

REGULAR MEETING OF MAYOR AND COUNCIL

October 11, 2023

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm 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 and Beach Haven Times on January 19, 2023, both newspapers designated by Mayor and Council to receive such notice.

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

Also present: Mayor Larson, Terry Brady, Sponge Washburn, Michele Inman and Brenda Kuhn

Discussion: the first topic that was discussed was the dog park pass fee ordinance. Councilwoman Reynolds was in opposition of this ordinance. She said that there was no justification to it. Mayor Larson said that she voted for it when Councilman Wellington made a motion for the dog park plan park which included the \$100 fee. Councilwoman Reynolds said that if you make the fee to high, people will find a way around it. After extensive discussion, Mayor Larson said it does look like this ordinance would pass.

The next topic was kayaks.

Mayor Larson asked for a motion to close the Caucus. On a motion by Foley, seconded by Alloway 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 published in the Asbury Park Press and Beach Haven Times on January 19, 2023, both newspapers designated by Mayor and Council to receive such notice.

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 was absent

Also present: Mayor Larson, Terry Brady, Sponge Washburn, Michele Inman and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of September 13, 2023 regular meeting.

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

COMMITTEE REPORTS:

FINANCE: Councilman Spark reported as follows:

- The bills for the month were \$539,044.99
- He said the biggest bills were for the Regional School and the Police

PUBLIC WORKS: Councilman Wellington reported as follows:

- Finalized the playground equipment for the bay beach
- Cut back the overgrowth on 3rd Street and the beach trails
- The pavilion is 75% painted-weather and wind had been a factor
- Supplies for the dog park have been ordered and should start installation in December
- Extending walkway to batting cage
- Everything has been taken off the beach

DOCKS AND HARBORS: Councilman Alloway reported as follows:

- Contracts for boat slips are going out tomorrow
- Ramp is down about \$1,500

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

- Beach badge revenue was \$234,405 which was up by about \$20,000
- Dog Park revenue was down about \$270 with the total collected being \$8430
- Pickleball season went well. We had good pickleball attendants
- The revenue for pickleball was about \$9,300 which was about \$1,000 up from last year
- Our beaches fared well due to the good dunes

WATER/SEWER: Councilwoman Foley reported as follows:

- Water tower was being cleaned this fall
- 23rd & 27th Streets will be paved soon
- In the spring, the water main will be replaced, drainage will be added and it will be paved

PUBLIC SAFETY: Councilman Mikuletzky was not at the meeting and no report was given

Motion: Alloway Second: Reynolds All in favor X

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

Motion: Foley Second: Reynolds All in favor X

Allan Canter, 1 West 29th Street, discussed the enforcement of the kayak area. He suggested that the Mayor and Council change the ordinance to only allow Barnegat Light residents. The mayor said that only 5% of the kayaks registered were from out of town.

Rich Brodman, 4 East 10th Street, speaking as the President of the BLTA, said that the organization felt that the \$100 fee was excessive. Then he mentioned the early registration stickers were falling off. Councilwoman Foley asked the Clerk if we ordered new stickers and she replied yes.

Councilwoman Reynolds said there was a small group of people that meet every Monday morning at Jean Birdsall's house. This group was formed to educate people on the many problems of wind turbines. She said if anyone was interested in joining the group, see her or talk to Jean. The mayor said the Birdsall's were doing a good job. She said that free t-shirts were available in sizes small to 3x. One side says SAVE THE WHALES AND DOLPHINS and the other side says SAVE THE JERSEY SHORE. Councilwoman Reynolds brought shirts to the meeting and she said that there were more shirts on a table in front of her house. She added that if anyone wanted to make a donation, they can make them to SAVE LBI. She said that they are taking legal action against the foreign countries that are putting in the wind farms. She said that Melinda Decker was writing public service announcements and she will be increasing the letters that are going in various newspapers.

Mayor Larson said that the LBI Mayors are suing Orsted, the DEP and DPU.

The mayor announced that Barnegat Light was having Trunk or Treat on Monday, October 30th and Councilwoman Foley said there would also be trick or treat at homes on Halloween. He also announced that the Pastor of Saint Peter's will be retiring the first of the year and the church will be looking for a new pastor when he is out.

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

Motion: Wellington Second: Alloway All in favor X

PROCLAMATION:

The mayor said that we had a proclamation for National Friends of Libraries Week. Ann Barkey, President of the Friends of Libraries, thanked the mayor and council for supporting them through this proclamation. She stated that the organization was formed in 1959 and in the 64 years they have grown and thrived. She introduced Laurence Krupinski as the new manager of the Island Branch of the Ocean County Library in Surf City. She is a 15-year veteran of the Ocean County Library.

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			
Alloway			X			
Reynolds		X	X			
Foley	X		X			
Mikuletzky						X

RESOLUTION 2023-088

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

WHEREAS, Betty Lou Allen, Jennifer Fava and Emily Kluender paid the \$500 security deposit for a recreational use permit; and

WHEREAS, Betty Lou Allen, Jennifer Fava and Emily Kluender have requested, in writing, a refund of the paid security deposit.

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 deposits in the amount of \$500.00 each.
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:
Betty Lou Allen Jennifer Fava Emily Kluender
142 Arnold Blvd. 146 Walnford Rd. 65 Melanie Way
High Bar Harbor, NJ 08008 Allentown, NJ 08501 Manahawkin, NJ 08052

RESOLUTION 2023-089

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF SECURITY DEPOSIT TO CERTAIN LIFEGUARDS

WHEREAS, 510 Broadway is designated for lifeguard housing, and

WHEREAS, the lifeguards living at 510 Broadway for the 2023 season were required to submit a \$100.00 security deposit; and

WHEREAS, the property has been inspected and conditions have been deemed acceptable; and

WHEREAS, it is the desire of the Mayor and Borough Council to refund the entire deposit to the lifeguards.

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, as follows:

1. That a certified copy will be forwarded to the Finance Department.
2. That the Finance Department is authorized to refund the security deposits to each of the lifeguards listed below.

Madison Hart, Zak Westerberg, Gavin Schulze, Anna Salamy, John Salamy, Stephen Walsh
Madeleine Cooke, Wilhem Jaffe

RESOLUTION 2023-090

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$539,044.99

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 \$539,044.99 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 2023-091

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH LONG BEACH TOWNSHIP FOR ELECTRICAL, PLUMBING AND FIRE CONSTRUCTION SUB-CODE INSPECTION SERVICES.

WHEREAS, it is the desire of the Borough of Barnegat Light to join in an interlocal service agreement with the Township of Long Beach and the Borough of Ship Bottom for the provision of 3rd Party Electric, Plumbing and Fire Sub-code inspections with Long Beach township acting as the Lead agency; and

WHEREAS, the Township shall secure the third-party sub-code inspection vendor for electric, plumbing and fire pursuant to the Local Public Contract Law to perform such inspection for the Boroughs and Township; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, authorize entering into a Shared Services Agreement with the Township of Long Beach and the Borough of Ship Bottom for 3rd Party Electric, Plumbing and Fire Sub-code inspections. BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are authorized to execute the agreement for 3rd Party inspections.

RESOLUTION 2023-092

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MEETING TO BE CLOSED TO THE PUBLIC FOR THE PURPOSE OF DISCUSSING AND/OR REVIEWING MATTER EXEMPT UNDER THE OPEN PUBLIC MEETINGS ACT IN EXECUTIVE SESSION, SPECIFICALLY FOR THE PURPOSE OF DISCUSSING THE MATTERS IDENTIFIED BELOW; ACTION MAY OR MAY

OR MAY NOT BE TAKEN UPON RETURN TO REGULAR OPEN SESSION:

- personal educational or medical matter; specifically:
- collective bargaining agreement or negotiations with:
- tactics for public safety; specifically:

- pending or anticipated litigation; specifically:
ZONING VIOLATIONS AGAINST THE BOROUGH
- contract negotiations regarding:
- matter involving the employment of a specific current or prospective officer or employee; specifically:
unless (RICE NOTICE) requested to be in public
- OTHER: statutory confidential matter; regarding the right to receive government funds; matter of individual privacy;
- purchase, lease or acquisition of property; investigations of violations of law; any attorney-client privilege matter;
- deliberations after a public hearing; specifically:
INVESTIGATION OF VIOLATIONS OF CHAPTER 207 ARTICLE 1-
BEACH DUNE AREA

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that all meetings of public bodies shall be open to the public at all times, except for certain enumerated exception; and

WHEREAS, according to NJSA 10:4-12(b), a closed executive session of a public body may be convened to discuss matters as noted in the title of this Resolution.

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 Borough of Barnegat Light does hereby authorize a closed executive session to discuss matters identified in the title of this Resolution.

2. That reasonably comprehensible minutes of the closed session shall be taken showing the time and place, the members present, the subjects considered, the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with NJSA 10:4-12.

ORDINANCES:

First Reading:

Ordinance 2023-14 was read by title and the Clerk recorded the votes.

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 FEES RELATED TO THE SAME.

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

CORRESPONDENCE:

A resident urged the council to change the dogs on the beach restriction from September 30 to September 15th. The council decided not to change the date

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Foley Second: Alloway All in Favor X

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK