of:

GENERAL APPROPRIATIONS:

(A) OPERATIONS-Excluded from CAPS:

Public and Private Programs Offset by Revenues:

RECYCLING TONNAGE GRANT . . . \$1,801.46

3. That a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with a copy to the Borough Auditor and the Borough Treasurer.

DATED: AUGUST 17, 2011

MOTION: WARR

SECOND: REYNOLDS

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION 11-104

**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 fill in employees for Tram Drivers for the 2011 season; and

WHEREAS, the following persons 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 following:

Fill in Tram Driver:	Doug Simpson	\$15.00/hr
	John D. Gibson	\$15.00/hr

DATED: AUGUST 17, 2011

MOTION: BOSSI

SECOND: MIKULETZKY

VOTE:

AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

NAYS: NONE

ABSENT: NOE

ABSENT: NONE

RESOLUTION 2011-105

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR THE 14th STREET RECONSTRUCTION PROJECT, SUBJECT TO NJDOT APPROVAL.

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for the 14th Street Reconstruction Project; and

WHEREAS, at the time, place and date set for the receipt of bids, nine (9) bids were received by the Borough as follows:

Earle Asphalt Company	\$ 82,313.13
C.J.Hesse Inc.	\$ 88,393.43
A.E.Stone	\$ 95,770.55
All Surface Asphalt	\$ 97,254.06
Mathis Construction	\$104,991.66
Seminole Construction	\$105,651.10
Mix-A-Lia Enterprises	\$108,495.00
Construction Data Co	no bid
Guzzi Masonry	no bid

WHEREAS, said bids were taken under advisement and have been reviewed by the Borough Engineer and it has been determined that Earle Asphalt Company submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$82,313.13; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for the 14th Street Reconstruction Project to Earle Asphalt Company, the lowest bidder; and

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

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

1. That the Mayor & Borough Council of the Borough of Barnegat Light do hereby award the contract for the 14th Street Reconstruction Project to Earle Asphalt Company, at the price of \$82,313.13, subject to NJDOT review and approval.

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Earle Asphalt Company, for said project, said agreement to be in conformance with bid specifications and bid submitted by Earle Asphalt Company.

3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following line item appropriations or ordinances constitute the availability of funds for this contract:

Barnegat Light Bond Ordinance No. 2010-07
(\$100,000 2010 NJDOT Trust Fund Grant)

4. That a certified copy of this resolution shall be forwarded to Earle Asphalt Company, the NJ Department of Transportation, the Chief Financial Officer and the Borough Engineer.

DATED: AUGUST 17, 2011

MOTION: BOSSI

SECOND: MIKULETZKY

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION 2011-106

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES DUE TO SETTLED TAX APPEALS

WHEREAS, in 2010 there were several successful tax appeals with the Ocean County Board of Taxation on the properties set forth below; and

WHEREAS, the appeals reduced the assessment of the property for the tax year 2010 & 2011 forward; and

WHEREAS, the Tax Assessing Office did not make the necessary changes to the Tax Duplicates for 2011, resulting in the property being over billed, and has requested the Tax Collection Office to make the necessary adjustments in accordance with the Tax Board Judgments from 2010; and

WHEREAS, the amounts of taxes to cancel are based on the following change in said property's assessment for 2011:

Block 8.01 Lot 3 C12:

2010 Assessment 601,300.00 x .779 rate = \$4,684.13 Tax bill

2011 Assessment 501,300.00 x .768 rate = \$3,849.99 Tax bill

2011	BILLED	SHOULD BE	AMOUNT TO BE CANCELLED
3 rd	\$1,327.21	\$559.21	\$768.00
4 th	\$1,327.20	\$559.21	\$768.00
2012			
1 st	\$1346.50	\$962.50	\$384.00
2 nd	\$1346.49	\$962.49	<u>\$384.00</u>
		TOTAL	\$2,304.00

Block 22 Lot 28

2011 Assessment 635,600.00 x .768 rate = \$4,881.41 Tax Bill

2011	BILLED	SHOULD B'	AMOUNT TO BE CANCELLED
3 rd	\$1,289.74	\$1,113.49	\$176.25
4 th	\$1,289.73	\$1,113.48	\$176.25
2012			
1 st	\$1,308.48	\$1,220.36	\$ 88.12
2 nd	\$1,308.48	\$1,220.35	<u>\$ 88.13</u>

TOTAL \$528.15

Block 12 Lot 5

2010 Property was incorporated into adjacent parcel Assessment should have been 0

	BILLED	SHOULD BE	AMOUNT TO BE CANCELLED
2011			
1 st	\$1,278.34	-0-	\$1,278.34
2 nd	\$1,278.34	-0-	\$1,278.34
3 rd	\$1,242.24	-0-	\$1,242.24
4 th	\$1,242.23	-0-	\$1,242.23
2012			
1 st	\$1,260.29	-0-	\$1,260.29
2 nd	\$1,260.29	-0-	<u>\$1,260.29</u>
		TOTAL	\$7,561.73

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 Tax Collector to correct the 2011 taxes based on the implementation of the 2010 judgment as set forth above.
2. That copies of this resolution shall be forwarded to the Borough Assessor, the Borough Tax Collector, the Borough Chief Financial Officer and the Borough Auditor.

DATED: AUGUST 17, 2011

MOTION: REYNOLDS

SECOND: SHARPLESS

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION 2011-106

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES DUE TO SETTLED TAX APPEALS

WHEREAS, in 2010 there were several successful tax appeals with the Ocean County Board of Taxation on the properties set forth below; and

WHEREAS, the appeals reduced the assessment of the property for the tax year 2010 & 2011 forward; and

WHEREAS, the Tax Assessing Office did not make the necessary changes to the Tax Duplicates for 2011, resulting in the property being over billed, and has requested the Tax Collection Office to make the necessary adjustments in accordance with the Tax Board Judgments from 2010; and

WHEREAS, the amounts of taxes to cancel are based on the following change in said property's assessment for 2011:

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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 Tax Collector to correct the 2011 taxes based on the implementation of the 2010 judgment as set forth above.

2. That copies of this resolution shall be forwarded to the Borough Assessor, the Borough Tax Collector, the Borough Chief Financial Officer and the Borough Auditor.

DATED: AUGUST 17, 2011

MOTION: REYNOLDS

SECOND: SHARPLESS

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION 11-108

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,

**COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$1,275,917.34**

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 \$1,275,917.34 be authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

DATED: August 17, 2011

MOTION: WARR

SECOND: BOSSI

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

A RESOLUTION WAS READ BY TITLE ONLY TO HAVE A CLOSED EXECUTIVE SESSION THIS EVENING.

RESOLUTION 11-109

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE MAYOR AND COUNCIL TO GO
INTO CLOSED EXECUTIVE SESSION FOR MATTERS
OF LITIGATION**

Moved by Bossi, seconded by Warr and carried by all.

CORRESPONDENCE:

Note from Megan Montford thanking Mayor Larson for giving her a town flag to give to the Mayor of Iiyama City Japan where she will be teaching English for a year! Letter from Mr. Gil Fall was read regarding safety of pedestrians at the bay beach. Permission was granted for 25th Street to have their annual block party and close off the street between Bayview and Central. Date is Saturday, September 24, 2011 on a motion by Bossi, seconded by Reynolds and carried by all. Permission was granted on a motion by Bossi, seconded by Reynolds and carried by all for ALO to meet at the end of Broadway on September 17, 9:00am for their Coastal Clean up.

At this point in the meeting the Mayor and Council went into closed session. The meeting was reopened and on a motion by Sharpless the meeting was adjourned.

APPROVED: _____

**_____
GAIL J. WETMORE
MUNICIPAL CLERK**