

**MAYOR AND COUNCIL MEETING      BARNEGAT LIGHT      SEPTEMBER 21, 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, BOSSI**

**ABSENT: WARR**

**ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, BOROUGH ATTORNEY, NANCY MANOOKIAN, DEPUTY CLERK, JOAN MARCUS, CTC AND KATHLEEN FLANAGAN, CFO**

**Mayor Larson** asked if anyone had something to discuss.

Dave Bossi mentioned the AC in the Post Office and Dave told him to get a new one. Dottie asked if we were turning off the traffic lights. They will be blinking. The ordinance for no parking by the first aide building was discussed. Dave felt there are not a lot of kids using the field anymore. He doesn't see a problem at all. Dottie said we can always go back if this ordinance is a mistake. Scott asked about the space between the first aide squad and the ball field. Dottie was not in favor of that for several reasons. Mike asked if all the streets are the same width in Barnegat Light. They are said Dave. Scott asked about no parking on the south side. Mike said not a good idea for the people who live on the south side. Dave and Dottie wanted to go ahead with the ordinance and see how it works. Mayor Larson brought up a mean dog problem. Nancy has some info. Dave said the dog should be required to be kept in his yard. What do the police need to act inquired Dottie? Mayor said if the dog is not attacking people they can't help. Charlotte Sykes spoke about the incident. She was for the dog park, but her dog doesn't use it. The fence does not keep a dog in there. This is the second time this has happened. Her dog was really hurt. The attack dog wanted to kill her dog. A woman heard Charlotte's scream and she came running to help Charlotte. She lives in the house next to Bideman's. The guy who was with the dog was in the dog park watching. He said it's not my dog. (Charlotte was lying on the ground at this point) Today Charlotte got a phone call from Stafford Animal Control. Dave said the fence needs fixing. Public Works have put clips on the fence to hold it down better. Dave said no one knew the whole bottom of the fence was loose. 75% of the people who come by car just open the car door and let their dog run out. Charlotte wants a finder's fee for the dog fines. Next the Lighthouse was discussed. The Chamber wants to run it. A meeting was held with the friends of Barnegat Lighthouse and they said they would like to run it. We really don't have the whole story yet. On a motion by Spark, seconded by Sharpless 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 Mayor Larson, at 8:00pm 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 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 7, 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, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI**

**ABSENT: WARR**

**ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, BOROUGH ATTORNEY, NANCY MANOOKIAN, DEPUTY CLERK, JOAN MARCUS, CTC AND KATHLEEN FLANAGAN, CFO**

**Mayor Larson** asked for a motion to approve the August 18 regular meeting. Mikuletzky moved to do so, seconded by Sharpless and carried by all.

**MOTION: MIKULETZKY**

**SECOND: SPARK**

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

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

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

**MOTION: SHARPLESS**

**SECOND: REYNOLDS**

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

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

**BUILDING AND ZONING REPORTS FOR AUGUST:** Mayor Larson asked for a motion to approve the reports. Spark so moved, seconded by Bossi.

**MOTION: SPARK**

**SECOND: BOSSI**

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

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

**COMMITTEE REPORTS:**

**WATER/SEWER: Mike Spark** asked that the water/sewer report be a part of the minutes. This past summer we used an awful lot of water. We used more than LBT. Sprinkler systems said the Mayor. It is shocking how high we were for the month of August.

**PUBLIC SAFETY: Frank Mikuletzky** said the lights are off. He attended a court session to see how things go. There was nothing for fish and game.

**DOCKS AND HARBORS: Scott Sharpless** gave the figures for the docks. We are up \$5,000 plus in daily fees. The Beach truck was returned today.

**BEACHES AND PARKS: Dottie Reynolds** said 4 Plover Chicks fledged. 3 more than last year. Tennis revenues were down. Skateboard badges were the lowest since 2006. We have to look into that. Beach Patrol report was read. Last weekend they had two rescues involving 10 people. Are revenues were up but sales were down in weekly, daily and senior. Dottie asked Kay Giberson to stand up and congratulated her on the excellent job she does. Nancy thanked Kay as well! Still can donate to walkway program.

