

REGULAR MEETING OF MAYOR AND COUNCIL
June 8, 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, Reynolds, Foley, and Mikuletzky

Also present: Terry Brady, Sponge Washburn, John Schulze, Michele Inman and Brenda Kuhn

Discussion: Councilwoman Reynolds talked about the pickleball ordinance that would be considered for adoption. She added that two pickleball attendants would be hired

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

Also present: Terry Brady, Sponge Washburn, John Schulze, Michele Inman and Brenda Kuhn

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

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			
Alloway			X			
Reynolds		X	X			
Foley	X		X			
Mikuletzky			X			

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- Court report
- Watch out for turtle crossing the roads

WATER/SEWER: Councilwoman Foley reported as follows:

- Bad water meter in Loveladies was replaced
- Big difference in water meter reading

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

DOCKS AND HARBORS: Councilman Alloway reported as follows:

- Dock busy
- Fish are here

PUBLIC WORKS: Councilman Wellington reported as follows:

- Basic maintenance, such as grass mowing etc.
- Lifeguard stands, roll-ups and Mobi mats on the beach
- Cut poison ivy on beach path on 29th Street
- New fencing installed on east & west side of Public Works, installing fence between the First Aid

Squad and Public works and need fence behind Public Works

- Boxes built for pickleball
- New bike racks at pickleball courts
- Flag pole installed at the park near the bell
- Nature trail between 12th & 13th streets cleaned up and signs were lifted
- Purchase wind screens for tennis courts
- Stone arrived for parking lot at playground and pickleball courts
- New drainage on 13th Street and paving will be done soon
- Discussion about the submission of the next DOT grant application

FINANCE: Councilman Spark reported as follows:

- Bills were reviewed and approved by the Finance Committee
- Big bills were Barnegat Light Fire Company, LBTPD contract, LBI transportation system and First Aid Squad and the Ocean County Utility Authority

OPEN PUBLIC SESSION:

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

Motion: Spark Second: Reynolds All in favor X

Sheila Bergey, 8 West 3rd Street, said she was part of the garden club and asked if the flagpole would be removed at the museum in time for the garden club tour. Councilman Wellington said that he would take a look at it. Tim Brindley, 1404 Bayview Avenue, said that he noticed the flag and bricks for the armed forces at the pavilion. Dick Feehan, 12 East 15th Street, said it was hot, when are you getting the air conditioning fixed. Rich Brodman, 4 East 10th street, on behalf of the Taxpayers Association, 1st general meeting on Saturday and the topic will be flooding, storm surges, and impact of global warming. The next meeting will be held on July 23rd and the topic will be fire safety. He said that he supported the lifeguards having music on the stands. Nancy Manookian, 14 East 10th Street, asked the Council to consider a small dog area in the dog park. John Tennyson, 6 West 22nd Street, supported the lifeguards having their phones on the stands, taking calls from their grandmother and playing music. Bruce Allen, 1405 Seaview Avenue, commends the DPW for the job they did on 10th Street. They took 10 bags of debris and uncovered the signs that had been partially buried. Mr. Allen asked what can be done about the dogs on the beach. Mayor Larson said that the only thing you can do is to give out tickets. He said that there are a couple of issues. One is the piping plovers and the second issue is that people aren't picking up after their dogs. Rich Brodman said that at the bay beach the fecal material can lead to beach closures. Tim Brindley said maybe the lifeguards could use apple phones. Sarah Lambert, 1609 Seaview Avenue, said maybe we just need some education to the people who renew their dog tags. She said that we could hand out a piece of paper with all the rules. Allan Canter, 1 West 29th Street, beach rules signs at the street ends are a lot to read, he suggested a stand alone sign for the dog rules.

CLOSE PUBLIC SESSION: Mayor Larson asked for a motion to close the open public session.

Motion: Spark Second: Foley All in favor X

PROCLAMATIONS:

- Proclamations were presented to Nathan J. Brindley and Scott T. Brindley for their outstanding achievement of attaining the rank of Eagle Scout.

HONORING NATHAN JAMES BRINDLEY, EAGLE SCOUT

WHEREAS, the Borough of Barnegat Light takes pride in its sense of community and citizen involvement; and

WHEREAS, the vision of the Boy Scouts of America is to prepare every eligible youth in America to become responsible, participating citizens and leaders, who are guided by the Scout Oath and Law; and

WHEREAS, Nathan Brindley, a senior at Southern Regional High School, is a member of Boy Scout Troop 65; and

WHEREAS, Nathan participates in extracurricular activities such as track and field and the Fishing Club at Southern Regional High School; and

WHEREAS, Nathan also attends Ocean County Vocational Technical School to learn about machinery; and

WHEREAS, the Boy Scouts of America encourage Eagle Scout candidates to complete worthy projects to improve their neighborhoods, their community and the region; and

WHEREAS, for his community service project, Nathan built ten black fly boxes that were installed in Mill Creek Park and Newell Avenue Park in Stafford Township; and

WHEREAS, Nathan successfully completed all requirements to receive the rank of Eagle Scout and was honored, along with his identical twin brother, Scott, at their Eagle Court of Honor on May 7, 2022.

NOW, THEREFORE, BE IT RESOLVED on this eighth day of June, 2022, that I, Kirk O. Larson, Mayor of the Borough of Barnegat Light, on behalf of Mayor, Borough Council and the residents of Barnegat Light, do hereby honor and congratulate Nathan J. Brindley, Eagle Scout, on his outstanding achievement of attaining the rank of Eagle Scout and wish him the best in all of his future endeavors.

HONORING SCOTT TIMOTHY BRINDLEY, EAGLE SCOUT

WHEREAS, the Borough of Barnegat Light takes pride in its sense of community and citizen involvement; and

WHEREAS, the vision of the Boy Scouts of America is to prepare every eligible youth in America to become responsible, participating citizens and leaders, who are guided by the Scout Oath and Law; and

WHEREAS, Scott Brindley, a senior at Southern Regional High School, is a member of Boy Scout Troop 65; and
WHEREAS, Scott participates in extracurricular activities such as track and field and the Fishing Club at Southern Regional High School; and
WHEREAS, Scott also attends Ocean County Vocational Technical School to learn about diesel & gas engine repair; and
WHEREAS, the Boy Scouts of America encourage Eagle Scout candidates to complete worthy projects to improve their neighborhoods, their community and the region; and
WHEREAS, for his community service project, Scott built six monofilament recycling bins that were installed at the Lighthouse State Park in Barnegat Light; and
WHEREAS, Scott successfully completed all requirements to receive the rank of Eagle Scout and was honored, along with his identical twin brother, Nathan, at their Eagle Court of Honor on May 7, 2022.
NOW, THEREFORE, BE IT RESOLVED on this eighth day of June, 2022, that I, Kirk O. Larson, Mayor of the Borough of Barnegat Light, on behalf of Mayor, Borough Council and the residents of Barnegat Light, do hereby honor and congratulate Scott T. Brindley, Eagle Scout, on his outstanding achievement of attaining the rank of Eagle Scout and wish him the best in all of his future endeavors.

RESOLUTIONS:

The clerk said that resolutions 2022-078 through 2022-88 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			
Alloway		X	X			
Reynolds			X			
Foley	X		X			
Mikuletzky			X			

RESOLUTION 2022-079

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR KUBEL'S FOR THE YEAR 2022-2023

WHEREAS, Barlight Corp has applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Consumption License #1501-33-003-008 for the year 2022-2023, for the establishment known as Kubel's at 706 Bayview Avenue; and
WHEREAS, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and
WHEREAS, the municipal license renewal fee of \$2,000.00 has been paid to the Borough of Barnegat Light.
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light, County of Ocean that a Retail Plenary Consumption License shall be issued to Barlight Corp, Kubel's for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

RESOLUTION 2022-080

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF WATER & SEWER BILLING

WHEREAS, the water and sewer bill for the calendar year 2022 was issued to account No. 1252-0 also known as Block 57, Lot 14, with an address of 12 East 30th Street; and
WHEREAS, there was a permit issued for a cut & cap from the water supply on May 13, 2022; and
WHEREAS, the full second half billing in the amount of \$346.75 shall be cancelled.
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, that the Utility Collector shall be authorized to cancel the 2022 second half water and sewer billing.

RESOLUTION 2022-0081

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING SECURITY DEPOSIT REFUNDS FOR RECREATIONAL USE APPLICATIONS

WHEREAS, Jennine Orphanides applied to have a wedding ceremony on the beach and paid the \$500 security deposit; and
WHEREAS, Judith Wyckoff applied to have a memorial service at the Bay Breeze Park Pavilion on May 22, 2022 and paid the \$500 security deposit; and
WHEREAS, Ryan Galan applied to have a wedding ceremony on the beach and paid the \$500 security deposit; and
WHEREAS, Jennifer Blanchard applied to have a vow exchange ceremony at the Bay Breeze Park Pavilion on June 3, 2022
WHEREAS, Jennine Orphanides, Judith Wyckoff, Ryan Galan and Jennifer Blanchard have requested, in writing, that the \$500 security deposits be refunded, and
WHEREAS, the Barnegat Light Superintendent has signed off on the post event inspections; and
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

1. That the Finance Department is authorized to refund the security deposit in the amount of \$500.00 for each of the applicants.
2. Certified copies of this resolution will be forwarded to the Barnegat Light Finance Department and to the Recreation Use File.

