

**MAYOR AND COUNCIL MEETING      BARNEGAT LIGHT      OCTOBER 17, 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, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR  
ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, ESQ. AND GAIL WETMORE, RMC**

**Mayor Larson** spoke about TD Bank and the fact that they might be interested in having a branch in Barnegat Light. Mike Spark asked where it would be. Gail will write a letter for the Mayor to send to TD bank. Dottie said even DeWitt with the Fire Company has to go out of town to deposit monies. Dave Bossi mentioned we have officially moved the DECON Center and he will mention that at the regular meeting. We have a new hire for tonight and he spoke of the fact that we are closing the dog park in the hopes that people will pick up after their dogs and not allow the dogs to dig holes. He also mentioned that we are looking into a computer based time clock system. Frank said the holes are dangerous for other reasons. There is a lot of dog waste in there. Other parks you have to register and pay to use them. Dave's sister and Charlotte take turns opening and closing the dog park. This has become an issue since the county made restrictions on their parks. Terry will look at our ordinances and we probably can give people a ticket. Dottie brought up the cat program again and wanted a definitive answer if the town wanted this to happen in Barnegat Light. Harvey Cedars made a donation of \$1500.00 in traps. There is only trapping on private property. When the cats have been fixed they go back to whoever has been feeding them. Mike asked what the difference is between a feral cat or a domestic cat. Since doing this program in Harvey Cedars they have not had any calls since May. There is also a foster program for kittens. All agreed it was fine to do this. Kirk asked if we are advertising in the Barnegat Light magazine again. Smoking on the beach was discussed. Other island Mayors are saying no smoking between the flags. Dave asked who would enforce. After some discussion it was decided we will not do this. We have no one to enforce it. Mike said why make trouble if you haven't had trouble. Dottie said the health department wanted a sign on the bay beach. Gail brought up the Mutual Aide for Lifeguarding that Mike Bradley had asked for. We already do this so we are not sure if it is necessary. We feel we are doing this already. Frank will speak to the Chief about this and get back to the Council. Terry said the Liveries are being bid on this evening. CFO Kat explained the Best Practices and the fact that we are not going to lose any state aide. George Warr questioned the political contribution law and he thought it would affect what we are doing this evening. (Possibly hiring a Labor attorney) 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**

**ALSO PRESENT: MAYOR LARSON, TERRY F. BRADY, GAIL WETMORE, KAT FLANGAN, JAIMIE WIRKOWSKI AND ED SULECKI**

**THE MAYOR** asked for a motion to approve the minutes of the September 19, 2012 regular meeting. On a motion by Mikuletzky, seconded by Warr the minutes were approved.

**MOTION: MIKULETZKY**

**SECOND: WARR**

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

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

**MOTION: REYNOLDS**

**SECOND: SHARPLESS**

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

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

**MOTION: REYNOLDS**

**SECOND: BOSSI**

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

**AUCTION FOR LIVERIES:**

**Terry Brady** conducted the auction for the 2 liveries. He read the notice to bidders and the bidding began. Robbie Holzworth bid the minimum bid on Livery No. 1 for \$23,805.00. Vincent Chiaro bid on Livery No. 3 for \$23,285. There were no other bidders so these bids were final.

**RESOLUTION 12-130**

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARING CONTRACTS FOR THE LEASING OF CERTAIN MUNICIPAL PROPERTY (LIVERY LEASES).**

**WHEREAS,** the Borough of Barnegat Light duly advertised for the receipt of bids for the leasing of liveries; and

**WHEREAS,** bids for the leasing of the liveries in question were received on October 17, 2012 at public auction; and

**WHEREAS,** it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to accept the highest bids submitted for the leasing of municipal liveries.

**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 formally award contracts to the highest bidders received at public auction for the leasing of liveries as follows:

**Livery No. 1 – Robert Holzwarth, Red Rose Enterprises LLC  
\$23,805 for 2013; \$24,043 for 2014; \$24,284 for 2015**

**Livery No. 3 – Vincent Chiaro, Bay Dreamer LLC  
\$23,285 for 2013; \$23,518 for 2014; \$23,753 for 2015**

2. That the Mayor and Borough Clerk are hereby authorized to execute the leases for the subject liveries with the highest bidder for each livery said lease agreement to be in the form on file with the Borough Clerk and previously approved by resolution of the Borough.

3. That certified copies of this resolution shall be forwarded to the successful bidders.

**DATED: OCTOBER 17, 2012**

**MOTION: BOSSI**

**SECOND: WARR**

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

**NAYS: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

Terry Brady left the room with the successful bidders to sign the leases. Gail said she has absentee ballots here if anyone needs them for themselves or anyone else.

Sharpless moved to have a break until Terry Brady returned to the meeting, seconded by Bossi and carried by all. After a bit the meeting reopened as Terry was still with the successful bidders.

**COMMITTEE REPORTS:**

**WATER/SEWER: Michael Spark** asked that the water and sewer report be made a part of the minutes.

**PUBLIC SAFETY: Frank Mikuletzky** asked that the Court Report be made a part of the minutes and that the Police Log for July and August be a part of the minutes. Mayor Larson told Frank we would deal with the Fire Company request regarding LOSAP at the next meeting. Frank asked what about First Aide and the Mayor said not at this time. Mayor said he did see what the First Aide does at the 18 mile run and that is a lot. He is still speaking with Carole

**DOCKS AND HARBORS: Scott Sharpless** said he and Eddie are pulling all the docks this year. There is a huge pothole on the northern side of the ramp. They will be fixing it before next season. Scott reported on the dune grass plantings. Troops 87, 89 and 91 came from Cranbury. Leadership Training from Barnegat planted on 12<sup>th</sup> and 13<sup>th</sup> Streets. People came from Surf City to help plant. He congratulated Michelle Wellington on her first place Islander win on the 18 Mile Run.

**BEACHES AND PARKS: Dottie Reynolds** said Tuesday November 13 at 5:00pm there will be a beaches and parks meeting. It is open to the public. Letter from Sarah Lambert asking to trim vegetation in the dunes in front of her residence. Gail said she had another letter from one of her neighbors agreeing. Sarah said there are black pines, cedars and sassafras trees. She said she could see the water 30 years ago. She will have it professionally done. Dave asked how she could have three neighbors if she is ocean front. (She was counting herself.) Mike said you can only trim in front of your property. If your neighbors want to have it done on their property they have to write a letter too. Sarah must get the other letter for us from her other neighbor. Dave moved that she can cut straight if she brings in the other letter from her neighbor. All agreed.

**PUBLIC WORKS: Dave Bossi** said we have a new employee in Public Works. DECON moved to Harvey Cedars. Fred Voss said Emergency Management at the County Level is going to be civil service. He will look into that.

**FINANCE: George Warr** said the total bill list is lower than most months but \$172,000 is going to Southern regional School System.

Mayor mentioned we are possibly hiring a Labor Attorney this evening. His name is Armondo Riccio. Dave said he thinks it is a good idea to have a Labor Attorney. Mike asked how the contract is written. He is billed hourly. Terry Brady mentioned the last three paragraphs for the resolution. It is for a one year appointment. We should appoint this position at organization like the other professionals. They have to be for a year only.

On a motion by Sharpless, seconded by Bossi the meeting was opened to the public. Tom Stiles said he is not for the no smoking on the beach. He mentioned they should look into the red cups on the beach. Sarah Lambert asked what the resolution for limiting medical plans offered by the state was all about. Gail responded that the towns must offer at least one

plan in all four categories. On a motion by Warr, seconded by Sharpless the public portion was closed.

**ORDINANCES:**

**SECOND READINGS:**

**ORDINANCE 2012-020**

**AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO PROVIDE FOR AN INCREASE IN THE HOLIDAY PRESEASON BEACH BADGE FEE.**

The Clerk read the above by title and number and the Mayor said it is time to consider same for second reading and asked for a motion to open the public hearing. Reynolds so moved, seconded by Bossi and carried by all. Dottie explained what this is. Reynolds moved to closed, seconded by Spark and carried by all. Reynolds moved to adopt, seconded by Spark.

**MOTION: SPARK**

**SECOND: SHARPLESS**

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

**NAYS: NONE**

**ABSENT: NONE ABSTAIN: NONE**

**RESOLUTIONS:**

HA-0892-0912

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY  
DIVISION OF PENSIONS AND BENEFITS  
**STATE HEALTH BENEFITS PROGRAM**  
PO BOX 299 TRENTON, NEW JERSEY 08625-0299

**RESOLUTION 12-126**

**A RESOLUTION** for Local Government Employers to limit the medical plans offered under the State Health Benefits Program. Employers must offer at least one plan from each category.

**BE IT RESOLVED:**

The Borough of Barnegat Light 021700  
CORPORATE NAME OF EMPLOYER SHBP/SEHBP EMPLOYER LOCATION NUMBER

**WILL NOT OFFER THE FOLLOWING PLAN(S)** (CHECK THE PLANS YOUR LOCATION WILL NOT BE OFFERING - YOU MUST OFFER AT LEAST ONE PLAN FROM EACH CATEGORY.)

CATEGORY 1		CATEGORY 2	
<input checked="" type="checkbox"/> AETNA FREEDOM10	<input checked="" type="checkbox"/> NJ DIRECT10	<input checked="" type="checkbox"/> AETNA FREEDOM1525	<input type="checkbox"/> NJ DIRECT1525
<input checked="" type="checkbox"/> AETNA FREEDOM15	<input type="checkbox"/> NJ DIRECT15	<input checked="" type="checkbox"/> AETNA HMO1525	<input type="checkbox"/> HORIZON HMO1525
<input checked="" type="checkbox"/> AETNA HMO	<input type="checkbox"/> HORIZON HMO		
CATEGORY 3		CATEGORY 4	
<input checked="" type="checkbox"/> AETNA FREEDOM2030	<input type="checkbox"/> NJ DIRECT2030	<input checked="" type="checkbox"/> AETNA VALUE HD4000	<input type="checkbox"/> NJ DIRECT HD4000
<input checked="" type="checkbox"/> AETNA HMO2030	<input type="checkbox"/> HORIZON HMO2030	<input checked="" type="checkbox"/> AETNA VALUE HD1500	<input type="checkbox"/> NJ DIRECT HD1500

Upon receipt of this resolution, the Health Benefits Bureau will schedule a Special Open Enrollment for active employees currently enrolled in any plan that will no longer be offered. These employees must submit a *Health Benefits Application* to change medical plans during the Special Open Enrollment or will otherwise be terminated from coverage. Resolutions may be filed once in a calendar year.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

Barnegat Light Borough  
CORPORATE NAME OF EMPLOYER

on the 17 day of OCTOBER, 2012.

Dail J. Wetmore  
SIGNATURE  
Administrator / Municipal Clerk  
OFFICIAL TITLE

10  
NUMBER OF EMPLOYEES

10 E. 7th St. PO 576  
STREET ADDRESS

Barnegat Light NJ 08006  
CITY STATE ZIP CODE

409 494 9196  
AREA CODE TELEPHONE NUMBER

21-6004703  
EMPLOYER'S STATE SOCIAL SECURITY IDENTIFICATION NUMBER

RESOLUTION 12-127

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS  
IN THE AMOUNT OF \$304,854.48

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 \$304,854.48 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 17, 2012  
MOTION: SPARK  
SECOND: WARR  
VOTE:  
AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR  
NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 12-128

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
EMPLOYING LABORER FOR PUBLIC WORKS DEPARTMENT

WHEREAS, it is the desire of the Mayor and Council of the Borough of Barnegat Light to employ a Laborer for the Public Works/Water Sewer Department; and

WHEREAS, the position was duly advertised and interviews held with various applicants.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Michael Pellegrino is hired as Laborer # 1.
2. His salary shall be \$31,200 per annum.
3. Start date November 2, 2012.

DATED: OCTOBER 17, 2012  
MOTION: BOSSI  
SECOND: MIKULETZKY  
VOTE: AYES: SPARK, MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR  
NAYS: NONE  
ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2012-129

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AWARDDING OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING OR FAIR & OPEN ADVERTISING

- LABOR ATTORNEY
- ARMANDO RICCIO ESQ.

**WHEREAS**, there exists within the Borough of Barnegat Light a need for the services of a Labor Attorney; and

**WHEREAS**, the Borough has determined that its professional services contractors do not make reportable political contributions to municipal candidates so as to otherwise require fair and open contract advertising pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Borough Chief Financial Officer has determined and certified in writing that the value of its contract may not exceed \$17,500; and

**WHEREAS**, ARMANDO RICCIO ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Borough of Barnegat Light in the previous one year, and that the contract will prohibit the making of any reportable contributions throughout the term thereof.

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

1. That ARMANDO RICCIO ESQ. is hereby appointed Borough Labor Attorney for the Borough of Barnegat Light for the year 2012. This contract for professional services is awarded without competitive bidding or advertising under the provisions of the Local Public Contracts Law and the NJ Campaign Contributions & Expenditures Reporting Act.

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

LEGAL SERVICES O AND E

4. That a Notice of Contract Award shall be published in accordance with NJSA 40A:11-5(1)(a).

5. That certified copies of this resolution shall be forwarded to ARMANDO RICCIO ESQ., and the Borough Treasurer.

6. That the Labor Attorney shall perform all legal services only as determined and authorized by the Borough Council or other authorized official of the Borough in accordance with the terms hereof.

7. That the total amount charged by the Labor Attorney shall not exceed the amount appropriated in the municipal budget.

8. That the Labor Attorney is appointed for a term not to exceed one (1) year terminating on October 17, 2013.

**DATED: OCTOBER 17, 2012**

**MOTION: BOSSI**

**SECOND: MIKULETZKY**

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

**NAYS: NONE**

**ABSENT: NONE ABSTAIN: NONE**

**Terry Brady read a closed executive session resolution by title only and a vote was taken:**

Bossi made the motion, seconded by Sharpless and carried by all.

**CORRESPONDENCE: NONE**

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

The meeting resumed.

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

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

\_\_\_\_\_  
GAIL J. WETMORE, RMC  
MUNICIPAL CLERK