

REGULAR MEETING OF MAYOR AND COUNCIL

March 9, 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 was absent, Wellington, Alloway, Reynolds, Foley, and Mikuletzky

Also present: Terry Brady, Sponge Washburn, and Brenda Kuhn

Discussion: The Mayor brought up the correspondence that was on the agenda regarding lighting. The Zoning Officer, Sponge Washburn, said that there is no ordinance to address this issue. He said that people are using high wattage halogen or LED lights and they stay on all night and they shine into neighboring homes. He said that he was looking in to code from other towns to try to put something together for an ordinance to address this issue.

Pickleball

Construction fees

Mayor Larson asked for a motion to close the Caucus. On a motion by Wellington, seconded by Reynolds 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,absent, Wellington, Alloway, Reynolds, Foley, and Mikuletzky

Also present: Mayor Larson, Terry Brady, Sponge Washburn, John Schuzle and Brenda Kuhn

APPROVE MINUTES: *Regular Meeting of February 9, 2022*

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

APPROVE MINUTES : *Budget Meeting of February 9, 2022*

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

APPROVE MINUTES : *Special Meeting of February 23, 2022*

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

TREASURER’S REPORT:

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

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

1. Reported on the court report revenue of \$894.58 and he added that Fish & Game got the majority.
2. New law March 1st law driving law, pertaining to driving laws with regard to pedestrians and bicycles. He said he wanted to get a meeting with the Chief of Police to get more information.
3. Mayor Larson asked about the volunteers for the Fire Company. Sponge said that they had an exceptional number of volunteers right now and many and many of them younger. He added that they are still covering for Harvey Cedars from 6pm-6am because they can't get a crew between those hours.

WATER/SEWER: Councilwoman Foley reported as follows:

1. Not billing on meters usage this year, we are taking a year to look at usage to determine what the rates should be. About one hundred homes will be monitored.
2. There will be a slight increase in flat rates this year. Residential water is up \$40 and the sewer is up \$10 per year. Commercial accounts are going up the same percentage as residential. These increases will help offset all of the upgrades that have been done and equipment that was purchased to help eliminate the need for outside contractors.
3. Residents may experience water pressure issues due to the hydrant flushing in the first two weeks of April.

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

1. Beach badge revenue \$14,440, down from last year by \$2300
2. Paw pass revenue is \$990 to date, which is up by \$385 from last year
3. Beaches are looking beautiful except for the erosion around 14th Street
4. We have a lot of LIT signups. This year there is a test to ensure safety of all participants
5. John Schulze said there are over 50 sign ups so far and there is a good split in the age groups which are 10-12 & 13-15. He said that each group will have different standards for testing with regard to time and distance.

DOCKS AND HARBORS: Councilman Alloway reported that all the boat slips were rented.

1. Nothing until the fish start coming.
2. Mayor Larson said that Great Lakes may be coming back to use our street end for dredging.

PUBLIC WORKS: Councilman Wellington was absent and Councilman Mikuletzky reported on his behalf as follows:

1. Lifeguard rowboats rehabilitated and ready to go
2. Parking lots, filling pot holes
3. Getting Mobi mats and beach wheels ready for the season
4. Gangways will be installed at the docks
5. Town owned storm drains cleaned out
6. Beach entrances were cut back
7. Rot at museum, rebuilding steps
8. Councilwoman Reynolds asked about the County owned storm drains and Councilman Wellington they don do much unless they are call. He said that he was pleased with their response.

FINANCE: Councilman Spark was absent. Mayor Larson gave the Finance report.

1. Treasurers report a part of the minutes
2. Budget introduced in April.

OPEN PUBLIC SESSION:

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

Motion: Foley Second: Alloway All in favor X

Tim Brindley, 1404 Bayview Avenue, said he read about new pickleball courts going in, in another town. He said that someone wanted to donate their bungalow to the town.

Bruce Allen, 1405 Seaview Avenue, said that the Jerry Walnut trail is in disrepair. He said it needed a dose of cleaning and the sand has shifted. Signs were missing or partial covered. He said that John Alchus has volunteered to help him with it. He said that they would go up and do an assessment on the trail.

Connie Higgins, 10 East 11th Street, wanted an explanation of the water sewer bill.

Marie Scandale of the Sandpaper, talked about outdoor lighting. She said when she lived here it was dark on the east side. She people want the lights for safety reasons and people that don't like the lights should get better curtains. Jeff Jorda, 2807 Central Avenue, recommended motion sensor lights.

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

Motion: Wellington Second: Alloway All in favor X

PROCLAMATION: National Library Week- April 3-9, 2022. The Clerk read the proclamation and Mayor Larson signed it.

RESOLUTIONS: The Clerk said all but Resolution 2022-054 and 2022-054 would not be included in the consent agenda.

RESOLUTION 2022-054

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE

BARNEGAT LIGHT VOLUNTEER FIRE COMPANY WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2021

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

RESOLUTION 2022-055

RESOLUTION OF THE BOROUGH OF BARNEGAT LGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE BARNEGAT LIGHT FIRST AID SQUAD WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2021

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

The Clerk said Resolutions 2022-052, 053, 056, 057 and 058 would be done agenda.

RESOLUTION 2022-052

A RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING 2021 ADDENDUM OF THE 2015 MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION WHICH IS PART OF THE NATIONAL FLOOD INSURANCE COMMUNITY RATING SYSTEM

RESOLUTION 2022-053

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH LONG BEACH TOWNSHIP FOR THE LONG BEACH ISLAND MUNICIPAL TRANSPORTATION SYSTEM.

RESOLUTION 2022-056

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF BOND FOR ROAD OPENING PERMIT

RESOLUTION 2022-057

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING 2021 REVISIONS TO THE VEHICLE –USE MANAGEMENT PLAN

RESOLUTION 2022-058

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$837,826.07.

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

ORDINANCES:

First Reading/Introduction:

ORDINANCE 2022-04

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 144-4.1 OF THE BOROUGH CODE, ENTITLED “LIFEGUARD-IN-TRAINING PROGRAM.”

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

Second Reading/Public hearing:

The Clerk said that Ordinance 2022-03 was passed on first reading and there will be a second reading, public hearing and adoption. She read the Ordinance by number and title.

ORDINANCE 2022-03

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 153 OF THE BOROUGH CODE, ENTITLED “SEWERS AND WATER”, TO REVISE THE WATER AND SEWER RATE SCHEDULES.

OPEN PUBLIC HEARING:

MOTION: Foley SECOND: Alloway ALL IN FAVOR X

Mayor Larson explained the increase in the water and sewer rates and said it was to raise revenue to help offset the costs to run the water/sewer department. Being no public comment, the Mayor asked for a motion to close the public hearing.

CLOSE PUBLIC HEARING:

MOTION: Wellington SECOND: Alloway ALL IN FAVOR X

Mayor Larson asked for a motion to adopt Ordinance 2022-03.

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

ORDINANCE 2022-03

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 153 OF THE BOROUGH CODE, ENTITLED "SEWERS AND WATER", TO REVISE THE WATER AND SEWER RATE SCHEDULES.

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

SECTION 1. Section 153-17 of Article I of Chapter 153 of the Borough Code of the Borough of Barnegat Light, entitled "Water rates and charges," is hereby amended and supplemented to provide as follows:

**Chapter 153
SEWERS AND WATER
Article I**

Operation and Supervision of Systems

§ 153-17. Water rates and charges.

The rates for water furnished to the consumers of the borough water system shall be classified and shall be in accordance with the following schedules:

A. Schedule A: Dwelling Units in Residential Zone.

(1) The minimum annual charge for each one-family dwelling unit having not more than five cold water spigots or outlets, completely enclosed therein shall be \$180.00.

(2) The additional annual charge for every cold water spigot or outlet above five in the dwelling shall be \$16.50 each.

(3) The additional annual charge for every outside spigot or outlet shall be \$16.50.

(4) The aforesaid minimum annual charge shall apply to each dwelling unit contained in two-family or multiple unit dwellings.

(5) In computing the above charges, the following shall be counted as additional spigots or outlets: kitchen sinks, laundry sinks, slop sinks, bar sinks, garbage disposals, refrigerators with ice makers, ice maker units, toilets, bathtubs, bathtubs with shower, stall showers, bathroom sinks, dishwashers, clothes washers, outside showers, outside showers with bibb, hose bibbs, swimming pools, hot tubs, urinals/bidets and water heaters.

(6) In addition to the above service charges, there shall be an annual charge of \$200 for each account serviced by a lawn sprinkler system.

(7) All water services shall be metered.

B. Schedule B: Metered Service for Business and Commercial Units.

(1) The minimum annual charge to commercial users, which shall include but not be limited to motels, bathhouses, restaurants, taverns, stores, docks, wharves and any residential activities that shall be classified as excess users of water, and others shall be metered and shall be charged according to the following table of minimum rates:

Water Service (inches)	Annual Minimum Charge
-----------------------------------	------------------------------

¾	\$180 for 25,000 gallons
1	\$229 for 35,000 gallons
1½	\$411 for 70,000 gallons
2	\$595 for 105,000 gallons
3	\$778 for 140,000 gallons
4	\$960 for 175,000 gallons

(2) The rate for excess use shall be \$1.55 per 1,000 gallons or any part thereof over the minimum.

(3) Where water shall be drawn for other purposes on a temporary basis the same shall be by permit only, which shall be obtained from the Water Superintendent, who shall fix the charge for the same at a rate of not less than \$10 per day, plus \$1.55 per each 1,000 gallons used.

(4) All water services shall be metered. In the event that any meter is found to be defective, inaccurate or inoperable, the Borough will then charge the for water usage based 110% of the usage during the previously metered period. An additional 5% shall be added to the charges for each additional meter reading period that the meter remains defective,

inaccurate or inoperable.

C. Schedule C: Combined Residential and Commercial Uses.

In the event that any unit has a combined or mixed residential and commercial or business use, then the rate applied to said unit shall be the greater of the residential or commercial rates and charges which would otherwise be applicable to said unit.

SECTION 2. Section 153-29 of Article II of Chapter 153 of the Borough Code of the Borough of Barnegat Light, entitled "Sewer rates and charges," is hereby amended and supplemented to provide as follows:

Chapter 153
SEWERS AND WATER
Article II
Sewer Use

§153-29. Sewer rates and charges.

A. All residential, commercial, industrial, institutional and governmental users shall be charged at a uniform rate per dwelling unit. In the case of commercial, industrial or multifamily residential units, the charge shall be based upon equivalent dwelling units.

B. The following table shall constitute the basis for sewer charges:

Schedule of Equivalent Dwelling Units

Type	Number of Equivalent Dwelling Units
Single-family dwelling	1
Multifamily	
First family	1
Each additional family	1
Swimming pool drainage	1

C. Sewer rates.

(1) The sewer uniform rate per residential dwelling unit (or equivalent unit) shall be \$365 per year.

(2) The sewer uniform rate per business or commercial unit (or equivalent unit) shall be \$365 per year.

(a) The rate for commercial or business users where metered water consumption exceeds 50,000 gallons per year shall be determined on the basis of one commercial or business unit for the first 50,000 gallons of metered consumption plus \$3.20 per 1,000 gallons of water usage over 50,000 gallons.

(b) Where water is not returned to the Borough's sanitary sewer system, the commercial or business user of 200,000 gallons of water per year or more may, at user's own expense, and under the direction of the Borough, install a separate meter to determine that amount which may be deducted from the total amount of metered use. In addition, the user, and not the Borough, shall be responsible for all costs and expenses involved in maintaining the operation of the meter.

(3) When a professional office or business is located in a residential dwelling as a mixed use in which a family resides, the user shall pay the commercial or business user rate.

(4) When separate multiple uses or enterprises exists within a single system user or on a single property, separate unit user charges shall be applied to each applicable type or use contained therein, set forth in this schedule.

(5) In addition to the above service charges, there shall be an annual charge of \$100 for each account serviced by a garbage disposal unit.

D. Sewer charges shall be billed annually, payable in two (2) equal one-half (1/2) installments for March 1 and September 1 each year. All sewer statements shall be due and payable no later than March 1 and September 1, respectively, of each year. Any March 1 statements not paid by March 10, and any September 1 statements not paid by September 10, shall be considered delinquent and subject to interest. Where meters are applicable, excess sewer in the period shall be added to and become due and payable in the succeeding statement.

E. In regard to new structures, the sewer statements shall reflect that portion of the billing period from the date of the issuance of a certificate of occupancy for the subject structure.

SECTION 3. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

CORRESPONDENCE:

Rotary Club 1/8 Mile Run-all in favor

Lighting issue

Thank you from a Dog Park Participant

Easter Egg Hunt, April 16th @ 10: -Rain date Monday April 18th-if anyone wants to volunteer contact Cece at Borough Hall. Eggs will be put down around 8:30.

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Wellington Second: Foley All in Favor X

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK