

**MAYOR AND COUNCIL MEETING      BARNEGAT LIGHT      JUNE 20, 2012**

**THE CAUCUS MEETING** of the Mayor and Council was called to order by Mayor Larson at 4:30pm 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 6, 2012 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 6, 2012, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 6, 2012.

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

**ABSENT: MIKULETZKY**

**ALSO PRESENT: MAYOR LARSON, JAIMIE WIRKOWSKI, ASST. TREASURER AND GAIL WETMORE, RMC**

**Mayor Larson** asked Scott Sharpless if he wanted to talk about the letter from Mr. Romer. Scott explained the situation and the fact is that Mr. Romer does not feel his floating dock is safe. It was decided that Ed Sulecki would have Public Works do some work on it. It cannot be replaced until next season. (Frank Mikuletzky entered the meeting at 4:35pm.) Mayor asked Ed Sulecki if any needles turned up in Barnegat Light. They did not but we had a bunch of reeds and stuff. Mayor said he was amazed that people flush needles down their toilets. Gail explained that you can get sharps containers and when full hand them in to the health department. The sewers were not the problem here. It was from North Jersey and New York. People on 14<sup>th</sup> Street are wondering where their beach walks are. They are on order. We are getting the loan of a 2002 Avalanche thanks to Jim Lynch from Lucas Ford. Kirk told everyone what the CRAB is at 16<sup>th</sup> Street. The contractor has paid the user fee for use of the street end. Dave Bossi said we need signs at 16<sup>th</sup> Street advising people they need a permit to use the area. Ed Sulecki will order same. Dottie Reynolds mentioned that she is giving the 2<sup>nd</sup> year guards a \$5.00 per week raise. There are 7 of them. If she hadn't done this they would not have received an increase. There will also be a resolution changing the salary of Kay Giberson. She is now in charge of the Beach Badge Booth and has additional duties. Her new salary will be \$12.00 per hour. On a motion by Reynolds, seconded by Bossi and carried by all there was a 5 minute break before the regular meeting.

**THE MEETING** of the Mayor and Council was called to order by Mayor Larson at 5:00pm 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 6, 2012 and by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 6, 2012 Said news papers were designated by Mayor and Council on January 6, 2012, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 6, 2012.

**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, BOSSI, WARR**

**ABSENT: ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, ESQ, GAIL J. WETMORE, RMC AND JAIMIE WIRKOWSKI assistant treasurer.**

**THE MAYOR** asked for a motion to approve the minutes of the May 16, 2012 regular meeting. On a motion by Warr, seconded by Sharpless the minutes were approved.

**MOTION: WARR**

**SECOND: SHARPLESS**

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

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

**MOTION: REYNOLDS**

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

**BUILDING AND ZONING REPORTS FOR MAY: 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, WARR**  
**NAYS: NONE ABSENT: NONE ABSTAIN: NONE**

**COMMITTEE REPORTS:**

**WATER/SEWER: Michael Spark** reported that the problem with the water usage last month was the result of the Master Meter blowing up. It is in the process of being fixed. We will have to figure out the correct usage.

**PUBLIC SAFETY: Frank Mikuletzky** asked that the court report be made a part of the minutes. He and the Mayor met with Chief Bradley for the usual summer police meeting. There have been reports of speeding on Bayview Avenue and the police have issued some tickets. Frank said he wants to get on bikes that do not stop at traffic light. Frank once again mentioned how little money we receive from the court and how much it costs to run same.

At this point Terry F. Brady, Borough Attorney read a request from Superior Court asked us to make improvements to the court room.

**DOCKS AND HARBORS: Scott Sharpless** said 19 more ramp season passes have been sold and we are up \$3200.00 for last year. We have a Dock Master and 5 assistants. July 1<sup>st</sup> is our Parade. We are using the same theme as last year - Hometown Heroes. The band The Following has been changed from July 5, 2012 to July 26.

**BEACHES AND PARKS: Dottie Reynolds** read the Beach Badge report. We are down \$9394.00 from last year. She hopes we will make it up when we sell Holiday Badges in November. Tennis is up! We have sold 3 more \$80.00 passes than last year. Happy summer to everyone.

**PUBLIC WORKS: Dave Bossi** spoke of the Emergency Management Drill. He said we did very well and hoped we would not be penalized for the mistakes of others. All is well in Public Works.

**FINANCE: George Warr** said we will be approving bills this evening and that \$220,000 is going to the County and School. He mentioned the resolution that is on for tonight concerning user fees and the effect it could have on our cap.

Sharpless moved to open the public session, seconded by Mikuletzky and carried by all.

**OPEN PUBLIC SESSION: Tom Stiles** complimented the Mayor and Council for having 16<sup>th</sup> Street finally cleaned up. He now thinks we should put benches on other street ends as well. There is still some concrete there and Mayor said that a special concrete dumpster will take care of that soon.

Stella Roseff presented her ideas to have a fitness center of sorts in town for her and other seniors who either don't want to go over the bridge or find fitness centers too expensive. Several ideas were thrown out but none of them would work. We cannot use the court room, Gail's old office is out and we have no room in our current Borough Hall.

She was told we would continue to think about it. Vince Roth thanks Mayor and Council for the Fire Department donation.

On a motion by Warr, seconded by Spark and carried by all the public session was closed.

**RESOLUTIONS:**

**RESOLUTION 2012-092**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF  
OCEAN, STATE OF NEW JERSEY,  
SUPPORTING COMMUNITY MEDICAL CENTER'S  
APPLICATION FOR A NEW CARDIAC SURGERY PROGRAM**

**WHEREAS,** Ocean County, New Jersey is the 6<sup>th</sup> largest county in the State of New Jersey, and has the highest population of citizens over the age of 65; and

**WHEREAS,** cardiovascular disease is the leading cause of death in the United States and the leading cause of death for those over the age of 65 and more Ocean County residents die from heart disease than any other county in New Jersey; and

**WHEREAS,** Ocean County does not have a hospital that provides cardiac surgery although there are 18 approved facilities in New Jersey including 14 in Northern New Jersey and at least one in 11 other counties; and

**WHEREAS,** the distribution of cardiac surgery programs in New Jersey leaves the highest concentration of citizens most vulnerable to cardiovascular disease underserved and without comparable access as other senior populations throughout the State; and

**WHEREAS,** the length of travel for Ocean County residents to receive the services associated with cardiac surgery not only has negative clinical impacts but puts undue financial stress on County residents with fixed incomes and who rank # 1 in households receiving social security and other retirement income; and

**WHEREAS,** Ocean County residents are not only denied access to cardiac surgery with the County, they are denied a series of other cardiac procedures that should be easily accessible to the populations most in need; and

**WHEREAS,** Community Medical Center in Toms River, provides the greatest access to the underserved senior population in Ocean County, including three of the top 5 senior populations in New Jersey in Berkeley, Manchester and Toms River and is centrally located between other cardiac surgery facilities; and

**WHEREAS,** Community Medical Center, currently performs an array of cardiac services and the performance of these services indicates a unique capability to successfully provide cardiac surgery to Ocean County residents; and

**WHEREAS,** The State of New Jersey has not accounted for the senior population in Ocean County who are most vulnerable to cardiovascular disease and in need of the full array of cardiac services when issuing a certificate of need for Cardiac Surgery in the past.

**NOW, THEREFORE, BE IT RESOLVED,** that the Borough of Barnegat Light, County of Ocean, State of New Jersey, does hereby call upon the State of New Jersey to allow Community Medical Center in Toms River the ability to perform cardiac surgery in order to provide suitable access that currently does not exist for Ocean County residents in need of this lifesaving procedure; and

**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. The Honorable United States Congressman Jon Runyan and Christopher H. Smith
3. The Honorable United States Senators Robert Menendez and Frank R. Lautenberg
4. The Honorable State Senators Christopher J. Connors, James W. Holzapfel and Robert W. Singer
5. The Honorable State Assembly Members DiAnne C. Gove, Brian E. Rumpf, David W. Wolfe, Sean T. Kean and David P. Rible
6. The Honorable Ocean County Board of Chosen Freeholders
7. All Ocean County Mayors
8. Commissioner of the Department of Health & Senior Services
9. Community Medical Center
10. New Jersey State League of Municipalities

11. The New Jersey Conference of Mayors

**DATED: JUNE 20, 2012**

**MOTION: WARR**

**SECOND: REYNOLDS**

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

**NAYS: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**RESOLUTION 12-093**

**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 a beach badge checker for the 2012 season; and

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

|                             |                         |                  |
|-----------------------------|-------------------------|------------------|
| <b>BEACH BADGE CHECKER:</b> | <b>Nicole DeUmberto</b> | <b>\$7.25/hr</b> |
|                             | <b>Sarah Adams</b>      | <b>\$7.25/hr</b> |

**DATED: JUNE 20, 2012**

**MOTION: BOSSI**

**SECOND: REYNOLDS**

**VOTE:**

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

**NAYS: NONE**

**ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 12-094**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
RENEWING LIQUOR LICENSE FOR BARNEGAT LIGHT LIQUOR STORE  
FOR THE YEAR 2012-13**

**WHEREAS**, Barnegat Light Liquor Store has applied to the Borough of Barnegat Light for renewal of a Plenary Retail Distribution License for the year 2012-13 for the premises known and designated at Broadway and Seventh Street, Barnegat Light; and

**WHEREAS**, said application shows evidence of application for Federal Tax Stamp and check in the amount of \$1,500.00 to the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light, County of Ocean, that a Retail Plenary Distribution License be issued to Barnegat Light Liquor Store for the premises mentioned above and that said Barnegat Light Liquor Store may be opened in accordance with the Ordinances adopted by the Borough.

**DATED: JUNE 20, 201**

**MOTION: SHARPLESS**

**SECOND: REYNOLDS**

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

**NAYS: NONE**

**ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 12-095**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
RENEWING LIQUOR LICENSE FOR RICK'S AMERICAN CAFE  
FOR THE YEAR 2012-13**

**WHEREAS,** Rick's American Cafe has applied to the Borough of Barnegat Light for renewal of a Plenary Retail Consumption License for the year 2012-13, for the premises known and designated at the Broadway and Fourth Street, Barnegat Light; and

**WHEREAS,** said application shows evidence of application for Federal Tax Stamp and check in the amount of \$2,000.00 to the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light, County of Ocean, that a Retail Plenary Consumption License be issued to Rick's American Cafe for the premises mentioned above and that said Rick's American Cafe may be opened in accordance with the Ordinances adopted by the Borough.

**DATED: JUNE 20, 2012**

**MOTION: SPARK**

**SECOND: BOSSI**

**VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNODS, BOSSI, WARR**

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

**RESOLUTION 12-096**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
RENEWING LIQUOR LICENSE FOR KUBEL'S  
FOR THE YEAR 2012-13**

**WHEREAS,** Kubel's has applied to the Borough of Barnegat Light for renewal of a Plenary Retail Consumption License for the year 2012-13, for the premises known and designated at the Bayview and Seventh Street, Barnegat Light; and

**WHEREAS,** said application shows evidence of application for Federal Tax Stamp and check in the amount of \$2,000.00 to the Borough of Barnegat Light.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Barnegat Light, County of Ocean, that a Retail Plenary Consumption License be issued to Kubel's for the premises mentioned above and that said Kubel's may be opened in accordance with the Ordinances adopted by the Borough.

**DATED: JUNE 20, 2012**

**MOTION: REYNOLDS**

**SECOND: SPARK**

**VOTE:**

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

**NAYS:**

**NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 12-097**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS**

**IN THE AMOUNT OF \$569,965.21**

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 \$569,965.21 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: JUNE 20, 2012**

**MOTION: WARR**

**SECOND: SHARPLESS**

**VOTE:**

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

**NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 12-098**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
EMPLOYING LIFEGUARDS FOR SUMMER '12**

WHEREAS, the Borough of Barnegat Light is in need of lifeguards for summer '12; and

WHEREAS, the following people are 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 list of seasonal employees:

|                    |                           |               |
|--------------------|---------------------------|---------------|
| <b>LIFEGUARDS:</b> | Don Adams, Captain        | \$815.00/wk   |
|                    | Scott Caffrey, Lt.        | \$630.00/wk   |
|                    | Brady Stauffer            | \$450.00/wk   |
|                    | John Schulze              | \$450.00/wk   |
|                    | Don P. Adams              | \$450.00/wk   |
|                    | Doug Adams                | \$450.00/wk   |
|                    | Nate Castiello            | \$450.00/wk   |
|                    | Bob Selfridge (EMT) (LIT) | \$485.00/wk   |
|                    | Kirsten Selfridge (EMT)   | \$465.00/wk   |
|                    | Nate Humberston           | \$415.00/wk Q |
|                    | Jason Jennings (LIT)      | \$415.00/wk   |
|                    | Katie Lyons (EMT)         | \$420.00/wk Q |
|                    | Andrew Baxter (LIT)       | \$395.00/wk Q |
|                    | Zach Kohl                 | \$375.00/wk   |
|                    | Caren Guyett              | \$375.00/wk   |
|                    | Joe Taylor                | \$375.00/wk Q |
|                    | Michael Vare              | \$385.00/wk   |
|                    | Marley Selfridge (EMT)    | \$390.00/wk   |
|                    | Gavin Lentz               | \$365.00/wk   |
|                    | James Polito (IRB)        | \$405.00/wk Q |
|                    | Thomas Petronzio          | \$425.00/wk   |
|                    | James Wiles               | \$350.00/wk   |
|                    | Mike Smith                | \$350.00/wk Q |
|                    | Tyler Olson               | \$350.00/wk Q |
|                    | Zakarias Westerberg       | \$350.00/wk Q |
|                    | Benjamin Scheipe          | \$350.00/wk Q |
|                    | Kristin Kay               | \$350.00/wk   |
|                    | Anna Panacek              | \$365.00/wk   |
|                    | Mike Dinapoli             | \$355.00/wk   |
|                    | Greg Macchia              | \$355.00/wk   |
|                    | Madelyn Malay             | \$350.00/wk   |
|                    | Geoff Brewster            | \$450.00/wk   |

|                  |               |
|------------------|---------------|
| Mike Panzer      | \$395.00/wk   |
| Matt Harris      | \$385.00/wk   |
| Seth Livsey      | \$450.00/wk   |
| Joe Berry        | \$345.00/wk Q |
| Brandon Puhalski | \$345.00/wk Q |
| Kristen Lee      | \$345.00/wk   |
| Josh Humberston  | \$385.00/wk Q |

**DATED: JUNE 20, 2012**

**MOTION: SPARK**

**SECOND: SHARPLESS**

**VOTE:**

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

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

### RESOLUTION 2012-099

#### **RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPPOSING S-1914**

**WHEREAS**, S-1914, would subject certain “user fees for traditional municipal services” to be included within the 2% cap; and

**WHEREAS**, the definition of “traditional municipal services” in S-1914 is open-ended, leaving municipalities and State regulators unsure on its application and, therefore, unable to properly plan for future years; and

**WHEREAS**, user fees for traditional county and school services would not be subject to any of the provisions of S-1914, although they have a greater impact on the local property tax bill; and

**WHEREAS**, it is at times more appropriate to fund some services by user fees, especially those services for which a recipient and a cost can clearly and accurately calculated; and

**WHEREAS**, if municipalities are prohibited from charging user fees, they may be forced to discontinue the service, forcing residents to obtain the service from a private provider, often times at a higher cost than the user fee; and

**WHEREAS**, as municipalities struggle to meet the 2% levy cap, without the full effects of the management reforms and the continued diversion of energy receipt taxes, officials are forced to reexamine their budget and priorities; and

**WHEREAS**, in order to deliver the services that their residents expect and want, local officials have been making structural changes to their budget, including how programs are funded; and

**WHEREAS**, municipalities must retain the financial flexibility to address their own unique fiscal issues and meet the demands and expectations of their residents; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey strongly urges the legislature to oppose S-1914; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the sponsor of S-1914 Senator Sweeney, Assembly Speaker Oliver, Senator Christopher J. Connors, Assemblywoman Diane C. Gove and Assemblyman Brian E. Rumpf, the New Jersey State League of Municipalities and the Office of the Governor.

**DATED: JUNE 20, 2012**

**MOTION: WARR**

**SECOND: BOSSI**

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

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

### RESOLUTION 12-100

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,**

COUNTY OF OCEAN, STATE OF NEW JERSEY,  
REFUNDING LIT SESSION # 1

**WHEREAS**, the fee for the use of Barnegat Light's LIT program is \$100.00; and

**WHEREAS**, two participants from Session one cannot attend; and

**THEREFORE, BE IT RESOLVED** that \$100.00 should be refunded to:

Karen Kay  
17 Saddlebrook Road  
Millstone Township, NJ 08535

And \$100.00 should be refunded to:

Kim Guaracino  
13 Highbridge Boulevard  
Medford, NJ

**BE IT FURTHER RESOLVED** that the Borough Treasurer will issue these checks.

**DATED: JUNE 20, 2012**

**MOTION: REYNOLDS**

**SECOND: WARR**

**VOTE:**

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

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

**RESOLUTION 12-101**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AWARDING CONTRACT FOR PHONE SYSTEM TO  
TRICOMM SERVICES CORPORATION  
UNDER STATE CONTRACT 80802 T-1316**

**WHEREAS**, the Borough of Barnegat Light is in need of a new phone system for the old Borough Hall at 10 West 10<sup>th</sup> Street; and

**WHEREAS**, Tricomm Services Corporation has the desired system and is under State Contract NO. 80802 T-1316.

**NOW, THEREFORE BE IT RESOLVED** that a contract be awarded to Tricomm Services Corporation, for said system for the following price:

\$ 3,710.08

**BE IT FURTHER RESOLVED** that a certificate of availability of funds, executed by the Chief Financial Officer is annexed hereto. The following line item appropriations or ordinances which constitute the availability of funds for this contract:

**Buildings and Grounds O an E**

**DATED: JUNE 20, 2012**

**MOTION: BOSSI**

**SECOND: WARR**

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

**NAYS: NONE**

**ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 12-102**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,**

**COUNTY OF OCEAN, STATE OF NEW JERSEY,  
EMPLOYING SEASONAL WORKERS**

**WHEREAS**, the Borough of Barnegat Light has employed Kay Giberson for the 2012 season; and

**WHEREAS**, Kay Giberson has assumed additional duties at the Beach Badge Booth and her salary has changed to the following:

**BEACH BADGE BOOTH:** Kay Giberson \$ 12.00/hr

**DATED:** JUNE 20, 2012

**MOTION:** BOSSI

**SECOND:** REYNOLDS

**VOTE:**

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

**NAYS:** NONE

**ABSENT:** NONE **ABSTAIN:** NONE

**RESOLUTION 2012-103**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE 14<sup>TH</sup> STREET RECONSTRUCTION CONTRACT WITH EARLE ASPHALT COMPANY FOR FINAL AS-BUILT QUANTITY ADJUSTMENTS.**

**WHEREAS**, a contract was previously awarded for the reconstruction of 14<sup>th</sup> Street to Earle Asphalt Company at the price of \$82,313.13; and

**WHEREAS**, the Mayor and Borough Council wish to authorize a change order to provide for final as-built quantity adjustments, which will result in a decrease in the contract price in the net amount of \$22,196.04; and

**WHEREAS**, this change order and all other change orders amount to a total less than 20% over the original contract awarded to Earle Asphalt Company (-26.96% of original contract price); 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 and Borough Council of the Borough of Barnegat Light do hereby authorize the execution of Change Order Number 1 to the contract with Earle Asphalt Company for the 14<sup>th</sup> Street Reconstruction Project, to provide for a decrease of the contract price of \$82,313.13 to \$62,117.09, or a decrease in the contract price in the net amount of \$22,196.04, consisting of final as-built quantity adjustments. 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 certified copy of this resolution shall be forwarded to the Chief Financial Officer, the Borough Engineer and Earle Asphalt Company.

**DATED:** JUNE 20, 2012

**MOTION:** REYNOLDS

**SECOND:** SHARPLESS

**VOTE:**

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

**NAYS:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

**RESOLUTION 12-104**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,**

**COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING  
KATHY GUERRERO AS DEPUTY MUNICIPAL CLERK.**

**WHEREAS**, Kathy Guerrero is an employee of the Borough of Barnegat Light working as an assistant in the Municipal Clerk's Office; and

**WHEREAS**, the Office of Deputy Municipal Clerk is vacant as a result of the retirement of Nancy Manookian; and

**WEREAS**, NJSA 40A:9-135 and Barnegat Light Borough Code § 32-10 provides for the appointment of a Deputy Municipal Clerk, to serve at the pleasure of the Borough Council.

**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 appoint Kathy Guerrero to the position of Deputy Municipal Clerk of the Borough of Barnegat Light for an indeterminate term, to serve at the pleasure of the Borough Council.

2. That Kathy Guerrero shall be compensated in accordance with the Salary Ordinance of the Borough of Barnegat Light, as amended from time to time, presently at the rate of \$38,000 (exclusive of her salaries for the positions of Recycling Coordinator and Deputy Emergency Management Coordinator. This salary is retroactive to June 1, 2012.

3. That certified copies of this resolution shall be forwarded to Kathy Guerrero and the Borough Treasurer.

**DATED: JUNE 21, 2012**

**MOTION: BOSSI**

**SECOND: WARR**

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

**NAYS: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**RESOLUTION 12-105**

**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**

**WHEREAS**, N.J.S.A. 10:4-12 (b) (1-9) of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Mayor and Council of the Borough of Barnegat Light is of the opinion that such circumstances exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Barnegat Light that the public shall be excluded from discussions of personnel, and it is anticipated that the subject matter will be made public as soon as it is deemed to be in the public interest to do so.

**DATED: JUNE 20, 2012**

**MOTION: REYNOLDS**

**SECOND: WARR**

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

**NAYS: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**RESOLUTION 2012-106**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY**

**OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A PAYMENT SCHEDULE FOR THE CONTRACT FOR THE BOROUGH HALL PAINTING PROJECT WITH SPECTRUM PAINTING LBI.**

**WHEREAS**, the Borough of Barnegat Light is in need of painting services and materials for the Borough Hall Painting Project, the cost of which was anticipated to be less than the Borough's formal bidding threshold of \$36,000.00; and

**WHEREAS**, in May 2012, awarded a contract for said services to Spectrum Painting LBI, who submitted the lowest price quotation in accordance with the Borough's specifications, said bid being in the amount of \$ 35,900; and

**WHEREAS**, the price quotation from Spectrum Painting LBI was silent as to the payment schedule for the same; and

**WHEREAS**, Spectrum Painting LBI has requested the payment schedule upon said contract as set forth below; and

**WHEREAS**, the matter of the payment schedule set forth below has been discussed with the Borough Auditor, who had no objection to the same so long as no payment is released without the work noted on each voucher for the same being certified to having been fully performed: and

**WHEREAS**, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to authorize a payment schedule for the contract for the Borough Hall Painting Project with Spectrum Painting LBI.

**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 a payment schedule for the contract for the Borough Hall Painting Project with Spectrum Painting LBI upon the following schedule :

1/3 payable after the power washing has been completed

1/3 after all the other work and prime coat

1/3 after job is completed

**2.** That the Borough Treasurer and the Borough Administrator are hereby authorized to issue and execute purchase orders for the same in accordance with said payment schedule and the procedures of the Borough Purchasing Policy.

**3.** That a copy of this resolution shall be forwarded to Spectrum Painting LBI, the Borough Auditor and the Chief Financial Officer.

**DATED: JUNE 20, 2012**

**MOTION: BOSSI**

**SECOND: REYNOLDS**

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

**NAYS: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**At this point in the meeting the Mayor and Council went into closed executive session.**

**The meeting was reopened.**

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

SHARPLESS THE MEETING WAS ADJOURNED.

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

GAIL J. WETMORE, RMC  
MUNICIPAL CLERK