

REGULAR MEETING OF MAYOR AND COUNCIL
May 8, 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, Wellington, Gutowski, Reynolds, Foley and Mikuletzky

Also present: Mayor Larson, Terry Brady, Sponge Washburn, John Schulze, Kathleen Flanagan, Brian Logan and Brenda Kuhn

Discussion: There was a discussion regarding the tree ordinance that is being mandated by the NJDEP, Bureau of NJPDES Stormwater Permitting and Water Quality Management. The Attorney, Terry Brady, said he would look at our code book to see what’s already existing.

The mayor said that the Townwide Garage Sale will be held on May 18th.

Mayor Larson asked for a motion to close the Caucus. On a motion by Wellington, seconded by Reynolds and carried by all the Caucus Meeting was closed.

THE MEETING of the Mayor and Council was called to order by Mayor Larson at 5:00pm at Borough Hall, 10 East 7th Street, Barnegat Light, NJ. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting was posted on the bulletin board in Borough Hall and was advertised in the Asbury Park Press and 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, Wellington, Gutowski, Reynolds, Foley and Mikuletzky

Also present: Mayor Larson, Terry Brady, Sponge Washburn, John Schulze, Kathleen Flanagan, Brian Logan and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of April 10, 2024 Regular meeting.

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

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- \$1,075.25 was collected in April
- The traffic lights will be coming on before Memorial Day
- The speed limits will be lowered soon

WATER/SEWER Councilwoman Foley reported as follows:

- The water main was replaced on 8th Street
- Paving on 27th & 23rd Streets should be paved next week

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

- Beach badge revenue was up \$337 from this time last year
- Last day to take advantage of the preseason price is June 5
- Paw pass revenue is down
- Reported on the Piping Plover activity on the beach front and restoration area
- No dogs on beach at any time, they are disturbing the Piping Plovers
- Requested police patrolling a couple of days a week, possibly issuing tickets

Sponge Washburn said that he was going to be patrolling the beach. He'll be working with the lifeguards handing out a flyer and will try not to give out tickets in the beginning.

DOCKS AND HARBORS: Councilman Gutowski reported as follows:

- Kathy filled the last boat slip
- Ramp operating on the weekends
- Scallops are coming in from two closed areas
- Talked about the wind farms.
- News out of New York-3 windfarm companies failed to make a deal for the power purchase agreements, but don't get too excited, they will be back
- BOEM is putting out leases for 2026 & 2028

PUBLIC WORKS: Councilman Wellington reported as follows:

- Mobi mats are stacked on the beach and ready to install over the next couple of weeks
- Constructing a shed to house the lifeguard gators
- Balls going out on 9th Street-will assemble 40-50' of 4" high fencing (to keep the kids in)
- Balance of time-grass cutting

FINANCE: Councilman Spark reported as follows:

- Bills approved in the amount of \$1,634,199.87
- Voting tonight to approve the 2024 budget

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

Motion: Reynolds Second: Gutowski All in favor X

Rich Brodman, 4 East 10th Street, said that the Taxpayers Association will be hosting wine and cheese on May 26th and all are welcome. He said that the BLTA will have three general meetings over the summer. There will be someone speaking about the will mills, a representative from the Coast Guard and Reilly P. Sharp, from the Barnegat Light Historical Society. He added that they will have a separate session. The First Aid will talk about the AED and an update on CPR.

Allan Canter, 1 West 29th Street, was very concerned with the spraying of herbicides. He urged the council to ban the use of herbicides in Barnegat Light.

Dave Connelly, 19 West 5th Street, was at the meeting to find out about the 2023 LOSAP distribution. There was a confusion about whether he was asking about an increase in the

Connie Higgins, 10 East 11th Street, has a duplex and is billed for 2 units of water and sewer. She wanted to know if a decision has been made about what defines a kitchen. The attorney will get the answer.

Kevin Phillips, 1009 Central Avenue, said that the Barnegat Light families with children in town do activities together. His son, Dylan, suggested a community vegetable garden. Kevin said that he would like to find a space on public land with water available to do this. Michelle DiAntonio, 19 East 11th Street, said that her mother was a master gardener and she has done this six times and it works out well. She said the vegetables could be donated. She said they already had people that would donate their time. Mayor Larson said that he would take it into consideration. Councilman Gutowski asked if there would be any liability.

Kerith Creo, 21 East 5th Street, said, in reference to the community garden, if children have ideas, we should do our best to support them. She said she would be glad to help with the garden. She also talked about the tree ordinance.

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

Motion: Spark Second: Wellington All in favor X

RESOLUTIONS:

RESOLUTION 2024-065

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE 2024 BUDGET TO BE READ BY TITLE ONLY AT THE TIME OF THE PUBLIC HEARING

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Borough Hall and copies have been made available by the Clerk to persons requiring them; 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, that the conditions have been met therefore the budget shall be read by title only at the time of the public hearing.

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

PUBLIC HEARING:

Councilman Spark said that our budget was going up 0.7. Brian Logan, Auditor, said that a home with an average value of \$823,000 would go up \$55 for 2024.

He added that a home valued at \$1,000,000 would go up \$67 and 1,500,000 would go up \$100. Rich Brodman said it was a bargain.

RESOLUTION 2024-066

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Barnegat Light has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Barnegat Light that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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		X			
Wellington			X			
Gutowski			X			
Reynolds			X			
Foley		X	X			
Mikuletzky			X			

RESOLUTION 2024-067
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTION OF THE 2024 MUNICIPAL BUDGET

SECTION 2 - UPON ADOPTION FOR YEAR 2024

Be it Resolved by the COUNCIL MEMBERS of the BOROUGH of BARNEGAT LIGHT, County of OCEAN, that the Budget, hereinafter set forth, is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 2,289,442.60 (Item 2 below) for municipal purposes, and
 (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:5-2) to be raised by taxation and;
 (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:6-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

(d) \$ 106,388.37 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
 (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
 (f) \$ - (Item 5 below) Minimum Library Tax

RECORDED VOTE (print last name)

Aye: **SPARK
WELLINGTON
GUTOWSKI
REYNOLDS
FOLEY
MIKULETZKY**

Nay: _____

Abstain: _____

Blank: _____

SUMMARY OF REVENUES

General Revenues	Amount	Source
State Aid	1,432,000.00	State
Maintenance Revenue	1,200,244.11	Local
Recycling Fee	2,907.30	Local
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 2)	2,289,442.60	
AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOLS DISTRICTS ONLY	0.00	
AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOLS DISTRICTS ONLY	0.00	
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY	0.00	
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY	0.00	
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	106,388.37	
Total Revenues	5,238,485.08	

Sheet 41

I, **BRENDA L. KUHN**, Municipal Clerk do hereby certify that the foregoing resolution is a true copy of a resolution adopted by the Mayor and Council of the Borough of Barnegat Light on this 8th day of May, 2024 and hereto set my hand and the official seal of the Borough of Barnegat Light.

Brenda L. Kuhn
BRENDA L. KUHN, Municipal Clerk

The remainder of the resolution would be done by consent.

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

RESOLUTION 2024-068

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,635,199.87

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 \$1,635,199.87 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 2024-069

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN EXTENSION 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, Borough of Barnegat Light executed an agreement for shared service agreement in 2023 with four (4) one-year extensions, 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 an extension of the 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, 2024 to April 30, 2024 on or before May 1, 2024.
2. 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 2024-070

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 2024 season; and
WHEREAS, the following is a complete list of 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.

DOCK

Kenny, Edwin	Dock Master	\$18.25
Madsen, Stanley	Assistant Dock Master	\$17.50
Thim, Merrill	Ramp Attendant	\$17.50
Hale, David	Ramp Attendant	\$16.00

TRAM

Lewis, Pete	Tram Driver	\$17.50
Benson, Michael	Tram Driver	\$17.25

BOOTH

Sheehan, Geraldine	Booth Attendant	\$17.50
Kosar, Elaine	Booth Attendant	\$17.50

BEACH BADGES

Britton, Klase	Badge Checker	\$17.00
Riggs, Rafferty	Badge Checker	\$15.75
Reed, Gracyn	Badge Checker	\$15.75
Scholder, Syndey	Badge Checker	\$15.75
Brower, Zachary	Badge Checker	\$15.75

PICKLEBALL

Seguine, Jessica	Attendant	\$17.25
Prisco, Joseph	Attendant	\$17.25

ORDINANCES:

SECOND READING/PUBLIC HEARING/ADOPTION:

Ordinance 2024-08 was read by title and the Clerk.

OPEN PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing for Ordinance 2024-08.

Motion: Wellington Second: Reynolds All in favor X

Connie Higgins asked if everyone had new pits. Mayor Larson said no and that any change in ownership

would require a new pit.

CLOSE PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing.

Motion: Reynolds Second: Wellington All in favor X

ORDINANCE 2024-08

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 153-15 OF THE BOROUGH CODE, ENTITLED "METERS," TO REQUIRE THE INSTALLATION OF STANDARD WATER METER PITS AT THE TIME OF ALL CHANGES IN OWNERSHIP.

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

SECTION 1. Section 153-15 of Article I of Chapter 153 of the Borough Code of the Borough of Barnegat Light, entitled "Meters," is hereby amended and supplemented to provide a revised sub-paragraph (1) of paragraph B to read as follows:

**Chapter 153
SEWERS AND WATER
Article I
Operation and Supervision of Systems**

§ 153-15. Meters.

B. (1) For all new residential construction, changes of ownership (whether legal, equitable or beneficial ownership), replacements of water service and/or major renovations/substantial improvements (exceeds 50% of value of building) of existing residences, the owner/seller shall be required to supply and install a meter pit, a water meter and assembly in accordance with the rules, regulations and specifications of the Borough Water Department.

All other sub-paragraphs and paragraphs of Section 153-15 shall remain in full force and effect.

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.

Passage on First Reading: Date: April 10, 2024

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

ADOPTION:

Final Passage: Date: May 8, 2024

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

SECOND READING/PUBLIC HEARING/ADOPTION:

Ordinance 2024-09 was read by title and the Clerk.

OPEN PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing.

Motion: Foley Second: Reynolds All in favor X

Mayor Larson explained that if a home transfers into trust or any other type of transfer, a new meter pit must be installed to get a Certificate of Occupancy. Tim Brindley asked about being grandfathered in. he was told that it's okay now but if it is sold, transferred, put into a trust, you must put in the new pit. Connie Higgins wanted clarifications on a kitchen on the ground floor. The Zoning Officer said that if she sells the property, it would have to be taken out.

CLOSE PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing.

Motion: Reynolds Second: Wellington All in favor X

ORDINANCE 2024-09

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 215-17 OF THE BOROUGH CODE, ENTITLED "CERTIFICATE OF ZONING OCCUPANCY; TRANSFER OF TITLE TO EXISTING STRUCTURES" TO INCLUDE THE TRANSFER OF LEGAL, EQUITABLE OR BENEFICIAL OWNERSHIP OF 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 215-17 of the Borough Code of the Borough of Barnegat Light, entitled "Certificate of zoning occupancy; transfer of title to existing structures," is hereby amended and supplemented to provide as follows:

Chapter 215
ZONING

§ 215-17 Certificate of zoning occupancy; transfer of title or ownership to existing structures.

- A. Certificate of zoning occupancy required. No transfers of title or legal, equitable or beneficial ownership by an owner or by any other manner, or change in use or occupancy of any real property within the Borough of Barnegat Light shall take place unless and until a new certificate of zoning occupancy has been obtained from the office of the Borough's Zoning Officer for any existing structure located thereon and used for commercial or residential purposes. It shall be the obligation of the record owner of said real property to first obtain the new certificate of zoning occupancy prior to the transfer of title. No person, persons, partnership, firm or corporation, agents, servants or representatives of any of the foregoing shall suffer or allow any person, persons, partnerships, firm or corporation to occupy any structure used for commercial or residential purposes within the Borough without first having obtained a new certificate of zoning occupancy.
- B. Zoning inspection. Prior to the transfer of title or legal, equitable or beneficial ownership of any existing commercial or residential structure, application for a new certificate of zoning occupancy shall be made by the record owner, in writing, to the Borough's Zoning Officer, or any other person designated by him. The applicant shall permit the Borough's Zoning Officer, or any other person designated by him, to enter upon and examine the structure or structures subject to the certificate of occupancy application in order that the Borough's Zoning Officer, or any other person designated by him, may determine if the structure conforms to zoning ordinances of the Borough as a permitted use or, if not a permitted use, then determine if said structure exists as a valid nonconforming use. No certificate of occupancy shall be issued until such inspection shall have been made and a certification filed with the Borough's Zoning Officer, or any other person designated by him, that the use of said building or buildings complies with this chapter or is a valid preexisting nonconforming use. The Borough's Zoning Officer, or any other person designated by him, shall also conduct a plumbing count and visual inspection for any life safety issues which may be present. No certificate of zoning occupancy shall be issued where such inspections are denied or restricted by the property owner or occupant. No certificate of zoning occupancy shall be issued where there exists any life safety violation unless and until the same is corrected.
- C. Application. The applicant shall be required to complete an application to be filed with the Borough's Zoning Officer, and to file said application together with the fee as required by Chapter 21, Land Use Procedures, § 21-46. The application shall also be accompanied by a current plot plan or survey of the property prepared by a licensed surveyor of the State of New Jersey within one year prior to its submission. An elevation certification shall also be required to be submitted with the plot plan or survey. If the plot plan or survey is older than one year, it shall be accompanied by an affidavit, sworn under oath by the applicant, that the plot plan or survey accurately reflects the subject property at the time of the application and that no changes have been made in the property from the condition as shown in the plot plan or survey.

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. This zoning regulation amendment has been initiated by and approved by the Barnegat Light Planning Board at its meeting held on February 15, 2023, in accordance with its referral powers provided by N.J.S.A. 40:55D-26 & -64.

SECTION 3. This ordinance shall be filed in the office of the Ocean County Planning Board.

SECTION 4. 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 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

Passage on First Reading: Date: April 10, 2024

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

ADOPTION:

Final Passage: Date: May 8, 2024

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

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Reynolds Second: Wellington All in Favor X

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK