

MAYOR AND COUNCIL MEETING BARNEGAT LIGHT FEBRUARY 26, 2013

THE SPECIAL MEETING of the Mayor and Council was called to order by Mayor Larson at 2:00pm at the Borough Hall, on 10 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, February 22, 2013 and by transmitting 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, February 22, 2013

ROLL CALL: SPARK, SHARPLESS, REYNOLDS, BOSSI

ABSENT: MIKULETZKY & WARR

ALSO PRESENT: MAYOR LARSON, GAIL WETMORE, KATHY GUERRERO, KATHY FLANAGAN, CFO

PLEDGE OF ALLEGIANCE

THE CLERK stated the minutes of the meeting are being recorded and will be on file in the office of the clerk.

Dottie Reynolds was running a little late, Scott Sharpless called her to remind her and she was on her way. Mayor and Council, with guidance of Gail Wetmore decided to begin the meeting with the reading of the Resolutions. After some thought they decided it was better to wait for Councilwoman Reynolds for the first two Resolutions, however, they would proceed with the third. When Councilwoman Reynolds arrived they went back and re-did the first two Resolutions. While waiting for Councilwoman Reynolds to arrive, Mayor Larson asked Kathleen Flanagan what would happen if nobody had bid on the BANS. She said it would be a serious problem, we would have to take it out of surplus. She also stated that Ocean First and Oppenheimer would never let that happen, she thinks they will always bid. He also asked if they would go right back to the bank that had them previously, Kathleen and Gail both said no, not if they did not want them. Kathleen further stated that they are getting away from Government banking, their focus is on customer service. The Resolutions were reread and voted on.

RESOLUTION 2013-049

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
THE ISSUANCE AND EXECUTION OF ONE CONSOLIDATED
GENERAL/UTILITY CAPITAL IMPROVEMENT BOND
ANTICIPATION NOTE IN THE AMOUNT OF \$1,622,075.00.**

WHEREAS, the Mayor and Borough Council of the Borough of Barnegat Light adopted several general capital improvement bond ordinances as follows:

General Capital Improvement
Bond Ordinance No. 2012-21
Adopted December 19, 2012
Reconstruction of 5th Street

General Capital Improvement
Bond Ordinance No. 2012-06
Adopted February 15, 2012
Reconstruction of East 14th Street

General Capital Improvement

Bond Ordinance No. 2010-07
Adopted June 16, 2010
Reconstruction of West 14th Street

General Capital Improvement
Bond Ordinance No. 2009-03
Adopted April 15, 2009
Reconstruction of 5th & 11th Streets

General Capital Improvement
Bond Ordinance No. 2008-14
Adopted August 20, 2008
Improvements to Beach Access

General Capital Improvement
Bond Ordinance No. 2008-12
Adopted June 18, 2008
Renovation of Coast Guard Bldg Phase IV

General Capital Improvement
Bond Ordinance No. 2008-09
Adopted March 19, 2008
Reconstruction of 17th Street

General Capital Improvement
Bond Ordinance No. 2008-05
Adopted March 19, 2008
Purchase Beach Vehicle

General Capital Improvement
Bond Ordinance No. 2008-04
Adopted April 16, 2008
Purchase Public Works Fuel Tank

General Capital Improvement
Bond Ordinance No. 2006-03
Adopted April 19, 2006
Renovation of Coast Guard Bldg Phase III

General Capital Improvement
Bond Ordinance No. 2003-09
Adopted August 20, 2003
Bulkhead reconstruction

General Capital Improvement
Bond Ordinance No. 2002-02
Adopted March 20, 2002
Renovation of Coast Guard Bldg Phase II

WHEREAS, the Mayor and Borough Council of the Borough of Barnegat Light adopted several utility improvement bond ordinances as follows:

Utility Bond Ordinance No. 2012-07
Adopted February 15, 2012
Water Tank Rehabilitation

Utility Bond Ordinance No. 2008-19
Adopted December 17, 2008
Rehab of Sewer Pump Station, control/retrieval equip

Utility Bond Ordinance No. 2008-17
Adopted December 17, 2008

Capital Improvement to Borough Well #4

Utility Bond Ordinance No. 2008-08
Adopted March 19, 2008
Repairs to roof, deck & siding of Well #4

Utility Bond Ordinance No. 2008-07
Adopted April 16, 2008
Fuel Tank for Well #4

WHEREAS, said bond ordinances authorized the issuance of Bonds to finance a portion of said projects; and

WHEREAS, in anticipation of the issuance of said bonds, the Borough of Barnegat Light desires to borrow the sum of \$1,622,075.00, issuing a one (1) year Bond Anticipation Note for the same, said amount not exceeding the aggregate amount of the permanent bonds so authorized as follows:

General Bond Ordinance No. 2012-21	\$ 156,750.00	authorized
General Bond Ordinance No. 2012-06	\$ 133,000.00	authorized
General Bond Ordinance No. 2010-07	\$ 71,250.00	authorized
General Bond Ordinance No. 2009-03	\$ 85,500.00	authorized
General Bond Ordinance No. 2008-14	\$ 5,700.00	authorized
General Bond Ordinance No. 2008-12	\$ 38,000.00	authorized
General Bond Ordinance No. 2008-09	\$ 45,600.00	authorized
General Bond Ordinance No. 2008-05	\$ 17,100.00	authorized
General Bond Ordinance No. 2008-04	\$ 25,270.00	authorized
General Bond Ordinance No. 2006-03	\$ 408,285.00	authorized
General Bond Ordinance No. 2003-09	\$ 122,900.00	authorized
General Bond Ordinance No. 2002-02	\$ 238,175.00	authorized
Utility Bond Ordinance No. 2012-07	\$593,750.00	authorized
Utility Bond Ordinance No. 2008-19	\$	6,000.00
authorized		
Utility Bond Ordinance No. 2008-17	\$ 87,500.00	
authorized		
Utility Bond Ordinance No. 2008-08	\$ 17,500.00	
authorized		
Utility Bond Ordinance No. 2008-07	\$ 8,400.00	
authorized		

WHEREAS, said Bond Anticipation Note will be authorized to become due and payable on February 28, 2014; and

WHEREAS, the Borough Chief Financial Officer has reported to the Borough Council the solicitation for interest rate price quotes from qualified banking institutions, said banks and net price quotes being as follows:

Oppenheimer & Co	1.75% (plus \$17.00 premium)
Fulton Bank	No bid
Provident Bank	No Bid

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to issue said Note for a term of one (1) year to the lowest responsible bidder therefor.

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 hereby authorize the issuance and execution of a Bond Anticipation Note in the amount of \$1,622,075.00

in accordance with the requirements of the State Statutes.

2. That the appropriate officials of the Borough of Barnegat Light are hereby authorized to execute such Note and deliver the same to Oppenheimer & Company Inc. Said Note shall provide for an interest rate not to exceed 1.75 % (\$17.00 premium) and shall bear the date of March 1, 2013, with a maturity date of February 28, 2014.

DATED: FEBRUARY 26, 2013

MOTION: BOSSI

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, REYNOLDS, BOSSI

**NAYS: NONE ABSENT: MIKULETZKY & WARR ABSTAIN:
NONE**

RESOLUTION 2013-050

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING
AN ISSUE OF GENERAL/UTILITY IMPROVEMENT BONDS OR
NOTES IN THE AMOUNT OF \$1,622,075.00, DATED MARCH 1,
2013, AS "QUALIFIED TAX EXEMPT OBLIGATIONS"
PURSUANT TO SECTION 902 OF THE TAX REFORM ACT OF
1986.**

WHEREAS, the Borough of Barnegat Light desires to designate an issue of general/utility improvement bonds or notes in the amount of \$1,622,075.00, dated March 1, 2013, as "qualified tax exempt obligations" pursuant to Section 902 of the Tax Reform Act of 1986; and

WHEREAS, said issue of bonds or notes mature on February 28, 2014.

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 above-referenced issue of general improvement bonds or notes of the Borough of Barnegat Light shall be designated as "qualified tax exempt obligations" for the purposes of Section 902 of the Tax Reform Act of 1986.

2. That it is determined that said bonds or notes are not "private activity bonds" as defined in Section 141 of the Tax Reform Act of 1986.

3. That the Borough of Barnegat Light, together with any subordinate entities, reasonably expects that it will not issue more than \$10,000,000.00 of "qualified tax exempt obligations" (other than private activity bonds) during the calendar year 2013.

4. That it is further determined and stated that the Borough of Barnegat Light has, as of the date hereof, issued the following obligations during the calendar year 2013, including the obligations referred to herein:

General/Utility Improvement Bond Anticipation Note
Series 2013, Number 1
Amount: \$1,622,075.00
Maturity Date: February 28, 2014

5. That certified copies of this resolution and all other bond or note resolutions issued during the calendar year 2013 to date shall be forwarded to the purchaser of the aforementioned bonds or notes.

DATED: FEBRUARY 26, 2013

MOTION: SPARK

SECOND: BOSSI

VOTE: AYES: SPARK, SHARPLESS, REYNOLDS, BOSSI,

NAYS: NONE ABSENT: MIKULETZKY, WARR ABSTAIN: NO

RESOLUTION 2013-051

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH
THE OCEAN COUNTY OFFICE OF EMERGENCY
MANAGEMENT FOR 2 6000-WATT EMERGENCY POWER
GENERATORS.**

WHEREAS, the Ocean County Office of Emergency Management has 2 6000-Watt generators for the Barnegat Light Office of Emergency Management; and

WHEREAS, in exchange, the Ocean County Office of Emergency Management has requested an indemnification/hold harmless agreement in exchange for the same; and

WHEREAS, N.J.S.A. 40A:65-4 provides that any local unit may enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units, when approved by resolution under N.J.S.A. 40A:65-5; and

WHEREAS, it is the desire of the Borough of Barnegat Light to enter into an agreement with the Ocean County Office of Emergency Management for the receipt of 2 6000-Watt generators in exchange for an indemnification/hold harmless agreement relative to the same.

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. The Mayor and Clerk of the Borough of Barnegat Light are hereby authorized and directed to enter into and execute an Interlocal Agreement with Ocean County Office of Emergency Management for the receipt of 2 6000-Watt generators in exchange for an indemnification/hold harmless agreement relative to the same, in the form attached hereto and incorporated herein by reference. A copy of the Indemnity, Release & Hold Harmless Agreement shall be kept on file for public inspection at the Office of the Borough Clerk.

2. A certified copy of this resolution shall be forwarded to the Borough Office of Emergency Management and the Ocean County Office of Emergency Management.

DATED: FEBRUARY 26, 2013

MOTION: BOSSI

SECOND: SHARPLESS

VOTE: AYES: SPARK, SHARPLESS, BOSSI

NAYS: NONE ABSENT: MIKULETZKY, REYNOLDS, WARR

ABSTAIN: NONE

Dottie stated that she had one more item to discuss. She met with the man who did the work at the lifeguard house about putting in the gas line and changing the electric dryer to a gas and told him we had a tight budget. He said there would be no cost to the Borough, he will donate the whole thing. He would just need a licensed plumber, if we do not have one he could

find one. It was decided that nobody would do that, so he would have to get someone. Dottie asked if anyone had a preference for the house, gas or electric? Dave said electric. The gentleman would like to meet with someone to go through the house. Michael asked if the dryer would be the only gas appliance in the house and Gail stated yes and Michael said they may not even give us gas just for that. Gail said the gas company said as long as we hook up at least one gas appliance within six months then there would be no problem. Dave still questioned why? It would probably just be better to fix the electric in the building, possibly add another line. Dave stated if the gas was there it would not be a problem, but if we get the gas it will just be another bill to process and pay. Michael agreed, the economics would not be worth it for three months and said just get a large capacity electric dryer. Michael said he would meet with Dottie and the gentleman at the lifeguard house.

Michael asked Dave if they could meet with Brenda to straighten out the water sewer reconnection fee vs. just continuing to pay the bill for a demolition.

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

APPROVED: _____

KATHY J. GUERRERO
DEPUTY MUNICIPAL CLERK