**FINANCE: George Warr was absent.**

**PUBLIC WORKS: Dave Bossi** said we are looking for a temporary employee. He also mentioned the fence at the dog park.

**OPEN PUBLIC SESSION:**

On a motion by Bossi, seconded by Sharpless and carried by all the public session was opened. The President of the Friends of Barnegat Lighthouse spoke, along with other members. They will keep the Borough informed of their progress in being able to run the Lighthouse. Mayor

Larson told everyone that he had spoken with Senator Chris Connors and that he was going to talk to the DEP and see what was what. The Mayor said Barnegat Light could fund their fair share. There has to be a lot more discussion. Tom Stiles said he just heard about this. Does this involve other Lighthouses? The best scenario is to just run the Lighthouse and the visitor's center. No one wants the Chamber to take it over. The Mayors are going to meet to discuss this. Tom is concerned where the money is coming from. Dick Malacrea wanted to talk about the fees. We do not want to charge for parking. We don't want to see a commercial venture there. We want to keep the status quo. The next question was from Connie Higgins. She wanted to know what services would be available to her in the event of a mandatory evacuation. Dave Bossi said none. She said info should be posted. Nancy Manookian explained all that we do. Bob Van Meter said the gas and electric could be turned off. Nancy said that in the next newsletter she would provide information. There being no further comments, on a motion by Mr. Reynolds, seconded by Mr. Bossi and carried by all the public session was closed.

## **ORDINANCES: SECOND 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 10<sup>TH</sup> STREET.**

**The Deputy Clerk** read the above by title and number and the Mayor asked for a motion to open public hearing. Sharpless so moved, seconded by Bossi and carried by all. After much discussion it was decided to table the ordinance and come back with a better one for the October Meeting. Bob Van Meter spoke about concerns regarding the first aide building and kids or dogs dashing into the road. There being no further comments, Sharpless moved to close, seconded by Bossi and carried by all. Bossi moved to table this Ordinance, seconded by Sharpless.

**MOTION: BOSSI**

**SECOND: SHARPLESS**

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

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

## **RESOLUTIONS:**

### **RESOLUTION 2011-109**

#### **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 ENERGY EFFICIENCY AND CONSERVATION BLOCK 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 Energy Efficiency and Conservation Block Grant Program in the total amount of \$18,420.00 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:

Energy Efficiency and Conservation

Block Grant Program. . . . . \$18,420.00

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:

Energy Efficiency and Conservation

Block Grant Program. . . . . \$18,420.00

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: SEPTEMBER 21, 2011**

**MOTION: REYNOLDS**

**SECOND: MIKULETZKY**

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

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

**RESOLUTION 2011-110**

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

**WHEREAS**, Mr. Paul Schackman reserved a tennis court for August 28, 2011; and

**WHEREAS**, Hurricane Irene made play impossible and Mr. Schackman was not going to be here to reschedule.

**WHEREAS**, Due to the facts he is to receive a refund of \$12.00.

**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. A refund of \$12.00 will be authorized to Mr. Paul Schackman.

2. The refund shall be sent to 951 Nepawin Lane, Scotch Plains, NJ 07076.

**DATED: SEPTEMBER 21, 2011**

**MOTION: REYNOLDS**

**SECOND: BOSSI**

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

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

**RESOLUTION 2011-111**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SETTLEMENT OF LITIGATION REGARDING BOAT SLIP FEES.**

**WHEREAS**, the Borough of Barnegat Light was sued in Small Claims Court by Stan Tracz regarding his request for a refund for a boar slip he didn't use in 2010; and

**WHEREAS**, the Borough has determined that it is in its best interest to settle the litigation rather than incur any further legal costs; and

**WHEREAS**, it is the desire of the Mayor and Borough Council to settle the litigation with Stan Tracz for the agreed upon sum of \$326.

**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 the settlement of litigation in the matter of Stan Tracz vs. Barnegat Light Borough, NJ Superior Court, Law Division, Special Civil Part, Small Claims Division, docket number OCN-SC-2232-11, in the amount of \$326, to be paid to Stan Tracz within 30 days. A copy of said Stipulation of Settlement is attached hereto and is incorporated herein by reference.

2. That a copy of this resolution shall be forwarded to the Borough Treasurer for payment of the aforementioned sum.

**DATED: SEPTEMBER 21, 2011**

**MOTION: SPARK**

**SECOND: SHARPLESS**

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

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

#### **RESOLUTION 2011-112**

#### **RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PETITIONING THE STATE DIVISION OF PARKS AND FORESTRY TO CONSIDER AN ARRANGEMENT WITH THE BOROUGH OF BARNEGAT LIGHT AND/OR THE OTHER LONG BEACH ISLAND MUNICIPALITIES AND/OR THE FRIENDS OF BARNEGAT LIGHTHOUSE STATE PARK FOR THE MANAGEMENT AND OPERATION OF THE BARNEGAT LIGHTHOUSE AND STATE PARK**

**WHEREAS**, the Barnegat Lighthouse State Park is located within the Borough of Barnegat Light; and

**WHEREAS**, the Barnegat Lighthouse State Park is a vital resource for the local economy within the Borough; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Barnegat Light has partnered with the Barnegat Lighthouse State Park for protection and preservation of their mutual interests, such as joint projects for bulk heading, the establishment of no-wake zones, the creation of nature trails and the jetty inlet and beach creation project; and