3. That the checks shall be made payable and sent to:

Jennine & Colin Connaughton 7 Millbrook Lane Lawrenceville, NJ 08648	Judith Wyckoff PO Box 75 Barnegat Light, NJ 08006-0075
Ryan Galan PO Box 878 Barnegat Light, NJ 08006-0878	Jennifer Blanchard PO Box 1131 Ocean Gate, NJ 08740

RESOLUTION 2022-082
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF A DUPLICATE BEACH BADGE ORDER

WHEREAS, Edward Denner sent in payment for eight preseason beach badges in February 2022; and
WHEREAS, In May, Edward Denner sent in another payment for eight beach badges; and
WHEREAS, Mr. Denner has requested a refund of \$240.00 for the duplicate order.
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

1. That the Finance Department is authorized to refund \$240.00 for a duplicate beach badge order.
2. Certified copies of this resolution will be forwarded to the Barnegat Light Finance Department.
3. That the checks shall be made payable and sent to:
Edward Denner
1514 Woodacres Drive
Mountainside, NJ 07092

RESOLUTION 2022-083
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING THE 2022 BEACH PATROL

WHEREAS, the Borough of Barnegat Light is in need of lifeguards for summer 2022; and
WHEREAS, the following people are employed as noted with the compensation listed below:
NOW, THEREFORE, BE IT RESOLVED that the governing Body of the Borough of Barnegat Light approve the list of 2022 lifeguards:

OFFICERS	TITLE	EMT	TOTAL	
Schulze, John	Captain	\$1225.00	\$1225.00	
Baxter, Andrew	Lieutenant	\$799.50	\$799.50	Q
Thomas, Ashley	Lieutenant-LIT	\$799.50	\$799.50	Q
Westerberg, Zakarias	Lieutenant	\$799.50	\$799.50	Q
Ross, John	Lifeguard	\$702.00	\$702.00	
Ross, John	Acting Lieutenant	\$799.50	\$799.50	
LIFEGUARDS				
Addiego, Connor	Lifeguard	\$594.75	\$594.75	
Balla, Hannah	Lifeguard	\$633.75	\$633.75	
Brown, Leonard	Lifeguard	\$614.25	\$614.25	Q
Busch, Samuel	Lifeguard	\$594.75	\$594.75	
Cooke, Madeleine	Lifeguard	\$594.75	\$594.75	Q
Crawford, Anthony	Lifeguard	\$594.75	\$594.75	
Crawford, Ava	Lifeguard	\$594.75	\$594.75	
Crawford, Diana	Lifeguard	\$594.75	\$594.75	
DiAntonio, Christian	Lifeguard/EMT	\$682.50	\$15.00 \$697.50	
Dolan, Michael	Lifeguard	\$614.25	\$614.25	
Dunn, Shane	Lifeguard	\$594.75	\$594.75	
Fastenau, James	Lifeguard	\$594.75	\$594.75	
Harris, Peter	Lifeguard	\$585.00	\$585.00	
Hart, Madison	Lifeguard	\$585.00	\$585.00	Q
Heffernan, James T.	Lifeguard	\$604.50	\$604.50	
Humbarger, Grace	Lifeguard	\$594.75	\$594.75	
Janosky, Avery	Lifeguard	\$594.75	\$594.75	
Lentz, Veronica	Lifeguard	\$594.75	\$594.75	
Leonard, Isabella	Lifeguard	\$614.25	\$614.25	
Listor, Daniel	Lifeguard	\$585.00	\$585.00	
Luckangelo, Nicholas	Lifeguard	\$614.25	\$614.25	
Mercurio, Samantha	Lifeguard	\$594.75	\$594.75	
Mumau, Rachel	Lifeguard	\$633.75	\$633.75	
Narleski, Jaclyn	Lifeguard	\$624.00	\$624.00	
Narleski, Julie	Lifeguard	\$604.50	\$604.50	
Naughton, Kathryn	Lifeguard	\$604.50	\$604.50	
Patterson, Kady	Lifeguard	\$633.75	\$633.75	

Patterson, Laura	Lifeguard/EMT	\$653.25	\$15.00	\$668.25	
Pecci, Mara	Lifeguard	\$594.75		\$594.75	
Pley, Caroline	Lifeguard	\$604.50		\$604.50	
Powell, Ava	Lifeguard	\$604.50		\$604.50	
Prescott, Ellis	Lifeguard	\$604.50		\$604.50	Q
Riggs, Hudson	Lifeguard	\$594.75		\$594.75	
Rogers, Charles	Lifeguard	\$604.50		\$604.50	
Sadowski, William	Lifeguard/EMT	\$594.75	\$15.00	\$609.75	
Schulze, Gavin	Lifeguard	\$604.50		\$604.50	
Schumann, Ava	Lifeguard	\$614.25		\$614.25	
Selfridge, Robert,	Lifeguard/EMT	\$702.00	\$15.00	\$717.00	
Shields, Hugh	Lifeguard/EMT	\$604.50	\$15.00	\$619.50	
Slahetka, Elizabeth	Lifeguard	\$643.50		\$643.50	
Slahetka, Theodore	Lifeguard	\$653.25		\$653.25	
Vigliotta, Mia	Lifeguard	\$594.75		\$594.75	
Walsh, Stephen	Lifeguard	\$624.00		\$624.00	Q
Wierman, Luke	Lifeguard	\$624.00		\$624.00	
Wierman, Nicholas	Lifeguard	\$653.25		\$653.25	

RESOLUTION 2022-084

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING SEASONAL WORKERS

WHEREAS, the Borough of Barnegat Light is in need of seasonal employees for the 2022 season; and
WHEREAS, the following people are employed as noted with the compensation listed below:
NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Barnegat Light approves the list of seasonal employees.

<u>Beach Badge Checker</u>	<u>(starting \$15.00)</u>
Klase Britton	\$16.00
Kaitlyn Sweeney	\$15.00
Jonathan Vrabel	\$15.00
Jesse Busch	\$15.00
Margaret Schulze	\$15.00
Eliza Olsen	\$15.00
<u>Booth Attendant</u>	<u>(2022 starting \$17.00)</u>
Geraldine Sheehan	\$17.00 (Retro 5-20-22)
Torrey Dolan	\$17.00 (Retro 5-3-22)
<u>Tram Driver</u>	<u>(2022 starting \$15.00)</u>
Marc Peimer	\$15.50
Peter Lewis	\$15.25
Douglas Sirotiak	\$15.00
<u>Pickleball Attendant</u>	<u>(2022 starting \$17.00)</u>
Kelly Adams	\$17.00
Stuart Pattison	\$17.00
<u>Dock Ramp Attendant</u>	<u>(2022 starting \$13.00)</u>
Stanley Madsen, Dock Master	\$15.00
Ed Kenny, Assistant DM/Training	\$14.75
Merrill Thim	\$14.00 (Retro 4-1-22)

RESOLUTION 2022-085

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR DAYMARK FOR THE YEAR 2022-2023

WHEREAS, 404 Broadway Restaurant Partners, LLC has applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Consumption License #1501-33-002-004 for the year 2022-2023 for the establishment known as Daymark at 706 Broadway; and
WHEREAS, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and
WHEREAS, the municipal license renewal fee of \$2,000.00 has been paid to the Borough of Barnegat Light.
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light, County of Ocean that a Plenary Retail Consumption License be issued to 404 Broadway Restaurant Partners, LLC for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

RESOLUTION 2022-086

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,020,155.99

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 \$1,020,155.99 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 2022-087
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, RENEWING LIQUOR LICENSE FOR THE KEEPERS AT BARNEGAT LIGHT CORP FOR THE YEAR 2022-2023

WHEREAS, The Keepers at Barnegat Light Corporation have applied to the Alcoholic Beverage Control Commission for renewal of the Plenary Retail Distribution License #1501-44-001-004 for the year 2022-2023, for the premises at 608 Broadway; and
WHEREAS, the State of New Jersey, Department of the Treasury, Division of Taxation has issued the Alcoholic Beverage Retail Licensee Clearance Certificate; and
WHEREAS, the Municipal license renewal fee of \$1,500.00 has been paid to the Borough of Barnegat Light.
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that a Plenary Retail Distribution License will be issued to The Keepers at Barnegat Light Corporation for the premises mentioned above and may operate in accordance with ordinances adopted by the Borough.

RESOLUTION 2022-088
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING A PART TIME CONSTRUCTION CODE CONTROL CLERK IN THE BUILDING DEPARTMENT

WHEREAS, there exists a need for a part time Construction Code Control Clerk in the Building Department; and
WHEREAS, Ordinance 2021-11 allows for the hiring of Construction Code Control Clerk; and
NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Barnegat Light that Marguerite N. Schulze is employed, with title and compensation as listed below:

Construction Code Control Clerk \$15.00hr

ORDINANCES:

Second Reading/Public hearing:

ORDINANCE 2022-05
AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 21-46 OF THE BOROUGH CODE, ENTITLED “ZONING FEES,” TO REVISE THE SAME

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 21-24 of the Borough Code of the Borough of Barnegat Light, entitled "Zoning fees," is hereby amended and supplemented to provide as follows:

CHAPTER 21
LAND USE PROCEDURES

PART 2
LAND USE DEVELOPMENT FEES

Article VI
Schedule of Fees

§ 21-46. Zoning fees.

The following fees are hereby established as required by Chapter 215, Zoning, of the Code of the Borough of Barnegat Light:

- A. Sign permits, as required by §215-12B(5): \$50.
- B. Zoning permit fees, pursuant to §215-16:
 - 1. Residential single-family dwelling, new construction: \$250.
 - 2. Residential duplex, new construction: \$300.
 - 3. Residential, single-family dwelling and duplex, expansion of dwelling by alteration or addition to existing structure: \$150.
 - 4. Business, marine commercial and multifamily structures, new construction: \$300.
 - 5. Business, marine commercial and multifamily structures, expansion of structures by alteration or addition to existing structures: \$200.
 - 6. Any accessory building: \$100.
 - 7. Addition or alteration of impervious coverage surface: \$75.
 - 8. Pool: \$150.
 - 9. PODs: \$50.
 - 10. Dumpster: \$25.
 - 11. Minor work (includes pergolas, platforms, etc.) \$30.
- C. Certificates of zoning occupancy pursuant to § 215-17:

1. For single-family dwelling: \$75.
 2. For residential duplex, multifamily dwelling, business and marine commercial structures: \$150.
 3. Reinspection fee: \$25.
- D. Fences. The permit fee for the construction of a fence shall be \$0.10 per linear foot of fence; provided, however, that the minimum fee is: \$30.

SECTION 2. This zoning regulation amendment shall be referred to the Barnegat Light Planning Board, in accordance with its referral powers provided by N.J.S.A. 40:55D-26 & -64.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

INTRODUCTION:

Passage on First Reading: Date: May 11, 2022

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

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

Open Public Hearing: Motion: Reynolds Second: Wellington

Being no public comment, Mayor Larson asked for a motion to close public hearing

Close Public Hearing: Motion: Spark Second: Wellington

Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: Date: June 8, 2022

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

ORDINANCE 2022-06

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 215-16 OF CHAPTER 215 OF THE BOROUGH CODE, ENTITLED "ZONING," TO INCREASE THE ZONING OFFICER'S ENFORCEMENT POWERS.

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 215-16 of Chapter 215 of the Borough Code of the Borough of Barnegat Light, entitled "Administration and enforcement," is hereby amended and supplemented to revise paragraph B to provide as follows:

Chapter 215 ZONING

§ 32-52. Administration and enforcement.

....

B. Zoning Officer.

(1) There is hereby created in the Borough of Barnegat Light the position of Zoning Officer, who shall have the following duties:

- (a) To enforce the zoning ordinances of the Borough of Barnegat Light.
- (b) To issue zoning permits in accordance with this chapter.
- (c) To answer all inquiries with regard to zoning questions in the Borough of Barnegat Light.
- (d) To keep a record of all applications for permits and of all permits and certificates issued with a notation of all special conditions involved.
- (e) To collect and record fees for zoning permits.

(f) IN ADDITION, THE BOROUGH ZONING OFFICER SHALL HAVE THE POWER TO REVOKE ANY PERMIT AND ISSUE A STOP-WORK ORDER WHERE THE REQUIREMENTS OF THIS CHAPTER ARE BEING VIOLATED, AND TO ISSUE VIOLATION NOTICES ASSESSING A PENALTY OF \$200 PER DAY UNTIL ANY SUCH VIOLATION IS ABATED AND BROUGHT INTO COMPLIANCE.

