

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT OCTOBER 19, 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 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, WARR

ABSENT: BOSSI

ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, BOROUGH ATTORNEY, GAIL WETMORE AND KATHLEEN FLANAGAN, CFO

Mayor Larson asked if anyone had anything to discuss. Dottie brought up the subject of no parking on certain parts of 10th St. by the dog park. There was much discussion regarding same and it was decided to come back next month with more information. Kirk told everyone about the meeting regarding the Lighthouse with the DEP, Friends and the Borough. It looks like the Friends may have a chance to operate the Lighthouse and the Center. Scott said Docks and Harbors had a meeting. Mayor Larson asked if we wanted to do an ad like we did last year in the Barnegat Light Magazine that all the merchants advertise in. Consensus was yes we do. On a motion by Spark, seconded by Sharpless and carried by all there was a 10 minute recess before the regular meeting.

THE MEETING of Mayor and Council was called to order by Mayor Larson, 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, MIKULETZKY, SHARPLESS, REYNOLDS, WARR

ABSENT: BOSSI

ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, BOROUGH ATTORNEY, GAIL WETMORE AND KATHLEEN FLANAGAN, CFO

Mayor Larson asked for a motion to approve the September 21, 2011 regular meeting. Mikuletzky moved to do so, seconded by Sharpless and carried by all.

MOTION: MIKULETZKY

SECOND: SPARK

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

NAYS: NONE ABSTAIN: NONE ABSENT: BOSSI

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

MOTION: REYNOLDS

SECOND: WARR

AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI

NAYS: NONE ABSENT: BOSSI ABSTAIN: NONE

BUILDING AND ZONING REPORTS FOR SEPTEMBER: Mayor Larson asked for a motion to approve the reports. Reynolds so moved, seconded by Mikuletzky.

MOTION: REYNOLDS

SECOND: MIKULETZKY

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 the water use is down now that summer is over.

PUBLIC SAFETY: Frank Mikuletzky asked that the court report for August and September be made part of the minutes. The lights are off. He attended a session of court to see what it was like.

DOCKS AND HARBORS: Scott Sharpless said he had a docks and harbors meeting and that there would be no changes in fees for next year. The Gazebo is half done and looks great. We were down at the ramp in users but up \$5700.00 because we raised rates.

BEACHES AND PARKS: Dottie Reynolds said that there will be an open beaches and parks meeting at 5:00pm on Wednesday, October 26. Dog park fountain is in and will be installed soon. It was donated by Judy Johnson in honor of her husband Wayne. It is for both people and pets. Gail read an e-mail that was sent to Dottie praising her and the walkways. Dottie thanked Scott Sharpless for all his work with the Dune Grass Planting. Grass was planted on 15th by students from Cranberry. The Barnegat LIT Leaders in Training brought 40 kids to 13th street. Scott's wife is a teacher there.

FINANCE: George Warr said we have receipt of the audit this evening and thanked our CFO and all concerned for another great audit. There were no comments or recommendations. The first budget workshop will be prior to the November council meeting at 6:00pm.

PUBLIC WORKS: Dave Bossi was absent.

OPEN PUBLIC SESSION:

On a motion by Sharpless, seconded by Reynolds and carried by all the public session was opened. Sarah Lambert asked what was happening with the dog problem with a certain boxer. There was much discussion and Terry Brady is looking into whether or not the town can make an enforceable ordinance against vicious or dangerous dogs. Lacey Brindley spoke in favor of the walkways as did Fred Gibbs and Frank Byrnes. Dottie said the walkways should be removed in water. Lay them down in the spring. The new walkway sections are \$273.00 and we had charged people \$135.00 to buy a section before. Fred Gibbs also said the state would pick up the liability insurance for the friends if they took over the Lighthouse because they down that with a project he was involved in. There being no further comments, on a motion by Mr. Warr, seconded by Mr. Spark and carried by all the public session was closed.

RESOLUTIONS:

RESOLUTION 2011-114

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SEEKING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A CONTRACT WITH

**THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
2012 EAST 5TH STREET ROAD IMPROVEMENT PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Council of Barnegat Light formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as #00379 to the New Jersey Department of Transportation on behalf of the Borough of Barnegat Light.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Barnegat Light and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

DATED: OCTOBER 19, 2011

MOTION: REYNOLDS

SECOND: SPARK

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

NAYS: NONE

ABSENT: BOSSI ABSTAIN: NONE

RESOLUTION 2011-115

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY,
DECLARING OCTOBER 19TH AS “PRETTY IN PINK DAY”**

WHEREAS, excluding cancer of the skin, breast cancer is the most common cancer among women accounting for nearly one in four cancer diagnosed in the United States women; and

WHEREAS, recognizing Breast Cancer Awareness Month educates women about the importance of early detection for breast cancer; and

WHEREAS, although the use of mammography combines with clinical breast exam is one of the best ways to diagnose breast cancer in its earliest stages when the disease is the most treatable; and

WHEREAS; although mammography rates have risen, many women are still not making clinical breast examination and mammography screening part of their preventive health care routine requiring new effort to reach older women, racial and ethnic minorities, and women of low income; and

WHEREAS; working through an Ocean County Campaign dedicated to increasing awareness of breast cancer issues, especially the importance of early detection; and

WHEREAS; the Borough of Barnegat Light joins with the Ocean County Board of Health in supporting “**Pretty in Pink Day**” for increasing awareness of the importance of early detection of breast cancer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey proclaims October 19, 2011 as “**PRETTY IN PINK DAY**” Barnegat Light and urge all citizens to learn about the importance of this day.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Ocean County Board of Chosen Freeholders, Ocean County Municipalities, Community Medical Center, Kimball Medical Center, Southern Ocean Medical Center and Ocean Medical Center.

DATED: OCTOBER 19, 2011

MOTION: SPARK

SECOND: REYNOLDS

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

NAYS: NONE

ABSENT: BOSSI ABSTAIN: NONE

RESOLUTION 2011-116

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY,
AWARDING A SALARY INCREASE TO KATHY GUERRERO**

WHEREAS, Kathy Guerrero has completed the second and third of 5 classes required to take the exam for Registered Municipal Clerk; and

WHEREAS, her agreement with the Borough states that she is to receive an addition \$2,000.00 in salary after the successful completion of each course..

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. Kathy Guerrero will receive an additional \$2,000.00 in her salary for class # 2.
2. Said increase will be retroactive to September 29, 2011.
3. Kathy Guerrero will receive an additional \$2000.00 in her salary for class # 3.
4. Said increase will be effective as of today.

DATED: OCTOBER 19, 2011

MOTION: SHARPLESS

SECOND: WARR

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

NAYS: NONE

ABSENT: BOSSI

ABSTAIN: NONE

RESOLUTION 11-117

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and;

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and;

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27 BB-34, and;

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

and;

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body, and;

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board, and;

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and;

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

"R.S. 52:27BB-52 -"A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$ 1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Barnegat Light, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated June 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

DATED: OCTOBER 19, 2011

MOTION: WARR

SECOND: REYNOLDS

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

NAYS: NONE

ABSENT: BOSSI ABSTAIN: NONE

RESOLUTION 11-118

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$327,906.98**

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 \$327,906.98 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: OCTOBER 19, 2011

MOTION: WARR

SECOND: REYNOLDS

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

NAYS: NONE

ABSENT: BOSSI

ABSTAIN: NONE

RESOLUTION 11-119

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
EMPLOYING TEMPORARY DPW/WS LABORER**

WHEREAS, the Borough of Barnegat Light is in need of a DPW/WS Laborer; and

WHEREAS; the Mayor and Council have decided to hire a temporary laborer; 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 approve the following employee:

TEMPORARY DPW/WS LABORER

Michael Leconey \$10.00 per hour

DATED: OCTOBER 19, 2011

MOTION: REYNOLDS

SECOND: SPARK

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

NAYS: NONE

ABSENT: BOSSI

ABSTAIN: NONE

RESOLUTION 11-120

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING COMMUNITY RATING SYSTEM COORDINATOR FOR THE BOROUGH**

WHEREAS, the Borough of Barnegat Light desires to appoint a Community Rating System Coordinator for the Borough; and

WHEREAS, Barnegat Light has participated in the CRS Program for many years in order to save our homeowners money on their flood insurance; and

WHEREAS, Al Oros had previously served in this capacity and is no longer doing so;

WHEREAS, Jenna Taylor has been working in the building department as a construction clerk and is fully qualified to take on the task of Community Rating System Coordinator which requires record keeping and preparing the annual report so that Barnegat Light may continue to save on Flood Insurance.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council that Jenna Taylor shall serve as Community Rating System Coordinator for the Borough of Barnegat Light for the year 2011.

BE IT FURTHER RESOLVED THAT she shall receive \$1500.00 as compensation for serving as Community Rating System Coordinator.

DATED: OCTOBER 19, 2011

MOTION: MIKULETZKY

SECOND: REYNOLDS

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

NAYS: NONE

ABSENT: BOSSI

ABSTAIN: NONE

RESOLUTION 2011-121

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PETITIONING THE STATE DEPARTMENT OF HEALTH TO SUPPORT THE BARNEGAT LIGHT FIRST AID SQUAD REGARDING FIRST RESPONSE TO CALLS FOR EMERGENCY SERVICES.

WHEREAS, the Barnegat Light First Aid Squad, Inc., is the volunteer first aid squad operation within the Borough of Barnegat Light and other areas of Long Beach Island; and

WHEREAS, MONOC (Monmouth-Ocean Hospital Service Corporation) operates an emergency medical transport service in the Ocean County area; and

WHEREAS, the MONOC has applied to the New Jersey Department of Health for a waiver in order to allow MONOC to respond to calls for emergency medical responses in Barnegat Light without first directing the call to the Barnegat Light First Aid Squad; and

WHEREAS, the Barnegat Light First Aid Squad believes that such a waiver would interfere with its ability to respond to emergency calls; and

WHEREAS, the use of private response agencies such as MONOC to respond to emergency calls would also come at a substantial cost Borough residents, while the response by the Barnegat Light First Aid Squad remains free to area residents; and

WHEREAS, the Mayor and Borough Council of the Borough of Barnegat Light have consistently committed substantial resources to the Barnegat Light First Aid Squad, and any interference with volunteer responses would be adverse to the public interest; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to petition the State Department of Health to support the operations of the Barnegat Light First Aid Squad, as a volunteer organization, and to oppose any waiver request which would interfere with emergency response protocols established by the Barnegat Light First Aid Squad.

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 Department of Health to reject any request of MONOC for waivers which would interfere with the first response status of the Barnegat Light First Aid Squad.
2. That the NJ Department of Health should respect the volunteers of the Barnegat Light First Aid Squad, and should defer to their response protocols.
3. That certified copies of this resolution shall be forwarded to the State Department of Health, Governor Christie, the 9th District State Legislative team of Senator Connors, Assemblymember Gove and Assemblymember Rumpf, the Barnegat Light First Aid Squad and all municipalities serviced by the Barnegat Light First Aid Squad.

DATED: OCTOBER 19, 2011

MOTION: SHARPLESS

SECOND: WARR

VOTE: AYES: SPARK, MIKULETZKY, REYNOLDS, WARR

NAYS: NONE

ABSENT: BOSSI

ABSTAIN: SPARK

CORRESPONDENCE: The CFO, Kathy Flanagan explained the Best Practices Check List and what it means to the town. The report was submitted on September 8, 2011 to the DCA and this was to make sure the council and mayor were all aware of same. The clerk will send a certification to the state advising them it was discussed at a council meeting.

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

APPROVED: _____

GAIL J. WETMORE
MUNICIPAL CLERK