

REGULAR MEETING OF MAYOR AND COUNCIL
March 8, 2023

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 NJ Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall and was published in the Asbury Park Press on January 19, 2023, both newspapers designated by Mayor and Council to receive such notice.

ROLL CALL: Spark, via phone, Wellington, absent Alloway, Reynolds, Foley and Mikuletzky
Also present: Mayor Larson, Terry Brady, Sponge Washburn, Michele Inman and Brenda Kuhn

Discussion: Ordinance 2023-05 was on the agenda for introduction. This ordinance was to change the setbacks for multifamily housing in the Marine Commercial and General Business Zones. Members of the council said that they had not seen the recommendations from the Planning Board. Councilman Spark asked to table the ordinance until the council has time to review the Planning Board recommendations.

The ordinance for the kayak area was the next topic. Docks and Harbors Chairperson, Councilman Alloway, talked about the new regulations that was being introduced, he said residents up to 5 feet in width will be \$10 and nonresidents will be \$20 for watercraft over 5 feet wide. Nonresidents will be \$100 for up to 5 feet wide and \$200 over 5 feet wide. The mayor asked about enforcement. Someone suggested part time summer help. The mayor asked if the boat ramp employees could sell the stickers. The discussion continued and the council agreed that the boat ramp could handle registration. Allan Cantor stated that there were 168 kayaks but not all were registered.

Councilwoman Foley asked if we could register seniors if they had a DNR or other vital information in the case of an emergency. Sponge said that the police department has a list of owners that are on oxygen. He added that the HIPAA laws don't allow everyone to have that medical information.

Councilwoman Foley said that there was a water main break. Councilman Wellington said that the cones will be there until Monday.

Councilwoman Reynolds said that the save the whales signs is really are a great idea. She said that Nardi's was having a "Save the Whales" day.

The mayor said that the lifeguards have two extra defibrillators but Councilman Wellington said he would like to take a look at them because he would like to have the same kind that we have in Borough Hall for consistency. The taxpayer's association has offered to pay for one. the plan is to have one at the pavilion and the other at the pickleball court.

Mayor Larson said that the taxpayers association wanted to join with the borough to have a picnic but he thought that we would possibly have a celebration next year for 125 anniversary.

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 Councilwoman Reynolds at 5:00pm at Borough Hall, 10 East 7th Street, Barnegat Light, NJ. She 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 Beach haven Times on January 19, 2023.

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, via phone, Wellington, Alloway, Reynolds, Foley, and Mikuletzky
Also present: Terry Brady, Sponge Washburn, Michele Inman and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of February 8, 2023 regular meeting.

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

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- Court report part of meeting minutes
- Reported on the revenue from January and February
- Court was held in Barnegat Light

WATER/SEWER: Councilwoman Foley reported as follows:

- Water main break off of 7th Street
- Mathis possibly to pave when they paving DOT project
- 23rd Street, milling and paving
- Hydrant flushing
- Replacing hydrant 30th & Central Ave.

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

- Beach badge revenue was up from this time last year
- Paw passes increased by \$750
- Summer employment is needed

DOCKS AND HARBORS: Councilman Alloway reported that he did his report in caucus.

PUBLIC WORKS: Councilman Wellington reported as follows:

- Ceiling in Judges chambers came down, they were just glued.
- Tiles were taken down, sheetrock was installed, spackled and painted
- Courtroom has the same tiles and after the budget is passed, they will be removed and sheetrock will be installed
- 14 additional trash corrals were built for the street ends
- Storm basins cleaned out
- Graded and repaired some of the beach trails
- Will be painting pavilion and restroom this summer-DPW employees will do the work
- New booth will be built at the pickleball courts after adoption of budget
- Councilwoman Reynolds said that the booth would be for beach badge sales too

FINANCE: Councilman Spark reported as follows:

- CFO said Financial Statement was being prepared.
- Councilwoman Foley reported on the bills that were paid.

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, inquired if the water bills were sent? The answer was no. He asked about the kayak registration? He misunderstood, he thought they had to show NJ State Registration.

Sarah Shoffler, 401 Broadway, Apt. 6, requested that the council consider discounted beach badges for people who are disabled. (We already have this)

Bruce Allen, 1405 Seaview Avenue, representing Taxpayers’ Association, said that Rich Brodman had been talking to the mayor about a jointly sponsored celebration on Saturday June 17th. He said they would contribute \$1000.

Allan Canter, 1 West 29th Street, thanked the council for the kayak ordinance. He felt this is one of the first ordinances the is reigning in something before it gets out of control so that tourist and others don’t take advantage of our natural resources.

Linda Karlovitch, 401 Broadway Apt.30, gave her opinion about Ordinance 2023-05 that was on the agenda for introduction. She opposed this strongly.

Joy Luedtke, 20 East 7th Street, was at the meeting to voice her strong objection to Ordinance 2023-05. She asked what the purpose was.

CLOSE PUBLIC SESSION: Councilwoman Reynolds asked for a motion to close the open public session.

Motion: Mikuletzky Second: Foley All in favor X

PROCLAMATIONS:

Proclamation

National Poison Prevention Week

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961, and has since recognized this week to raise national awareness of the dangers of accidental poisoning, ways to prevent exposure to potentially dangerous products and substances, and how to respond in a poisoning emergency; and

WHEREAS, the NJ Poison Control Center at Rutgers New Jersey Medical School joins poison control centers nationwide to educate people of all ages about the risk of accidental poisoning in everyday environments; and

WHEREAS, in 2023, the NJ Poison Control Center marks its 40th anniversary; and

WHEREAS, the state's poison control center is instrumental in the medical management and surveillance of poisoning exposures across New Jersey including the use, misuse, and abuse of medicines, legal and illicit drugs, environmental contaminants, bioterrorism agents, and public health crises including COVID-19 and Mpox (Monkeypox); and

WHEREAS, the public and medical and emergency service professionals alike can easily access the poison control center's free services through the Poison Help line (1-800-222-1222) or njpois.org; and

WHEREAS, the specialized healthcare professionals at the state's poison control center provide emergency assistance, offer guidance on poison prevention, and answer questions concerning potential exposure to callers of all ages; and

WHEREAS, most reported poison exposures involve children five (5) years old and younger; and

WHEREAS, most poison-related deaths occur in adults; and

WHEREAS, the poison control center's life-saving services are available 24/7 and save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and result in shorter lengths of stay for patients hospitalized for poisoning; and

WHEREAS, the NJ Poison Control Center encourages people not to guess, wait for symptoms to appear, or waste time searching for medical information online, get immediate help from the poison control center when a potentially dangerous exposure occurs.

NOW, THEREFORE, be it resolved that, I, Kirk O. Larson of the Borough of Barnegat Light, do hereby proclaim the week of March 19-25, 2023, as National Poison Prevention Week in New Jersey and encourage everyone to pledge their commitment to ensuring the safety of themselves, their families, and their community.

Dated this 8th day of March, 2023

A PROCLAMATION

PROCLAIMING MARCH 2023 AS THE

21st ANNUAL MARCH FOR MEALS MONTH

WHEREAS, on March 22, 1972, President Nixon signed into law a measure that amended the Older Americans Act of 1965 to include a national nutrition program for individuals 60 years and older.

WHEREAS, for more than five decades, this landmark law has helped to fund community-based organizations – like Meals on Wheels – and it is still the only federal program designed specifically to meet the nutritional and social needs of older adults.

WHEREAS, this year, Meals on Wheels programs from across the country are joining together for the March for Meals awareness campaign to celebrate its success and garner the support needed to ensure these critical programs can continue to address food insecurity and malnutrition, combat social isolation, enable independence and improve health for years to come.

WHEREAS, Meals on Wheels programs – both Community Cafe's and Home-Delivered, in Ocean County have served our communities admirably for 48 years; and

WHEREAS, employees for Meals on Wheels of Ocean County are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and

WHEREAS, Meals on Wheels of Ocean County provides nutritious meals to seniors throughout the county that help them maintain their health and independence, thereby helping to prevent unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Meals on Wheels of Ocean County provides a powerful opportunity for social connection for thousands of seniors to help combat the negative health effects and economic consequences of loneliness and isolation; and

WHEREAS, Meals on Wheels of Ocean County deserves recognition for the heroic contributions and essential services they have provided amid the COVID-19 pandemic, inclement weather and other emergencies.

WHEREAS, the senior population is increasing substantially, and action is needed now to support Meals on Wheels of Ocean County through federal, state and local funding; donations; and raising awareness to ensure these vital services can continue to be delivered for years to come.

NOW, THEREFORE, I, Kirk O. Larson, Mayor of Barnegat Light, do hereby proclaim March 2023 as a month celebrating Meals on Wheels and urge every community member to take this month to honor our senior nutrition programs, the individuals they serve and the volunteers who care for them. Our recognition of, and involvement in, the national March for Meals celebration can enrich our entire community and help combat senior hunger and isolation in America.

Dated this 8th day of March, 2023

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		X			
Reynolds			X			
Foley			X			
Mikuletzky			X			

RESOLUTION 2023-050
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,476,348.74

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 \$1,476,348.74 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 2023-051
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.

WHEREAS, the Township of Long Beach has created a Municipal Transportation System to address the need for public transportation, to support the goal of the alleviation of traffic and parking problems, fill a need for an immediately available emergency transportation system required during declared emergencies, enhance and support the economic activities in Township and region as a whole, and benefit the experience and way of life of the residents, businesses, and visitors of Long Beach Island, as well as generally protect the public health, welfare, and safety; and
WHEREAS, Long Beach Township has offered to all Long Beach Island municipalities the opportunity to participate in said municipal transportation system by way of a shared service

agreement; and

WHEREAS, it is the desire of the Borough of Barnegat Light to join in a shared service agreement to provide for a municipal transportation system to service all Long Beach Island municipalities, with Long Beach Township as Lead Agency and Barnegat Light Borough as a participating municipality to receive part of the service rendered and to fund a part of the cost of the service; and

WHEREAS, N.J.S.A. 40A:65-4 (Common Sense Shared Services Pilot Program Act) 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.

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 Borough Council of the Borough of Barnegat Light do hereby authorize a shared services interlocal agreement with Long Beach Township for Long Beach Township to provide for a municipal transportation system to service all Long Beach Island municipalities, with Long Beach Township as Lead Agency and Barnegat Light Borough as a participating municipality to receive part of the service rendered and to fund a part of the cost of the service. Barnegat Light Borough shall pay \$20,000 towards said costs for the period of May 1, 2023 to April 30, 2024 on or before May 1, 2023.
2. That the Mayor and Borough Clerk are hereby authorized to execute the attached Municipal Transportation System Shared Service Agreement, and any and all other documents necessary for said services.
3. A certified copy of this resolution shall be forwarded to the Long Beach Township, Ship Bottom Borough, Harvey Cedars Borough, Surf City Borough and Beach Haven Borough.

RESOLUTION 2023-052
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTION OF EMERGENCY TEMPORARY APPROPRIATIONS
WHEREAS, emergent conditions have arisen in that the Borough is expected to enter into contracts, commitments or payments prior to the 2023 budget adoption and no adequate provision has been made in the 2023 temporary budget for the aforesaid purposes; and
WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and
WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,223,958.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20 as follows:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$1,223,958.00 as follows:

ORDINANCE 2023-03
AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE I OF CHAPTER 144 THE BOROUGH CODE, ENTITLED “BEACHES,” TO PROHIBIT HUNTING, TRAPPING OR THE DISCHARGE OF FIREARMS ON THE BOROUGH’S BEACHES.

Public Hearing: Motion: Wellington Second: Alloway
Public comment: Tim Brindley, 1404 Bayview Avenue, talked about the duck hunters. Joy Luedtke, 20 E 7th Street, said that it was a great ordinance.
Close Public Hearing: Motion: Wellington Second: Foley
Councilwoman Reynolds asked for a motion to adopt.

ADOPTION:
Final Passage: 2023-03 March 8, 2023

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

First Reading:

Ordinance 2023-04 was read by title and the Clerk recorded the votes.

ORDINANCE 2023-04

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 64-7 OF THE BOROUGH CODE, ENTITLED "REGISTRATION OF PERSONAL WATERCRAFT ALONG BAYFRONT AREAS; REGULATIONS" TO REVISE THE REGISTRATION REQUIREMENTS AND FEES RELATED TO THE SAME.

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

First Reading:

Ordinance 2023-05 was read by title and the Clerk recorded the votes.

ORDINANCE 2023-05

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 215-9 OF THE BOROUGH ZONING CODE TO REVISE THE BUILDING SETBACK REQUIREMENTS FOR MULTIFAMILY DWELLINGS IN THE GENERAL BUSINESS & MARINE COMMERCIAL ZONES.

MOTION TO TABLE

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

CORRESPONDENCE:

Camping on the Beach=Approved

1/8 Mile Fun Run-Approved

MOTION TO ADJOURN:

Councilwoman Reynolds asked for a motion to adjourn.

Motion: Foley Second: Alloway All in Favor X

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK