

**REGULAR MEETING OF MAYOR AND COUNCIL
March 13, 2024**

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 and Beach Haven Times on February 1, 2024.

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

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

Discussion:

Councilman Gutowski discussed the MyBeachMobile app. He was looking into it for possible use at the boat ramp. He said there was no cost to the Borough. The c

Mayor Larson said there was a beach bonfire request for June. The Council discussed this topic. Sponge, Code Enforcement Officer, said that the Fire Company should be notified any time a bonfire has been approved because they get many calls when there are fires. If they were informed, they could let the callers know that the fires are controlled. Terry Brady, Borough Attorney said that our codebook doesn't allow beach bonfires.

Mayor Larson asked if everyone would be ok with the yoga class again this year at the pavilion. He said that we would have a voice vote in the regular meeting.

Mayor Larson asked if anyone had a problem with the new dock and kayak fees. Councilwoman Foley had a question about the revenue. Councilman Gutowski said that we would look at it after a year. The attorney said that this small change would not be a big impact.

Mayor Larson brought up the topic of the lifeguard in training program fees. The ordinance was going to increase the fee from \$150 to \$250 and also change the name to Junior Lifeguards.

Councilman Mikuletzky asked what the hold up for an increase in the LOSAP annual contributions. The mayor said

Mayor Larson asked for a motion to close the Caucus.

On a motion by Foley, 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 Beach haven Times on February 1, 2024.

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 was absent, Wellington was absent, Gutowski, Reynolds, Foley and Mikuletzky

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

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of February 14, 2024 Regular meeting.

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

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of March 7, 2024 Budget Workshop

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

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- Court report a part of the meeting minutes
- Revenue breakdown
- Phone system

WATER/SEWER Councilwoman Foley reported as follows:

- Paving will begin on 23rd and 27th Streets
- Next DOT project will be new mains and street improvement at 21st and 29th
- Water tank inspection results next meeting

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

- Beach badge sales were down \$1000 from last year
- Complaint about dogs and vehicles on the beach at the north end
- \$1100 in paw passes-how many residents have paw passes?

DOCKS AND HARBORS: Councilman Gutowski reported as follows:

- All slips rented at \$110,000
- Spoke to dock employees
- Committee meeting on the 28th -topic scheduling, duties and policy
- Sat in on LBI vs DEP lawsuit
- Committee agreed to introduce a weekly fee of \$75 for the dock

PUBLIC WORKS: Councilman Wellington was not present

FINANCE: Councilman Spark was not present

- Councilwoman Foley reported on the bills that were being paid on behalf of Councilman Spark
- The 2024 budget will be introduced at the April meeting

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

Motion: Reynolds Second: Foley All in favor X

Tim Brindley, 1404 Bayview Avenue, said there were a couple of people locked in the State Park, he told them to call police dispatch but couldn’t get through. They call 911.

Bruce Allen, 1405 Seaview Avenue, on behalf of the Barnegat Light taxpayers Association said that they have discussed the issues with the dune trails. He said that himself, Rich Brodman, Tracey Cameron, Jim Murtaugh and some others were going to meet with Ed Wellington on April 6. The mayor said that he would like to be included.

Melinda Decker, 28 West 3rd Street, Saturday, March 23rd there will be a Beef & Beer fundraiser at the Daymark. She said this event was sponsored by Protect Our Coast NJ. This fundraiser is to oppose offshore Wind. Tickets must be purchased in advance. The mayor said that the clerk would put it on the signboard.

Connie Higgins, 10 East 11th Street, ask the council if they would consider getting a memorial brick for Maria Scandale, the mayor said that he thought about that too. Mrs. Higgins asked if council made a

decision on her double billing for water and sewer. Councilwoman Foley said that it was two separate households and that's why its being considered that way. Mrs. Higgins said that it's only one meter. Councilwoman Foley gave an example of Lighthouse Manor. She said that they only have one meter but all of the owners have a water bill.

Susan Sadowski, 14 West 27 Street, said she had a duplex and understands. She feels it should be on based only on usage. The mayor said that being that we are seasonal, the year-round residents would have to pay a lot more.

Connie Higgins asked if she took out the stove would the home be considered one unit. Terry Brady said that water service has to be made available whether it flows or not. He said that owners that are only here for 6-8 weeks pay the flat rates for the whole year. He said the water is available and if you have a duplex, you have the right to rent it. He added that the Borough cannot go on personal circumstance, it would be unmanageable.

Mike Sadowski, 14 West 27th Street,

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

Motion: Reynolds Second: Foley All in favor X

The Clerk read RESOLUTION 2024-056 by title and recorded the votes.

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$643,420.34

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 \$643,420.34 authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

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

ORDINANCES:

SECOND READING/PUBLIC HEARING/ADOPTION:

Ordinance 2024-02 was read by title and the Clerk.

OPEN PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing for Ordinance 2024-02 Motion: Reynolds Second: Foley All in favor X

There was no public comment.

CLOSE PUBLIC HEARING: Mayor Larson asked for a motion to close the public hearing for Ordinance 2024-02

Motion: Gutowski Second: Reynolds All in favor X

ORDINANCE 2024-02

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY

THE MAYOR AND COUNCIL OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, DO ORDAIN:

SECTION I. All persons employed by the Borough of Barnegat Light shall be paid compensation for that employment as may from time-to-time be fixed by Resolution of the Governing Body of the Borough of Barnegat Light, provided such compensation shall be within the scale of limits herein below set forth:
Annual Unless Noted Otherwise

SECTION II. Salary, wages and scales listed herein shall be effective as of January 1, 2023.

The various employees and personnel of the Borough of Barnegat Light shall be paid salary scales and hourly rates within the framework established below:

CLASSIFICATION	NOT LESS THAN	NOR MORE THAN
Mayor	100.00	12,000.00
Council President	1,200.00	6,000.00
Councilmembers	1,000.00	5,000.00
Administrator	10,000.00	50,000.00
Municipal Clerk	22,500.00	160,000.00
Chief Financial Officer	15,000.00	80,000.00
Tax Collector	500.00	80,000.00
Tax Search Officer	500.00	1,500.00
Utility Collector	500.00	75,000.00
Deputy Municipal Clerk	14,500.00	65,000.00
Qualified Purchasing Agent	2,000.00	10,000.00
Assistant Treasurer	14,500.00	80,000.00
Administrative Clerk	14,500.00	50,000.00
Superintendent Public Works	20,000.00	80,000.00
Superintendent Water Sewer	20,000.00	80,000.00
Assistant Supt. Public Works	20,000.00	80,000.00
Assistant Supt. Water Sewer	20,000.00	80,000.00
Public Works Foreman	20,000.00	70,000.00
Assistant Water Plant Operator	30,000.00	60,000.00
Public Works Repairer	30,000.00	60,000.00
Laborer I	16,000.00	55,000.00
Laborer II	17,000.00	75,000.00
Laborer III	18,000.00	85,000.00
Construction Leader	Min. Wage	60.00 hr
Construction Helper	Min. Wage	25.00 hr
Tax Clerk	8,500.00	45,000.00
Payroll Clerk	1,500.00	7,500.00
General Clerk	4,000.00	35,000.00
Tax Assessor	7,500.00	25,000.00
Assessor's Clerk	1,500.00	5,000.00
Zoning/Code Enforcement Officer	5,000.00	60,000.00
Clean Communities Coordinator	1,000.00	3,000.00
Recycling Coordinator	1,000.00	5,000.00
Planning Board Secretary	1,500.00	4,000.00
Zoning Board Secretary	1,500.00	4,000.00
Construction Code Control Clerk	2,000.00	15,000.00
Municipal Judge	4,000.00	15,000.00
Court Administrator	3,000.00	15,000.00
Deputy Court Administrator	250.00	5,000.00
Violations Clerk	100.00	4,000.00
CRS Coordinator	2,000.00	3,500.00
Safety Coordinator	100.00	3,000.00
Recreation Coordinator	500.00	7,500.00
Deputy Recreation Coordinator	500.00	4,000.00
Emergency Mgt. Coordinator	1,000.00	7,000.00
Deputy Emergency Mgt. Coordinator	1,000.00	5,000.00
Radiological Officer	500.00	3,000.00
Seasonal (part time) Worker	Min. Wage	30.00 hr
Lifeguard Captain	Min. Wage	3,000.00 wk
Lifeguard Administrative Asst.	Min. Wage	1500.00 wk
Lifeguard Lieutenant	Min. Wage	1,200.00 wk

Lifeguard

Min. Wage

1000.00 wk

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

SECOND READING/PUBLIC HEARING/ADOPTION:

Ordinance 2024-03 was read by title and the Clerk.

OPEN PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing for Ordinance 2024-03

Motion: Foley Second: Reynolds All in favor X

Antoniette Murphy, 1702 Central Avenue, asked about the fees in this ordinance. The attorney responded with the fees.

Allen Cantor, 27th Street, gave some history on the nonmotorized area and voiced his opinion regarding the fees for the kayaks. He said that enforcement is one of the issues and he said we should get big red stickers that said "PLEASE REGISTER YOUR KAYAK". He said that for \$1.00 a season he would go periodically and put stickers on nonmotorized vessels that didn't have a registration sticker. He felt that the residents were being penalized. He requested that the council rereview the ordinance. Mayor Larson said we couldn't do that right now because of boat ramp fees, which are in this ordinance, need to be adopted.

Mike Sadowski, West 27th Street, said we have a finite number of boat slips and why not do that with the kayaks. He suggested selling X number of slots, with residents having 1st chance and we would never have a problem again.

CLOSE PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing for Ordinance 2024-03

Motion: Foley Second: Reynolds All in favor X

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

ORDINANCE 2024-03

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 64 OF THE BOROUGH CODE, ENTITLED "BOATING" TO REVISE THE PERSONAL WATERCRAFT AND BOAT RAMP FEES.

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 64-1 of Article I of the Borough Code of the Borough of Barnegat Light, entitled "Boat ramp fees," is hereby amended and supplemented to provide as follows:

Chapter 64
BOATING
Article I
Public Docks and Wharves

§ 64-1. Boat ramp fees.

A. The following fees shall be charged for the use of the municipal boat ramp:

- (1) Daily ramp pass. A fee of \$25 shall be charged for any person to use the municipal boat ramp for a particular boat on a particular day. Any person

wishing to use the municipal boat ramp for more than one boat shall pay an additional \$25 fee for each additional boat.

- (2) Season ramp pass. A fee of \$150 shall be paid for the issuance of a seasonal ramp pass. The owner of a seasonal ramp pass shall be entitled to use the municipal boat ramp during the entire season (April 1 through December 1) without additional charge for one particular boat which he or she owns. The seasonal ramp pass is not transferable from boat to boat, nor to person to person.
 - (3) Commercial ramp pass. A fee of \$250 shall be paid for the issuance of a commercial ramp pass. A commercial ramp pass shall permit its owner to utilize the municipal boat ramp on an unlimited basis without the payment of any additional fees to the Borough of Barnegat Light. A commercial ramp pass shall only be issued to an individual, partnership, company or corporation that owns and operates a marina or engages in the buying, selling, delivery or transfer of boats. The commercial ramp pass is not transferable from one person or legal entity to another person or legal entity.
- B. Fee exemption. The boat ramp fees provided by this section shall not apply to any permittee or lessee of a municipal boat slip or livery regarding the necessary occasional use of the municipal boat ramp for his or her boat(s) duly registered with the Borough in accordance therewith

All other sections, paragraphs and provisions of Article I of Chapter 64 of the Borough Code shall remain in full force and effect.

SECTION 2. Section 64-7 of Article II of the Borough Code of the Borough of Barnegat Light, entitled "Registration of personal watercraft along bayfront areas; regulations," is hereby amended and supplemented to provide as follows:

Chapter 64
BOATING
Article II
Use of Bayfront Area

§ 64-7. Registration of personal watercraft along bayfront areas; regulations.

- A. Any person desiring to moor and/or use the Borough's bayfront area for any boat, kayak or personal watercraft (non-motorized) of any kind may do so only after registering said vessel with the Borough of Barnegat Light annually. The registration application shall set forth the owner's full name, residence address, business address, driver's license number, boat license number, boat state registration number, residence and business telephone numbers and an emergency telephone number. The applicant shall also supply any other information reasonably requested by the Borough Dock Master and/or his assistants. The owner shall keep all of the foregoing information current with the Borough. Registration stickers must be maintained on the watercraft and kept visible to the Borough's attendant.
- B. The annual registration fee shall be as follows:
 1. \$25 for watercraft under 5ft in width
 2. \$100 for watercraft over 5ft in width.
- C. The use of the Borough's Bayfront area shall be limited to 10th to 12th Streets, and 24th to 30th Streets, along the bay. The Bayfront shall not be used for any such mooring or bay access in the off-season from December 1 to April 1.
- D. The Borough will not be responsible for any loss or damage of mooring, tackle, ropes or hardware or any other equipment of the registrant.
- E. The registrant shall not change, alter or install any equipment upon the mooring area. No construction or assembly of any type is permitted on the Borough's Bayfront area.
- F. If the registrant shall violate any of the foregoing conditions or any of the provisions of this Article, the registration shall be immediately terminated, *and the vessel shall be removed*. In the event that *any* vessel must be removed, the registrant *or owner* shall be responsible for all costs and expenses of the Borough associated with the removal of the same, *plus an administrative fee of \$250*.

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

FIRST READING/INTRODUCTION:

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR THE REPLACEMENT OF THE WATER/SEWER MAINS AT WEST 21ST AND WEST 29TH STREETS IN THE BOROUGH AND APPROPRIATING \$600,000 THEREFOR FROM THE BOROUGH'S UTILITY CAPITAL IMPROVEMENT FUND

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

FIRST READING/INTRODUCTION:

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN CONNECTION WITH THE REPLACEMENT OF WATER/SEWER MAINS AT WEST 21ST AND WEST 29TH STREETS IN THE BOROUGH AND APPROPRIATING \$550,000 THEREFOR FROM THE BOROUGH'S GENERAL CAPITAL IMPROVEMENT FUND

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

FIRST READING/INTRODUCTION:

ORDINANCE 2024-06

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
Gutowski			X			
Reynolds	X		X			
Foley			X			
Mikuletzky		X	X			

FIRST READING/INTRODUCTION:

ORDINANCE 2024-07

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 64-1 OF THE BOROUGH CODE, ENTITLED "BOAT RAMP FEES" TO PROVIDE FOR A WEEKLY RAMP PASS.

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

CORRESPONDENCE:

Yoga at the pavilion request from Arielle Ford-approved
 Beach Bonfire from Seth Dornisch-approved

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Foley Second: Gutowski All in Favor X

APPROVED:

 KIRKO. LARSON, MAYOR

 BRENDA L. KUHN, MUNICIPAL CLERK