

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT JULY 10, 2013

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 4, 2013 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 4, 2013, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 4, 2013.

ROLL CALL: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

**ABSENT: SPARK ALSO PRESENT MAYOR LARSON, TERRY BRADY, ESQ.
AND GAIL WETMORE, RMC.**

Mayor Larson asked if anyone had anything for caucus. Dave said he wants to talk about 3rd Street. He also asked about Flood Maps and are we set to adopt them. Terry said we should have received something from the state and when we do to have the Construction Department check it out. We can than do an ordinance. Dave also mentioned the Police on the beach on last Sunday and that we don't want that. Frank said he spoke with the Chief and it will not happen again. It was one of the new officers who did not know. Dottie said a number of people would like to limit multifamily housing because it will change the character of Barnegat Light. It is usually a 2 month process. The Planning Board has 35 days to act on an ordinance sent to them by the council. Dottie kept saying condos but it is really multifamily homes we are talking about. George Warr asked if we can even do this. Terry will have to do more research. He said this will zone 2 families out of Barnegat Light period. Dave wants the Planning Board to get info on this out to the public. A duplex is not always a condo. Dave said the people at 4th Street have lost their shirts. (Northlight Harbor) Dottie is talking about Townhouses. Condominium is a form of ownership, not a structure. After some discussion it was decided to have Gail send a letter to the Planning Board asking them to give us their thoughts as to whether or not we should do such an ordinance. It is usually a 2 month process. Scott said that Frank Little's guys were up surveying 29th Street the other day. Eddie took delivery of the No Parking to Corner signs. They will be put up ASAP. Beach Signs were also discussed. We want to revise them. Eddie is aware of that. Mayor asked about the Animal portraits at the Dog Park. He asked how the animal shelter would make money on them. People will sponsor each portrait. Mayor said artists are artists. Are we setting a limit on how long they will hang there? Everyone may not like them. Dave said he has concerns about all that weight on the fence, and wind issues. Dave heard kids are going to do some. Mayor thought and Dave agreed you should display for a certain amount of time. Dottie did not think they would be overwhelmed with artists as the price to sponsor is \$350.00. Frank said limit it to warmer weather. There was a 5" break which everyone agreed to.

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 4, 2013 and by posting a copy of the notice of this meeting on the bulletin board in the Borough Hall on January 4, 2013 Said news papers were designated by Mayor and Council on January 4, 2013, to receive such notice, and by filing a copy of the notice with the Borough Clerk on January 4, 2013.

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: SHARPLESS, MIKULETZKY, REYNOLDS, WARR, BOSSI
ALSO PRESENT MAYOR LARSON, TERRY F. BRADY, ESQ., GAIL
WETMORE,RMC, KATHLEEN FLANAGAN, CFO

THE MAYOR asked for a motion to approve the minutes of the June 19, 2013 regular meeting. On a motion by Sharpless, seconded by Mikuletzky the minutes were approved.

MOTION: SHARPLESS

SECOND: MIKULETZKY

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

TREASURER'S REPORT FOR JUNE:

THE MAYOR asked for a motion to accept the treasurer's report. Warr so moved, seconded by Bossi and carried by all.

MOTION: WARR

SECOND: BOSSI

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

BUILDING AND ZONING REPORTS FOR JUNE:

THE MAYOR asked for a motion to approve the reports. Reynolds so moved, seconded by Mikuletzky.

MOTION: REYNOLDS

SECOND: MIKULETZKY

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

COMMITTEE REPORTS:

WATER/SEWER: Michael Spark was absent and the mayor asked that the water/sewer be made a part of the minutes.

PUBLIC SAFETY: Frank Mikuletzky asked that the court report be made a part of the minutes. We did not make much money this time. Mayor interjected that we may be moving our court system to Long Beach Township. More on that later. Frank said it would probably be a separate day. It would be very expensive to retrofit the court here according to new rules and regulations. Frank also mentioned cyber scams regarding rental properties. This is everywhere on the island. He suggested it might go in the newsletter for the taxpayers. He also spoke of bike safety and mentioned 2 recent bike accidents. One down island and one in Barnegat Light. He also spoke of the dangers of stopping on two lane roads for pedestrians. It is a bad law. It should have been a single lane law. On a divided road it is much easier. You need to stop at all intersections. There does not have to be a crosswalk. There is a new sign at 10th street re bikes and pedestrians.

DOCKS AND HARBORS: Dave Bossi said he kicked a motorized boat out by the 11th Street beach. He also asked Scott about the light in the bathroom at the dock. It is not working at all. We have to get rid of the money saving sensor and install a timer. There is a problem at slip # 40. The ramp is broken at the side of the rail. Do you have a key for the dog park? We do. Dave said we have to get on a 7:15 schedule. Scott wants it at 7:30am. We are down \$4000.00 again this month, so it is holding steady. He also mentioned plans for placard system with more

Zones. Mayor said we are going to have a boating service here next time and that they will listen to us. He said we also should get 2000 brochures that are being made up by the EM's of the Island. Mayor wondered why he didn't know about the meeting. Dave said it was in Beach Haven and that he doesn't go to Beach Haven in the summer - it is too far. This is for the General Public. Not for essential personnel. Dave agreed with the Mayor that we should have water access. That is a State Police issue. There are reasons this is necessary.

BEACHES AND PARKS: **Dottie Reynolds** said Tennis is down little over \$1000.00. Skate Park down \$139.00. Beach badges are at \$175,225.00. Dottie said the water is too cold. She read from the Lifeguard report. She said that the Health Department inspected the Beach Patrol and we got a satisfactory - that is the best you can get. There are 11 guarded beaches and 1 bay beach. We have a loaner truck from Lucas Chevrolet for the 2nd year. She also said public works have fixed various entrances of the beach. We have let the entrances build up to protect our homes. Have a good summer!

FINANCE: **George Warr** said we have a record low for the bill list and that \$38,000 is going to the Fire Department of the \$99,000.00.

PUBLIC WORKS: **Scott Sharpless** asked that the council should E-mail Scott and cc: DPW for anything they need done. Frank Little's men have been out to survey 29th Street for the new ramp and platform. It will probably be done in the early spring. The Street signs are in for no parking here to corner for several of the streets in the 20's. Parade went well. Tons of kids and more people than he thought would be there. Thanks to the judges! He thanked Tom Stiles, Steve Rabbitt and other members of the Celebration for Public Events Committee. Matt Avery will be the concert for tomorrow night at 7:30pm at the Gazebo. Lighting has been updated and the flagpole has been installed.

OPEN PUBLIC SESSION:

On a motion by Reynolds, seconded by Bossi and carried by all the public session was opened. Mary Lou Brindley of 17th Street asked when the water would be back. (Meaning the Water Tower complete and we have our own water back again.) Looks like the 22nd of July. Darrin Stivale of W. 9th Street presented a petition from 9th Street neighbors and also presented a picture of a water tower to the Mayor and Council asking them to provide a covering for the water tower while it is being painted to protect their homes and property. He does not agree the paint will not make its way to cars and houses. He spoke to Frank Little about the covering. He does not like the idea of shrouding the neighboring properties. They do not like that idea at all. Please take a look at this and do something. Mr. Steve Nieswand also spoke about the problems he has already had and that he doesn't feel real good about the insurance company taking care of his loses. He reminded the Borough that they are ultimately responsible. He has over \$8000.00 in insurance estimates for the damage from the sandblasting. It was shrouded then. He said he is a little worried that someone is not going to pay him. Tom Stiles expressed his concerns about purchasing the Coast Guard Housing Property. He was concerned about how we would pay for it. Kat Flanagan explained the money issues to him. He asked what the property is assessed at. Dave said we do not have an assessment. He asked about what is the interest rate on municipal bonds. We are paying it over 40 years. We will be using the Open Space Money. That is what it is for. Dave said we will not have to raise taxes to pay for. The state and county will never give us money. He said he talked to a couple store owners and they want more houses to generate income for the stores. All this land that the borough is accumulating makes them worry about low income housing. He was told if we didn't get it and a developer did they could do low income housing. We plan to use it for open space. We

cannot sell it unless we had a referendum at some point in time. Steve Rabbitt reminded everyone about the Taxpayer's Meet and Greet and General Meeting at the Gazebo on Saturday the 13th of July. All are invited. Dave Bossi wanted to discuss a problem on 3rd Street where someone is running a business out of a residence. The gentleman in question was at the meeting. The Mayor asked Joe to come up front and to have a seat. Dave explained to him that he cannot continue to operate in this manner. All of the neighbors are upset and particularly the people who live next door to his residence. Joe also rents an empty lot on 20th Street and he was told he could meet there in the morning and get his crews sent on their way. He was also told by Dave that he could only park one truck on the property. Joe said he parks his truck and his car there. Sarah Lambert said she likes Joe. She said she goes to the Deli every morning and it is very quiet. (She doesn't live on the affected street) There being no further comment, on a motion by Bossi, seconded by Reynolds and carried by all the public session was closed.

RESOLUTIONS:

RESOLUTION 13-081

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SETTING THE SALARIES OF CERTAIN EMPLOYEES**

BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light that the following rates of compensation shall be within the scale of limits set forth in Section I of Salary Ordinances 08-03, 09-02, 10-09 and 10-10; and

BE IT FURTHER RESOLVED, that the following Borough employees are actively employed by the Borough of Barnegat Light and shall receive the amount specified and set forth below:

Kirk O. Larson - Mayor	3,500.00
Michael Spark - Council President	2,300.00
Scott Sharpless - Councilperson	2,000.00
Dorothy Reynolds - Councilperson	2,000.00
David E. Bossi - Councilperson	2,000.00
George M. Warr - Councilperson	2,000.00
Frank Mikuletzky- Councilperson	2,000.00
Gail Wetmore - Municipal Clerk/Administrator	113,999.00
Gail Wetmore - Planning Board Secretary	3,000.00
Paula Bastian - Assistant Treasurer	35,000.00
Brenda Kuhn - Tax Collector/Water/Sewer	57,468.00
Kathy Guerrero - Deputy Municipal Clerk	41,268.00
Kathy Guerrero - Deputy Emer.Mgt.Coor.	3,000.00
Kathy Guerrero - Recycling Coordinator	3,000.00
Elaine Tollison - Administrative Clerk	26,618.00
Elaine Tollison - Open Space Secretary	1,000.00
Kathleen Flanagan - Chief Financial Officer	26,904.00
Kathleen Flanagan - Payroll Clerk	5,000.00
Bernard Haney - Tax Assessor	16,111.00
Helen-Jean Robinson-Court Administrator	7,102.00
Frank Salzer - Municipal Court Judge	6,045.00
Alex Oros - Zoning Officer	17,571.00
Edward Sulecki - Supt. Water/Sewer	44,542.00
Edward Sulecki - Supt. Public Works	44,542.00
Jenna Taylor - Construction Code Clerk	13.85/hr
Jenna Taylor - Zoning Board Secretary	2,000.00

BE IT FURTHER RESOLVED, that said salaries are retroactive to January 1, 2013 unless otherwise noted.

DATED: JULY 10, 2013

MOTION: WARR

SECOND: REYNOLDS

AYES: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

RESOLUTION 2013-082

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CONTRACT FOR DENTAL INSURANCE AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE

WHEREAS, there exists a need for the renewal of Dental Insurance Coverage for the employees of the Borough of Barnegat Light; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-5 et seq) provides that a contract for insurance coverage and services may be awarded without public bidding as an extraordinary unspecifiable service, when authorized by resolution of the governing body; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the a notice of the resolution authorizing the award for contracts for extraordinary unspecified services without competitive bids must be publicly advertised; and

WHEREAS, the Borough has determined that its insurance 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 this contract may exceed \$17,500; and

WHEREAS, Delta Dental has/will have completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough 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 Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

1. Delta Dental of New Jersey Inc. is hereby awarded contract for Dental Insurance Coverage for the Borough of Barnegat Light for a two-year period, commencing July 1, 2013 and ending June 30, 2014, in accordance with their written price quote, a copy of which is attached hereto and is incorporated herein by reference.

2. This contract for extraordinary unspecified services is awarded without competitive bidding under the provisions of the Local Public Contracts Law and the NJ Campaign Contributions & Expenditures Reporting Act. A copy of the Certification Declaration for an extraordinary unspecifiable service, executed by the Borough Administrator/Certified Purchasing Agent, is attached hereto and is incorporated herein by reference. The Business Entity Disclosure Certification and the Determination of Value shall also be attached hereto and is incorporated herein by reference.

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

- 00123220243
- 00955502242
- 00955502543

4. That a certified copy of this resolution shall be forwarded to Delta Dental and the Borough Chief Financial Officer, and a Notice of Contract Award shall be published as required by law

DATED: JULY 10, 2013

MOTION: REYNOLDS

SECOND: WARR

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

NAYS: NONE

ABSENT: SPARK ABSTAIN: NONE

RESOLUTION 13-083

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$99,179.51.**

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 **\$99,179.51** 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: JULY 10, 2013

MOTION: WARR

SECOND: SHARPLESS

VOTE:

AYES: MIKULETZKY, SHARPLESS, REYNOLDS, BOSSI, WARR

NAYS: NONE ABSENT: SPARK ABSTAIN: NONE

RESOLUTION 2013-084

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, REFUNDING BOAT RAMP FEES.

WHEREAS, the fee for the use of Barnegat Light's Boat Ramp is included in a Barnegat Light Boat Slip Rental; and

WHEREAS, a Barnegat Light Boat Slip rental was purchased after a seasonal Boat Ramp Pass had been purchased.

THEREFORE, BE IT RESOLVED that the \$100.00 seasonal Boat Ramp Fee should be refunded to:

ED LATIMER
24 PORTLAND PL.
MONTCLAIR, NJ 07042

BE IT FURTHER RESOLVED that the Borough Treasurer will issue this check.

DATED: July 10, 2013

MOTION: REYNOLDS

SECOND: BOSSI

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

NAYS: NONE

ABSENT: SPARK ABSTAIN: NONE

RESOLUTION 2013-085

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF SAUL PHILLIPS ESCROW MONIES.

WHEREAS, the Borough/Planning Board Engineer has determined that there are no outstanding issues regarding site improvements; and

WHEREAS, the Borough/Planning Board Engineer has recommended the release of the escrow monies posted for site improvements, upon the condition of full payment of all outstanding fees due the Borough, including but not limited to Planning Board engineering and attorneys fees.

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

1. That the Mayor and Borough Council do hereby authorize the release of escrow monies posted by Saul Phillips, upon the condition of full payment of all outstanding fees due the Borough, including but not limited to Planning Board engineering and attorneys fees.
2. That certified copies of this resolution shall be forwarded to Saul Phillips, the Borough Engineer, the Borough Planning Board Secretary and the Borough Treasurer.

DATED: JULY 10, 2013

MOTION: BOSSI

SECOND: REYNOLDS

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

NAYS: NAYS

ABSENT: SPARK

ABSTAIN: NONE

RESOLUTION 2013-086

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT FOR PAYROLL SERVICE (NO DISBURSEMENTS) TO PRIMEPOINT

WHEREAS, the Borough of Barnegat Light is in need of a payroll service (data processing, not a disbursing agent), the cost of which is anticipated to be less than the Borough's bid threshold of \$36,000; and

WHEREAS, written price quotes were received by the Borough from PrimePoint and from Paylocity, per the attached quote comparison; and

WHEREAS, said price quotations were taken under advisement and have been reviewed by the Borough Chief Financial Officer, and it has been determined that PrimePoint submitted the lowest price quotation in accordance with the Borough's specifications; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to authorize the execution of an agreement with PrimePoint for payroll service (data processing, not a disbursing agent), in accordance with the proposal submitted by PrimePoint.

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 an agreement with PrimePoint for payroll service (data processing, not a disbursing agent), in accordance with the proposal submitted by PrimePoint, a copy of which is attached hereto and is incorporated herein by reference.

2. That this contract award shall specifically be conditioned on PrimePoint being responsible for the errors and omissions of its employees or agents, particularly but not limited to, where those errors/omissions result in the need for monetary adjustments for payroll employees, or for those error/omissions which prevent timely disbursements on behalf of the Borough from being made, including penalties, fines, interest and/or damages.

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

3-09-55-502-243 and 443	3-01-20-100-243	3-01-20-120-243	3-01-20-130-243
3-01-20-145-243	3-01-20-150-243	3-01-21-180-243	3-01-22-195-243
3-01-25-252-243	3-01-21-185-243	3-01-26-290-243	3-01-28-375-243
3-01-26-305-443	3-01-26-310-243	3-01-43-490-243	3-01-28-380-443
3-01-28-385-243			

3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and to PrimePoint.

DATED: JULY 10, 2013

MOTION: BOSSI

SECOND: SHARPLESS

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

NAYS: NONE

ABSENT: SPARK

ABSTAIN: NONE

CORRESPONDENCE :

Letter was read from Sarah and Richard Lambert seeking permission to top the vegetation in front of their house at 1609 Seaview Avenue. She presented letters from neighbors last year and had another one to give us this evening. On a motion by Reynolds, seconded by Bossi and carried by all permission was granted.

A resolution was read by title only at this point and it appears above in its entirety with the other resolutions.

Darrin Stivale spoke once again and even though it was not a public session they let him address the council. He is still worried about the painting of the tower without a shroud. Mayor asked who else was on the water sewer committee. Dave said to have Kathy call Jerry Renner and have him take the old tower out. Mayor said they are, but are still in the process of checking the new siren. Gail will not tell Kathy to call Jerry Renner.

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

APPROVED: _____

**_____
GAIL J. WETMORE
MUNICIPAL CLERK**