(g) To prepare a monthly report for the Mayor and Council summarizing all activities of the previous month concerning the duties of the Zoning Officer.

(2) The Zoning Officer shall be deemed to be the administrative officer as defined in N.J.S.A. 40:55D-3 and shall issue certifications on behalf of the Borough of Barnegat Light certifying whether or not a subdivision has been approved by the Planning Board in accordance with N.J.S.A. 40:55D-56.

(3) The Zoning Officer shall conduct field inspections and special investigations to ensure compliance with the zoning ordinances and the various land use ordinances of the borough and initiate necessary legal action against violators of such ordinances in the Municipal Court and, with the prior approval of the Mayor and Council, in the Superior Court of New Jersey. In addition, the Zoning Officer shall have the power to revoke any permit and issue a stop-work order where the requirements of this chapter are being

....

All other paragraphs, subsections and provisions of Section 32-52 shall remain in full force and effect

SECTION 2. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

INTRODUCTION:

Passage on First Reading: Date: May 11, 2022

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

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

Open Public Hearing: Motion: Wellington Second: Alloway

Being no public comment, Mayor Larson asked for a motion to close public hearing

Close Public Hearing: Motion: Alloway Second: Wellington

Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: Date: June 8, 2022

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

ORDINANCE 2022-07

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE XIV OF CHAPTER 32 OF THE BOROUGH CODE, ENTITLED “CODE ENFORCEMENT OFFICER,” TO INCREASE THE CODE ENFORCEMENT OFFICER’S ENFORCEMENT POWERS.

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 32-52 of Article XIV of Chapter 32 of the Borough Code of the Borough of Barnegat Light, entitled "Powers and duties," is hereby amended and supplemented to provide as follows:

Chapter 32

OFFICERS AND EMPLOYEES

Article XIV
CODE ENFORCEMENT OFFICER

§ 32-52. Powers and duties.

The Code Enforcement Officer shall conduct field inspections and special investigations to ensure compliance with variance municipal ordinances, enforce rules and regulations related to the enforcement of ordinances, prepare reports, maintain files and records, and perform all such duties as are assigned from time to time by the Mayor, Borough Council and/or Borough Administrator.

IN ADDITION, THE BOROUGH CODE ENFORCEMENT OFFICER SHALL HAVE THE POWER TO REVOKE ANY PERMIT AND ISSUE A STOP-WORK ORDER WHERE THE REQUIREMENTS OF THE BOROUGH’S ORDINANCES ARE BEING VIOLATED, AND TO ISSUE VIOLATION NOTICES ASSESSING A PENALTY OF \$200 PER DAY UNTIL ANY SUCH VIOLATION IS ABATED AND BROUGHT INTO COMPLIANCE.

SECTION 2. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

INTRODUCTION:

Passage on First Reading: Date: May 11, 2022

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

Foley			X			
Mikuletzky	X		X			

Mayor Larson asked for a motion to open to the public.
Open Public Hearing: Motion: Reynolds Second: Foley

Being no public comment, Mayor Larson asked for a motion to close public hearing

Close Public Hearing: Motion: Reynolds Second: Wellington

Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: Date: June 8, 2022

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

ORDINANCE 2022-08
AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 180 OF THE BOROUGH CODE, ENTITLED “SWIMMING POOLS,” TO REVISE THE REGULATIONS PERTAINING TO THE SAME.

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 180-2 of Chapter 180 of the Borough Code of the Borough of Barnegat Light, entitled "Definitions," is hereby amended and supplemented to provide as follows:

Chapter 180

SWIMMING POOLS

§ 180-2. Definitions.

As used in this chapter, the following words shall have the meanings indicated:

....

HOT TUB

Any pool installed either above or below the level of the surrounding land, having a surface area of water of 75 square feet or less and designed, used and maintained for bathing purposes.

....

SWIMMING POOL

Any private pool, whether permanently constructed or of the portable type, having a depth of more than 18 inches below the level of the surrounding land or having a depth of more than 24 inches when partly or wholly above ground or having a water surface area exceeding 75 square feet, designed, used and maintained for swimming or bathing purposes by an individual for use by his guests and located on the applicant's land or land under the applicant's control, and shall include all buildings, structures, equipment and appurtenances thereto.

....

WADING POOL

Any shallow pool, whether permanently constructed or of the portable type, which is less than 18 inches below the level of the surrounding land, less than 24 inches deep when partly or wholly above ground and less than 75 square feet in water surface area.

All other definitions set forth in Section 180-2 shall remain in full force and effect.

SECTION 2. Section 180-4 of Chapter 180 of the Borough Code of the Borough of Barnegat Light, entitled "Permit required, fees," is hereby amended and supplemented to provide as follows:

§ 180-4. Permit required; fees.

A. Application. Before excavation or any other work is commenced on the construction of a pool or the alteration, enlargement, remodeling or other improvement thereof, an application shall be made to the Construction Code Official which shall be accompanied by final plans, specifications and reports in duplicate showing the following data:

(1) Detailed plat plan of the entire property showing existing structures on the premises and adjoining premises, the location of nearby septic tanks, disposal fields and seepage pits and the proposed pool drawn to scale, with pertinent dimensions and grade elevations shown at pool, building and property lines.

(2) Detailed plans to scale with dimensions and specifications for the construction of the pool or other change in existing pools, including piping arrangement; pumps; water treatment facilities, including operating instructions therefor; source of water to be used and a report showing quality thereof for potable purposes; provisions for emptying pool and disposal of wastewater; and all other facilities proposed by the applicant or required by this chapter.

B. Exception. Neither an application nor a permit for construction or installation of a wading pool is required.

C. Issuance of permit. When the plans and specifications are filed in a form complying with this chapter and they have been approved by the Construction Code Official and the Zoning Officer, a permit to construct the same shall be issued. Upon completion, no pool shall be used until inspected by the Construction Code Official and the Zoning Officer, and a certificate of occupancy has been issued by the

Construction Code Official. *ALL POOL CONSTRUCTION AND INSPECTIONS MUST BE COMPLETED WITHIN 60 DAYS OF THE ISSUANCE OF THE PERMIT.*

D. Fees. Fees shall be as set forth in § 76-14A(1)(f) of the Code of the Borough of Barnegat Light.

SECTION 3. Section 180-5 of Chapter 180 of the Borough Code of the Borough of Barnegat Light, entitled "Location," is hereby amended and supplemented to provide as follows:

§ 180-5. Location.

A. No swimming pool shall be constructed or installed on any lot unless a residential dwelling is located upon the lot or unless the lot is located immediately adjacent to the owner's residence.

B. No swimming pool shall be installed within 30 feet of any street line or closer to the street than the existing building setback line, whichever is greater.

C. The distance from any side and the rear lot line to the inside face of the closest swimming pool, wading pool or hot tub wall *SHALL NOT BE LESS THAN THE MINIMUM BUILDING SIDE AND REAR SETBACK REQUIREMENTS OF THE ZONE.*

D. All pumps and filtration systems shall be located not closer than five feet to any property line, but not interfere with side property setbacks.

E. No swimming pool shall be constructed within 10 feet of the foundation wall of any dwelling, whether such dwelling shall be on the same premises on which the swimming pool is to be constructed or on adjacent premises.

F. The Zoning Board of Adjustment may grant a variance from the provisions of this section in the same manner that other variances are granted under Chapter 215, Zoning.

SECTION 4. Section 180-10 of Chapter 180 of the Borough Code of the Borough of Barnegat Light, entitled "Violations and penalties," is hereby amended and supplemented to provide as follows:

§ 180-10. Violations and penalties.

A violation of this chapter shall be punishable as provided in Chapter 1, General Provisions, § 1-15.

IN ADDITION, THE BOROUGH CODE ENFORCEMENT OFFICER SHALL HAVE THE POWER TO REVOKE ANY PERMIT AND ISSUE A STOP-WORK ORDER WHERE THE REQUIREMENTS OF THIS CHAPTER ARE BEING VIOLATED, AND TO ISSUE VIOLATION NOTICES ASSESSING A PENALTY OF \$200 PER DAY UNTIL ANY SUCH VIOLATION IS ABATED AND BROUGHT INTO COMPLIANCE.

SECTION 5. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

INTRODUCTION:

Passage on First Reading: Date: May 11, 2022

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

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

Open Public Hearing: Motion: Wellington Second: Spark

Public comment:

Tim Brindley asked what the rear setback was. Sponge said 10'.

Rich Brodman asked what the side setback. Sponge said that the new side setbacks are 10' from the home and 9' from each side. John Alchus asked if there was anything other than setbacks in the ordinance. Sponge said that it must be completed in 60 days and size of hot tubs-consistent with other towns? Sponge all towns having issues. Brodman asked what the original setbacks were. Sponge said 5" from each side, 10' from house, and 5" rear.

Mayor Larson asked for a motion to close public hearing

Close Public Hearing: Motion: Reynolds Second: Wellington

Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: Date: June 8, 2022

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

ORDINANCE 2022-09

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 144 OF THE BOROUGH CODE, ENTITLED "RECREATION AND PUBLIC RESORT AREAS," TO CREATE A NEW ARTICLE VI TO BE ENTITLED "MUNICIPAL PICKLEBALL COURTS."

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. Chapter 144 of the Borough Code of the Borough of Barnegat Light, entitled "Recreation and Public Resort Areas," is hereby amended and supplemented to provide a new Article VI as follows:

CHAPTER 144
RECREATION AND PUBLIC RESORT AREAS

Article VI
Municipal Pickleball Courts

§ 144-33. Use of facilities; pickleball badges required; fees.
No person shall use the municipal pickleball courts unless or until they have obtained an annual weekly or daily pickleball badge; such badge must be available for inspection while the person is using the pickleball court.

The pickleball badge shall be procured from the Borough from the beach badge booth attendant, or such other officer or employee of the Borough authorized to issue the same, by paying the fee required herein. An annual-pickleball badge shall be effective for the calendar year in which it is issued.

The pickleball badge fees shall be as follows:

Non-resident annual, badge - \$100 (personalized photo card badge)

Resident annual, badge – FREE (personalized photo card badge)

Non-resident weekly badge - \$20 (personalized photo card badge)

Non-resident daily badge - \$5 (colored paper wristband)

Children age 12 & under – FREE

Active military (including their spouses and children when accompanied by the active military member);

Gold Star Families and honorably discharged military veterans - FREE

§ 144-34. Annual badge limitation.

An annual badge shall not be transferable and must not be used or worn by any other person other than the person to whom it is issued. Any person to whom such badge is so issued who permits another person to use his or her badge for the purpose of playing or entering on the municipal pickleball courts shall have his or her badge and pickleball court use privileges revoked.

§ 144-35. Hours of operation.

The Municipal pickleball courts shall have an 8:00am start time and end at dusk. No use of the courts may begin before this start time. During the hours of operation, a pickleball attendant or beach badge booth attendant may be on-duty who will check for pickleball badges and supervise the use of the pickleball courts.

§ 144-36. Rules and regulations.

During the hours of operation, a pickleball attendant or beach badge booth attendant may be on-duty who will check for pickleball badges and supervise the use of the pickleball courts.

The pickleball attendant shall have the right to remove any player who is displaying any unsportsmanlike conduct or refusing to adhere to the rules.

Use of Court 1

Court 1 shall be used by families, renters, novices or other players who do not wish to participate in “open play” in competition with more experienced players.

If no players are using Court 1, the Borough attendant shall allow players waiting to play on courts 2 or 3 to play on Court 1.

If no other players are waiting for Court 1, players are limited to one hour of uninterrupted court time.

If other players are waiting for court 1, players on court shall finish their game and vacate court and join rotation of one game on and one game off per group.

Use of Courts 2 and 3

Courts 2 & 3 are designated for use by “open play” or with competitive players using accepted pickleball rules of play.

The Borough shall establish and enforce such other rules and regulations concerning the use of the pickleball courts as it may deem necessary and proper.

Article II

144-21

SECTION 2. Section 144-21 of the Borough Code of the Borough of Barnegat Light, entitled “Use of tennis courts; pickleball courts,” is hereby amended to remove references to the Borough’s pickleball courts, and shall provide as follows:

§ 144-21. Use of tennis courts.

The Borough tennis courts shall be used exclusively for the game of tennis. All other uses and activities are strictly prohibited on the Borough tennis courts. The Borough reserves the right to use the tennis courts in other ways as they see fit.

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.

INTRODUCTION:

Passage on First Reading: Date: May 11, 2022

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

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

Open Public Hearing: Motion: Reynolds Second: Mikuletzky

Public comment:

Tim Brindley asked about the free military badges for families. The active duty and their family were free and Gold Star families were free. Veterans only would get a free badge for themselves. Nancy Manookian asked if the badge machine was ready and the answer was no.

Mayor Larson asked for a motion to close public hearing

Close Public Hearing: Motion: Spark Second: Reynolds

Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: Date: June 8, 2022

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

Mayor Larson said that he wanted to thank the two young men for their achievement of Eagle Scout.

CORRESPONDENCE:

Turn the town teal for Ovarian Cancer in September- all in favor

Specialized yoga at the pavilion on Thursdays-all in favor

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Spark Second: Foley All in Favor X

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK