

REGULAR MEETING OF MAYOR AND COUNCIL
December 14, 2022

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the at the Barnegat Light Borough Hall, 10 East 7th Street, Barnegat Light, NJ. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall and was advertised in the Asbury Park Press on January 24, 2022.

ROLL CALL: Spark, Wellington, Alloway-absent, Reynolds-absent, Foley, and Mikuletzky

Also present: Mayor Larson, Terry Brady, Municipal Attorney, Sponge Washburn, Zoning/Code Enforcement Officer and Brenda Kuhn

Discussion: Councilmember, Michael Spark said that at the last council meeting, council agreed that they would encourage the Planning Board to limit multi-family housing, condos, hotels and motels. He said that there would be a Planning Board meeting on December 21, 2022 @ 5:00. He urged the public to attend the meeting to voice their opinions.

Mayor Larson asked for a motion to close the Caucus. On a motion by Wellington, seconded by Foley and carried by all the Caucus Meeting was closed.

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:00pm at Borough Hall, 10 East 7th Street, Barnegat Light, NJ. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall and was advertised in the Asbury Park Press and the Beach Haven Times on Thursday, January 24, 2022

PLEDGE OF ALLEGIANCE

The Municipal Clerk stated that the meeting was being recorded and that a written copy would be available in the Clerk’s office.

ROLL CALL: Spark, Wellington, Alloway-absent, Reynolds-absent, Foley, and Mikuletzky

Also present: Mayor Larson, Terry Brady, Municipal Attorney, Sponge Washburn, Zoning/Code Enforcement Officer, Kathleen Flanagan, CFO and Brenda Kuhn, Municipal Clerk/Tax Collector

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of October 12, 2022 regular meeting.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway						X
Reynolds						X
Foley	X		X			
Mikuletzky		X	X			

APPROVE MINUTES: Mayor Larson asked for a motion to approve the Closed Executive Session minutes of October 12, 2022

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington		X	X			
Alloway						X
Reynolds						X
Foley	X		X			
Mikuletzky			X			

TREASURER’S REPORT: Mayor Larson asked for a motion to approve the Treasurer’s Report.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark	X		X			
Wellington	X		X			
Alloway						X
Reynolds						X
Foley			X			
Mikuletzky			X			

BUILDING AND ZONING REPORT: Mayor Larson asked for a motion to approve the Building and Zoning Report.

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington	X		X			
Alloway						X
Reynolds						X
Foley			X			
Mikuletzky		X	X			

COMMITTEE REPORTS:

FINANCE: Councilman Spark reported as follows

- All bills, in the amount of \$511,196.04, were reviewed and approved by the Finance Committee. The largest payments were for the regional & local schools
- It’s the end of the year and we still have money

PUBLIC WORKS: Councilman Wellington reported as follows:

- Everything is winterized with the exception of the bathroom at the docks.
- The fence behind DPW is completed and looks very nice.
- More trash corrals have been built
- Beach trails are all cleaned and cut back
- Floating docks have been removed

WATER/SEWER: Councilwoman Foley reported as follows:

- Very quiet
- A few meters are not reading and they will be read manually

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- Court report a part of the meeting minutes
- A new Judge was being appointed
- Court will be back in Barnegat Light
- The court brought in \$10,254.78

BEACHES AND PARKS: Councilwoman Reynolds was not present and no report was given

DOCKS AND HARBORS: Councilman Alloway was not present.

OPEN PUBLIC SESSION:

Mayor Larson asked for a motion to open the open public session.

Motion: Spark Second: Foley All in favor X

Tim Brindley, 1404 Bayview Avenue, talked about the kayaks and sailboats that were not removed by the deadline. He provided Borough Hall with registration numbers for the remaining registered vessels.

Rich Broadman, 4 East 10th Street, was concerned if the beach badge booth was moved, parking may be an issue. He asked if the Borough was going to send a letter to the property owners regarding the new water/sewer rates. He went on to say that we should include an explanation for the reasons for the increase in rates, such as the increase in capital improvements. On another subject, he said that he felt that it would behoove the town if we hired someone monitor the 26th Street bay beach area in April. He said that’s when people start bring the kayaks to the area and the monitor could inform them to go to borough hall to register their vessel.

CLOSE PUBLIC SESSION: Councilman Spark asked for a motion to close the open public session.

Motion: Spark Second: Foley All in favor X

RESOLUTIONS:

The clerk said that the resolution would be done by consent agenda. She read each resolution by title and then recorded the votes as follows:

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington	X		X			
Alloway						X
Reynolds						X
Foley			X			
Mikuletzky		X	X			

RESOLUTION 2022-124

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER – 1 FINAL TO THE 2020 ROAD CONSTRUCTION PROJECT-WEST 13TH STREET CONTRACT WITH MATHIS CONSTRUCTION CO.

WHEREAS, a contract was previously awarded to Mathis Construction Co. for the 2020 Road Construction Project for West 13th Street at the price of \$248,385.49; and
WHEREAS, the Mayor and Borough Council wish to authorize a change order which will result in an increase of \$9,316.05 in the contract price; and
WHEREAS, this change order amounts to an increase of 3.90% of the original contract awarded to Mathis Construction Co. and
WHEREAS, this 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-Final to the contract with Mathis Construction Co. for the 2020 Road Construction /Improvement Project-West 13th Street, to provide for an increase of the contract price from \$239,069.44 to \$248,385.49 or a net increase in the contract price in the net amount of \$9,316.05. The Mayor and Borough Clerk are hereby authorized to execute Change Order Number 1-Final, 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 Mathis Construction Co.

RESOLUTION 2022-125

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SCHEDULE "C" AGREEMENT WITH THE COUNTY OF OCEAN FOR 2023

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 et seq. authorized the Borough of Barnegat Light to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40-8 requires such a contract to be authorized by resolution or ordinance; and WHEREAS, it is the desire of the governing body to authorize the execution of a contract with The County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto.

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

1. That the Mayor and Municipal Clerk are hereby authorized to execute a Schedule "C" agreement with The County of Ocean in accordance with the provisions of the law to include \$7,500 for the Road Department and \$2,500.00 for the Engineering Department for a total sum not to exceed \$10,000.00. A copy of the said agreement is attached hereto and made part hereof as Schedule "C".
2. This agreement is for the period January 1, 2023 to December 31, 2023.
3. That a copy of this agreement referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's office during normal business hours.

RESOLUTION 2022-126

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING THE 2023-2027 GARBAGE COLLECTION CONTRACT TO MEADOWBROOK INDUSTRIES LLC

WHEREAS, the Borough of Barnegat Light is in need of garbage collection services; and

WHEREAS, the anticipated cost of said services is expected to exceed \$40,000.00 so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for a 5-year contract for garbage collection and disposal services; and

WHEREAS, at the time, place and date set for the receipt of bids, 1 bid was received by the Borough as follows:

Meadowbrook Industries LLC	\$1,509,000.00 (Plus roll-off containers per load)
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WHEREAS, said bid was taken under advisement and has been reviewed by the Borough and it has been determined that Meadowbrook Industries LLC submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$1,509,000.00 (5 yrs) plus roll-off containers (per load); and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a contract for garbage collection and disposal services to Meadowbrook Industries LLC, the lowest bidder.

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 award a 5-year contract for garbage collection and disposal services to Meadowbrook Industries LLC at the price of \$1,509,000.00, plus roll-off containers (per load).

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Meadowbrook Industries LLC for said project, said agreement to be in conformance with bid specifications and the bid submitted by Meadowbrook Industries LLC.

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:

Dedicated Water Sewer Utility
Other Expenses

4. This resolution and the subject contract are specifically made subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation of the same, as required by N.J.A.C. 5:34-5.3.

5. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer, to the Borough Superintendent of Public Works, the Borough Recycling Coordinator and to Meadowbrook Industries LLC.

RESOLUTION 2022-127

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A STAND-BY CONTRACT FOR EMERGENCY WATER & SEWER REPAIRS TO MATHIS CONSTRUCTION.

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for a stand-by contract for any necessary emergency water & sewer repairs; and

WHEREAS, at the time, place and date set for the receipt of bids, formal bids were received by the Borough as follows:

Mathis Construction Co.	\$138,206.00
Crest Construction Group	no bid
Construct Connect	no bid
Dodge Data	no bid

WHEREAS, said bids were taken under advisement and have been reviewed by the Borough Engineer and it has been determined that Mathis Construction submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$138,206.00; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a stand-by contract for any necessary emergency repairs to Mathis Construction Group, the lowest bidder.

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 award a stand-by contract for any necessary emergency repairs to Mathis Construction at the price of \$138,206.00.

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Mathis Construction for said project, said agreement to be in conformance with bid specifications and bid submitted by Mathis Construction.

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:

Dedicated Water-Sewer Utility Budget
Other Expenses

4. That a certified copy of this resolution shall be forwarded to Mathis Construction, the Borough Superintendent of Public Works, the Chief Financial Officer and the Borough Engineer.

RESOLUTION 2022-128

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$511,196.04

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 \$511,196.04 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.

RESOLUTION 2022-129

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CANCELING VARIOUS GENERAL CAPITAL AND UTILITY CAPITAL IMPROVEMENT APPROPRIATION BALANCES FOR COMPLETED PROJECTS

WHEREAS, various General Capital and Utility Capital Improvement appropriation balances remain dedicated to projects which have now been completed; and

WHEREAS, it is necessary to formally cancel said balances in order that the unexpended balances may be returned to the General Capital and Utility Capital Improvement Fund or credited to Surplus, and any unused debt authorizations may be canceled; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to cancel the unused and unexpended General Capital and Utility Capital Improvement appropriation balances for projects which have now been completed.

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

1. That the following unexpended and dedicated balances of General Capital and Utility Capital Improvement appropriations shall be cancelled:

<u>PROJECT DESCRIPTION</u>	<u>AMT.CANCELED</u>
Repairs to Municipal Bldg.	\$118,960.04

2. That any unexpended balances may be returned to the General Capital and Utility Capital Improvement Fund or credited to Surplus and any unused debt authorizations may be canceled.
3. That a copy of this resolution shall be forwarded to the Borough Treasurer and the Borough Auditor.

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

Beach Front Maintenance	OE	\$1,000.00
TO:		
Telephone	OE	\$1,000.00

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING MUNICIPAL COURT JUDGE FOR A THREE-YEAR TERM**

NOW, THEREFORE BE IT RESOLVED, that Daniel F. Sahin, JMC is hereby appointed Municipal Court Judge for the Borough of Barnegat Light, County of Ocean, State of New Jersey.

Motion: Foley Second: Mikuletzky All in Favor X

BRENDA L. KUHN, MUNICIPAL CLERK