

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT DECEMBER 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 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: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

ABSENT: SPARK

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

The Mayor asked if anyone had anything for caucus. Dottie Reynolds wanted to speak about the walkways and the fact that she would like to offer the same deal with did last year where people can donate for an 8 foot section for \$135.00. There was much discussion on this. Dave Bossi said we should put x in the budget and than don't spend over that. Mayor Larson aid we have to find a way to put people's names up before we ask others to donate. George Warr said he would like to have a second budget workshop. It was decided to have same on January 17, 2012 at 2:00pm. On a motion by Reynolds seconded by Sharpless and carried by all we went right into 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: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

ABSENT: SPARK

ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, BOROUGH ATTORNEY, GAIL WETMORE, KAT FLANAGAN AND JAIMIE WIRKOWSKI

Mayor Larson asked for a motion to approve the November 16, 2011 Special Meeting. Mikuletzky moved to do so, seconded by Reynolds and carried by all.

MOTION: MIKULETZKY

SECOND: REYNOLDS

VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS, WARR

NAYS: NONE ABSTAIN: BOSSI ABSENT: SPARK

Mayor Larson asked for a motion to approve the November 16, 2011 Regular Meeting. Reynolds moved to do so, seconded by Sharpless and carried by all.

MOTION: REYNOLDS

SECOND: SHARPLESS

VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS, WARR

NAYS: NONE ABSTAIN: BOSSI ABSENT: SPARK

Mayor Larson asked for a motion to approve the December 2, 2011 Special Meeting. Mikuletzky moved to do so, seconded by Reynolds and carried by all.

MOTION: MIKULETZKY

SECOND: REYNOLDS

VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS

NAYS: NONE ABSTAIN: BOSSI and WARR ABSENT: SPARK

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

MOTION: SHARPLESS

SECOND: REYNOLDS

AYES: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

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

MOTION: REYNOLDS

SECOND: WARR

VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS, WARR

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

COMMITTEE REPORTS:

WATER/SEWER: Mike Spark was absent.

PUBLIC SAFETY: Frank Mikuletzky asked that the court report be made a part of the minutes. He mentioned only \$242.00 was town fines.

DOCKS AND HARBORS: Scott Sharpless said we are up on the ramp from September to December we took in \$6220.00. He mentioned the plans to finish the Gazebo Project and Kat Flanagan said we are all set.

BEACHES AND PARKS: Dottie Reynolds gave the beach badge report.

FINANCE: George Warr mentioned the Online Auction we will be having and also said the next budget workshop is set for January 17, 2012 at 2:00pm.

PUBLIC WORKS: Dave Bossi asked that the DPW Report and the Water/Sewer report be made a part of the minutes. He also went over a list of tasks for the DPW and had a plan for giving jobs to them in a new and better way. Ed Sulecki will include an update on his DPW/WS Report each month on how many projects have been completed or are in the works.

OPEN PUBLIC SESSION:

On a motion by Sharpless, seconded by Reynolds and carried by all the public session was opened. The Mayor invited everyone to speak and asked their thoughts on afternoon meetings in 2012. Gene Sharpless said he would not be able to attend afternoon meetings. Tom Stiles was adamant about not liking the idea. Mayor Larson said he was doing it for the employees. This way they can be here and not have to go home. Gail said it was not the employees asking for it. Tom said they it is part of their job. No one else commented on that subject. There being no further comments, on a motion by Mr. Warr, seconded by Mr. Sharpless and carried by all the public session was closed.

COMMUNITY DEVELOPMENT BLOCK GRANT HEARING

Warr moved to open hearing, seconded by Sharpless and carried by all. Gail Wetmore explained what the Borough is thinking this year. We have discovered that the type of beach mats we use now can be covered by CDBG. Lavalette Borough got mats and beach wheels last year. Scott

Sharpless thought we should do an extension on the 29th Street ramp. Gail will check with Frank Little regarding the possibility of same. Mayor Larson said we also thought about new beach wheels. 2nd hearing will be on January 18, 2012 and if anyone has anything it must be in that evening by 8:00pm.

ORDINANCES: SECOND READINGS:

ORDINANCE 2011-005

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

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Sharpless moved to open public hearing seconded by Reynolds and carried by all. On a motion by Warr, seconded by Bossi the public hearing was closed. Bossi moved to adopt, seconded by Mikuletzky.

MOTION: BOSSI

SECOND: MIKULETZKY

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

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

ORDINANCE 2011-007

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 64 OF THE BOROUGH CODE, ENTITLED "BOATING", TO REVISE THE BOAT SLIP PERMIT RULES & REGULATIONS.

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Sharpless moved to open public hearing, seconded by Warr and carried by all. Bossi moved to close, seconded by Reynolds and carried by all. Sharpless moved to adopt, seconded by Mikuletzky and carried by all.

MOTION: SHARPLESS

SECOND: MIKULETZKY

VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS, WARR

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

ORDINANCE 2011-08

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 57 OF THE BOROUGH CODE, ENTITLED "ANIMALS", TO PROVIDE FOR ENFORCEMENT AGAINST DOGS ENDANGERING THE PUBLIC OR OTHER ANIMALS.

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Sharpless moved to open public hearing, seconded by Reynolds and carried by all. Bill Day said he was glad we were doing this. Warr moved to close, seconded by Bossi and carried by all. Borough Attorney Terry F. Brady read a letter into the record from Mrs. Bercik who had been invited to come tonight but declined. She said she was unable to come due to a work schedule. The letter is on file in the office of the Borough Clerk. Bossi moved to adopt, seconded by Reynolds.

MOTION: BOSSI

SECOND: REYNOLDS

VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS, WARR

NAYS: NONE ABSENT: SPARK ORDINANCE 2011-009

ORDINANCE 2011-009

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 153 OF THE BOROUGH CODE, ENTITLED "SEWERS AND WATER", TO REVISE THE FEE SCHEDULES

The Clerk read the above by title and number and the Mayor announced it is time to consider same for passage on second reading according to law. Reynolds moved to open public hearing, seconded by Warr and carried by all. Terry Brady explained that we are passing the Ordinance this evening, however some changes did not get in and we will be amending on January 6, and have second reading on January 18, 2012. Sharpless moved to close public hearing, seconded by Reynolds and carried by all. Warr moved to adopt, seconded by Mikuletzky.

MOTION: WARR

SECOND: MIKULETZKY

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

NAYS: NONE ABSTAIN: NONE ABSENT: SPARK

RESOLUTIONS:

RESOLUTION 11-126

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

WHEREAS, the Mayor wanted to have an attendant at the public dock for Saturday, December 3, 2011 and none of the regular attendants were available; and

WHEREAS, the only hours needed were 5:00am to 9:00pm on the 3rd of December; and

NOW, THEREFORE, BE IT RESOLVED, that James O'Donnell was hired for this day only for \$15.00 per hour.

DATED: DECEMBER 21, 2011

MOTION: BOSSI

SECOND: WARR

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

NAYS: NONE

ABSENT: SPARK

ABSTAIN: NONE

RESOLUTION 2011-127

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING BRENDA KUHN AS TAX COLLECTOR.

WHEREAS, Joan Marcus, the Borough's tenured tax collector, is retiring from her employment with the Borough, effective December 31, 2011; and

WHEREAS, the Mayor and Borough Council do hereby express their most sincere appreciation and thanks to Joan Marcus for her many years of faithful service to the Borough; and

WHEREAS, Brenda Kuhn has applied for the position of Borough Tax Collector and is duly certified and qualified to hold said position; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Brenda Kuhn as Borough

Tax Collector effective January 1, 2012; and

WEREAS, NJSA 40A:9-142 provides that every municipal tax collector shall hold his or her office for a term of 4 years from the first day of January next following his or her appointment.

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 accept the retirement of Joan Marcus from the position of tax collector, effective December 31, 2011, with their regrets and most sincere thanks and appreciation for her years of faithful service to the Borough.

2. That the Mayor and Borough Council do hereby appoint Brenda Kuhn to fill the vacancy in the position of Tax Collector of the Borough of Barnegat Light for the statutory term of 4 years from the first day of January next following her appointment, effective January 1, 2012, said term to expire on December 31, 2015. Brenda Kuhn shall be compensated in accordance with the Salary Ordinance of the Borough of Barnegat Light, as amended from time to time, currently at the rate of \$55,000.00 per year.

3. That certified copies of this resolution shall be forwarded to Joan Marcus, Brenda Kuhn and the N.J. Division of Local Government Services.

DATED: DECEMBER 21, 2011

MOTION: WARR

SECOND: BOSSI

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

RESOLUTION 11-128

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$918,038.17**

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 \$918,038.17 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: DECEMBER 21, 2011

MOTION: WARR

SECOND: SHARPLESS

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

RESOLUTION 2011-129

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RECEIPT
OF SEALED BIDS FOR THE SALE OF PERSONAL PROPERTY –
UNUSED WEBSITE WWW.BARNLIGHT.COM.**

WHEREAS, the Borough of Barnegat Light has determined that certain personal property as described on the attached Notice To Bidders is no longer needed for public purposes; and

WHEREAS, N.J.S.A. 40A:11-36 requires that all such personal property be sold at public sale to the highest bidder, after notice of the date, time and place of the public sale, together with a description of the items to be sold, are published in the Borough's official newspaper; and provided that such sale shall be held not less than seven nor more than 14 days after the latest publication of the notice thereof; and

WHEREAS, N.J.S.A. 40A:12-13 requires that all such personal property be sold after publication in two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to advertise for and receive sealed bids for the sale of said personal property.

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 property described on the attached Notice To Bidders is hereby declared to be surplus, no longer needed for public purposes. Said personal property of the Borough is its unused website at: www.barnlight.com.

2. That the Borough Clerk is hereby authorized and directed to advertise a public sale of said personal property to be held in accordance with the Notice To Bidders, attached hereto and incorporated herein by reference. The Notice To Bidders, setting forth the date, time and place of the public sale together with a description of the items to be sold and the conditions of sale, shall be published in the official newspaper of the Borough. Such sale shall be held not less than seven nor more than 14 days after the latest publication of the notice thereof of at least two insertions at least once a week during two consecutive weeks.

3. The Borough reserves the right to reject any and all bids if it determines such rejection to be in the public interest.

DATED: DECEMBER 21, 2011

MOTION: REYNOLDS

SECOND: MIKULETZKY

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

NAYS: NONE

ABSENT: SPARK

ABSTAIN: NONE

RESOLUTION 11-130

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
CANCELLING A CURRENT FUND BUDGET APPROPRIATION**

WHEREAS, the following 2011 Current Fund budget appropriation remains unexpended; and the governing body of the Borough of Barnegat Light wishes to cancel said unexpended balance; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to surplus;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that the following unexpended balance in the Current Fund 2011 budget is cancelled:

Appropriation

Amount

Capital Improvement Fund

\$75,000.00

DATED: December 21, 2011

MOTION: REYNOLDS

SECOND: MIKULTZKY

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

RESOLUTION 2011-131

**The Borough of Barnegat Light, County of Ocean, State of New Jersey
Opposing and Calling for an Amendment of the Rule of Court, R. 1:34-3,
Regarding the Hiring Process of Municipal Court Administrators and
Deputy Court Administrators**

WHEREAS, on September 13, 2011, the New Jersey State Supreme Court adopted amendments to the Rules of Court, , specifically R. 1:34-3, which deals with the hiring process for municipal court administrators and deputy court administrators; and,

WHEREAS, this rule would alter the process by allowing the Assignment Judge of the vicinage the discretion to review resumes of the candidates for municipal court administrator and deputy court administrators; and,

WHEREAS, under this rule a panel consisting of the municipal court judge, the municipal division manager for the vicinage, a municipal court administrator and deputy court Administrators from another town in the vicinage, and two representatives from the municipality who are not members of the police department interview the candidates; and .

WHEREAS, under this rule the Assignment Judge has the discretion to interview the final candidate for the position of municipal court administrator and deputy court administrators, and has the authority to approve or reject the selected candidate; and

WHEREAS, appointments of municipal court administrators and deputy court administrator have always been within the sole discretion of the municipal governing body, which is an expressed authority of a municipality by N.J.S.A. 2B:12-4 and N.J.S.A. 2B:12-10;

WHEREAS, the amended Rules of Court, specifically R. 1:34-3, departs significantly from legislative intent, usurps the role of the governing body and taxpayers, and violates the concept of separation of powers.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council , in the County of Ocean, State of New Jersey calls for the Court to reconsider and amend R. 1:34-3 to be consistent with legislative intent; and,

BE IT FURTHER RESOLVED, that the New Jersey State Legislature should act immediately to either clarify that the appointments of municipal court administrator and deputy court administrators are within the sole discretion of the municipality, or direct the Judiciary to fund the Municipal Courts through their budget; and,

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Acting Administrative Director of the Courts, members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and the Governor of State of New Jersey. The New Jersey League of Municipalities and the following: The Hon. Eldridge Hawkins, Mayor, City of Orange, The Hon. Daniel J. Reiman, Mayor, Borough of Carteret, The Hon. Wayne Smith, Mayor, Township of Irvington, all Ocean County Mayors and Ocean County Mayor's Association; and

RESOLUTION 2011-132

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING AN AGREEMENT WITH GOVDEALS FOR
THE DISPOSAL BY AUCTION OF SURPLUS PROPERTY.**

WHEREAS, the Borough of Barnegat Light is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of Barnegat Light is desirous of selling said surplus property in an "as is" condition without express or implied warranties,

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and are also available from the Borough of Barnegat Light.
- (2) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (3) The sale will be conducted online and the address of the auction site is govdeals.com.
- (4) A list of the surplus property to be sold is as follows: See Schedule A for a list of items.
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Barnegat Light reserves the right to accept or reject any bid submitted.

DATED: December 21, 2011

MOTION: REYNOLDS

SECOND: SHARPLESS

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

NAYS: NONE

ABSENT: SPARK

ABSTAIN: NONE

RESOLUTION 11-133

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
TO CANCEL THE UNEXPENDED BALANCE IN THE STORMWATER REGULATION PROGRAM
FOR 2008 AND 2009**

WHEREAS, the Borough of Barnegat Light received a Stormwater Regulation Grant for 2008 and 2009 in the amount of \$6,041.00; and

WHEREAS, a balance remains dedicated to this project which is now completed; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance of \$2,438.12 may be credited to Surplus.

NOW, THEREFORE, BE IT RESOLVED, that the following unexpended and dedicated balance of the following appropriations be cancelled:

Stormwater Regulation Program 2008	\$1,438.12
Stormwater Regulation Program 2009	\$1,000.00

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Borough Auditor and the Chief Financial Officer.

DATED: DECEMBER 21, 2011
MOTION: BOSSI
SECOND: REYNOLDS
VOTE: AYES: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR
NAYS: NONE
ABSENT: SPARK ABSTAIN: NONE

RESOLUTION #11-134

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
AN EMERGENCY NOTIFICATION SYSTEM**

WHEREAS it is the desire of the Borough of Barnegat Light to provide the best possible services for its residents; and

WHEREAS informing the public of emergent situations in an efficient manner would benefit both the Borough and its residents; and

WHEREAS the Township of Long Beach has contracted with Global Connect for an Emergency Notification System, more commonly known as "Reverse 9-1-1"; and

WHEREAS the Township of Long Beach has invited the Borough of Barnegat Light and the other Island municipalities to enter into a Shared Services Agreement to share certain costs associated with said notification system, specifically the database fees; and

WHEREAS each municipality must contract independently with Global Connect for services provided specifically for each municipality, including message dissemination and training; and

WHEREAS a representative of Barnegat Light attended a demonstration meeting with Global Connect representatives AND Councilman Morrison, Chairman of the Public Safety Committee and Councilman Bossi, Emergency Management Deputy have agreed to have Global Connect as the vendor for the Emergency Notification System; and

WHEREAS pursuant to the Local Public Contracts Law, when the total cost of a contract does not exceed the bid threshold, the contract may be awarded by resolution without public advertising for bids.

1. The Mayor and the Municipal Clerk are hereby authorized to execute a contract with Global Connect, 5218 Atlantic Avenue, Suite 202, Mays Landing, NJ 08330-2003 for the Emergency Notification System as per the attached pricing estimate.
2. It is the intent of the Borough of Barnegat Light to execute a Shared Services Agreement with the Township of Long Beach for the database fees associated with the Emergency Notification System upon receipt and review of said agreement.

3. Copy of this resolution shall be forwarded to Township of Long Beach.

DATED: DECEMBER 21, 2011

MOTION: REYNOLDS

SECOND: BOSSI

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

NAYS: NONE

ABSENT: SPARK ABSTAIN: NONE

RESOLUTION 2011-135

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, IN SUPPORT OF LEGISLATURE SENATE BILL S-2339 AND ASSEMBLY BILL A-3558

WHEREAS, the Ocean County Mayor's Association conducted a meeting on December 13, 2011. There was discussion concerning property tax appeals. The downturn in real estate values has resulted in tremendous pressure on municipal budgets as property owners pursue a growing number of successful property tax appeals; and

WHEREAS, the existing rules regarding reassessments are not designed to expeditiously address the issue of property tax appeals occasioned by a downturn in property tax values, as the process is both costly and time consuming; and

WHEREAS, the State of New Jersey, Department of the Treasury, through the Director of the Division of Taxation requires that municipal wide interior inspections of properties be conducted if more than four years has passed since the last municipal wide interior inspections were performed in connection with a revaluation or reassessment; and

WHEREAS, the above requirement unduly delays and adds substantial cost to those reassessments necessary to more equitable apportion a municipality's real property tax burden; and

WHEREAS, there is currently pending in the Legislature Senate bill S-2339 and Assembly bill A-3558, both of which provide that an application for municipal wide reassessment could not be denied by the State of New Jersey, Division of Taxation for lack of interior inspections if interior inspections had been performed in the municipality within the previous eight years.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Barnegat Light, County of Ocean, State of New Jersey along with the Ocean County Mayor's Association calls upon the Legislature to fast track both S-2339 and A-3558 so as to permit municipalities to conduct reassessments without the need to perform interior inspections if interior inspections have been performed in a municipality within the last eight years.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided to each of the following:

1. The Honorable Chris Christie, Governor of the State of New Jersey
2. Congressman Jon Runyan and Christopher B. Smith
3. US Senators Robert Menendez and Frank R. Lautenberg
4. State Senators Christopher J. Connors, Andrew R. Ciesla & Robert W. Singer
5. State Assembly Members Diane C. Gove, Brian W. Rumpf, David W. Wolfe
James W. Holzapfel, Joseph R. Malone, and Ronald S. Dancer
6. Ocean County Board of Chosen Freeholders
7. All Ocean County Mayors
8. The New Jersey League of Municipalities
9. The New Jersey Conference of Mayors

DATED: DECEMBER 21, 2011

MOTION: BOSSI

SECOND: REYNOLDS

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

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

RESOLUTION 11-136

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TRANSFER OF APPROPRIATIONS
ACCORDING TO 40A:4-58**

WHEREAS, the Borough of Barnegat Light in the County of Ocean and State of New Jersey finds it necessary to transfer money from certain 2011 budget appropriations to carry on and pay its obligations and that such transfers are permitted by law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light that the Treasurer is hereby authorized to make the following transfers:

CURRENT FUND:

FROM:

Trash Removal OE 1-01-26-305-243 \$ 1,000.00

TO:

Zoning Board OE 1-01-21-185-201 \$ 1,000.00

DATED: December 21, 2011

MOTION: REYNOLDS

SECOND: MIKULETZKY

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: SPARK

RESOLUTION 2011-137

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, authorizing an amendment to the New Jersey Department of Transportation grant application for 2011 road projects.

WHEREAS, the Borough of Barnegat Light has previously authorized an application to the New Jersey Department of Transportation for grant funding for road projects in 2011, that being the reconstruction of East 5th Street & East 14th Street in the amount of \$137,700.00; and

WHEREAS, the New Jersey Department of Transportation approved an allotment of \$110,000.00 for Borough road projects; and

WHEREAS, the Borough will need to remove East 5th Street from the 2011 NJDOT Application in order to receive the funding sufficient for the East 14th Street aspect of the original application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that East 5th Street shall be and hereby is eliminated from the 2011 NJDOT Program, and that the Borough's application for project funding shall be amended to include only East 14th Street.

BE IT FURTHER RESOLVED that East 5th Street is hereby deleted from the 2011 road construction project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute and submit the attached REEVALUATION OF PROJECT LIMITS in accordance with the terms of this resolution.

DATED: DECEMBER 21,2011

MOTION: REYNOLDS

SECOND: BOSSI

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

NAYS: NONE

ABSENT: SPARK

ABSTAIN: NONE

CORRESPONDENCE:

Dr. Robin submitted the letters from his neighbors having no problem with the topping of trees on the dune he had requested. Bossi moved to allow seconded by Reynolds and carried by all.

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

APPROVED: _____

**GAIL J. WETMORE
MUNICIPAL CLERK**