**WHEREAS**, the Borough of Barnegat Light does further provide the Barnegat Lighthouse State Park with public services, such as road construction and maintenance, snow removal, utility services and municipal court services; and

**WHEREAS**, many of the merchants in Barnegat Light are dependent on the flow of tourists to the Barnegat Lighthouse State Park for a significant portion of their businesses; and

**WHEREAS**, the management and operation of the Barnegat Lighthouse State Park is intrinsically intertwined with the public interests in the Borough of Barnegat Light, including public safety, traffic, parking, pedestrian flow, and the like; and

**WHEREAS**, the importance of the Barnegat Lighthouse State Park to the Borough of Barnegat Light cannot be overstated; and

**WHEREAS**, the New Jersey Division of Parks & Forestry has been approached by the Southern

Ocean County Chamber of Commerce, which is comprised of business concerns not only on Long Beach Island, but also more remotely in Manahawkin, Little Egg Harbor, Waretown, Tuckerton, Barnegat and other mainland communities; and

**WHEREAS**, the Southern Ocean County Chamber of Commerce has proposed the creation of a new non-profit corporation comprised of both local and more remote membership as an operating entity for the Barnegat Lighthouse State Park; and

**WHEREAS**, the Borough of Barnegat Light supports and collaborates with many local organizations intimately involved with the Barnegat Lighthouse State Park, including:

Barnegat Light Historical Society  
Friends of Barnegat Lighthouse State Park  
Barnegat Light Taxpayers Association  
The Lighthouse Center for Natural Resource Education  
Lighthouse Challenge of New Jersey  
LBI Commemorative 18-Mile Run

**WHEREAS**, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to petition the State Division of Parks & Forestry to consider an arrangement by which the Borough of Barnegat Light and/or the other Long Beach Island municipalities and/or the Friends of Barnegat Lighthouse State Park, a §501(c)3 non-profit corporation, may be granted jurisdiction over management and operation of the Barnegat Lighthouse State Park, should the State be interested in transferring said functions from the state government.

**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 petition the State Division of Parks & Forestry to consider an arrangement by which the Borough of Barnegat Light and/or the other Long Beach Island municipalities and/or the Friends of Barnegat Lighthouse State Park, a §501(c)3 non-profit corporation, may be granted jurisdiction over management and operation of the Barnegat Lighthouse State Park.
2. That Mayor and Borough Council do further request that the NJ Department of Environmental Protection, Division of Parks & Forestry, meet with the Borough of Barnegat Light to determine the best course of action for the management and operation of the Barnegat Lighthouse State Park.
3. That the Mayor and Borough Council do hereby express their concerns over any transfer of management and operation functions of the Barnegat Lighthouse State Park to any non-governmental organization, such as being proposed by the Southern Ocean County Chamber of Commerce.
4. That the Mayor and Borough Council do hereby request that any consideration of the Southern Ocean County Chamber of Commerce proposal for assuming the management and operation of the Barnegat Lighthouse State Park be postponed until such time as the Borough and the State have had the opportunity to discuss governmental concerns and options.
5. That certified copies of this resolution shall be forwarded to the State Division of Parks & Forestry, the NJ Department of Environmental Protection, State Senator Connors, Assemblymember Gove, Assemblymember Rumpf, the Southern Ocean County Chamber of Commerce, the Friends of Barnegat Lighthouse, the Barnegat Light Historical Society, Barnegat Light Taxpayers Association, Lighthouse Challenge of New Jersey, the LBI Commemorative 18-Mile Run, the Township of Long Beach, the Borough of Harvey Cedars, the Borough of Surf City, the Borough of Ship Bottom, and the Borough of Beach Haven.

**DATED: SEPTEMBER 21, 2011**

**MOTION: SHARPLESS**

**SECOND: BOSSI**

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

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

**RESOLUTION 11-113**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS  
IN THE AMOUNT OF \$984,992.71**

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 \$984,992.71 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: SEPTEMBER 21, 2011**

**MOTION: SPARK**

**SECOND: BOSSI**

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

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

**Councilman Sharpless** said the Dune Grass planting will be October 8th at 15<sup>th</sup> street.

**CORRESPONDENCE:**

Letter was read from LBI Pack 18 requesting permission for an overnight campout on 9<sup>th</sup> street, this Saturday, September 24. Permission was granted on a motion by Spark, seconded by Reynolds and carried by all.

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

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

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NANCY A. MANOOKIAN  
DEPUTY MUNICIPAL CLERK**