

REGULAR MEETING OF MAYOR AND COUNCIL
December 11, 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 was on the phone, Foley and Mikuletzky

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

Discussion: Councilman Spark asked for an update on the process of affordable housing. Terry Brady said the Planning Board had the task to adopt and amend the Master Plan, they also have the power to employ an expert, not the council. Councilman Spark asked where we are with the subcommittee that was tasked with the affordable housing issue and how do we address the deadline. Terry Brady said that the Municipal Land Use Law provides that the Planning Board may adopt, amend the master plan and they have the power to contract and expert. The Governing Body must provide for this in their budget. The mayor said that he spoke with Barry Mescolotto, subcommittee, Joe Coronato, Planning Board attorney and Frank Little, Planning Board Engineer, and they agreed that Cameron MacLeod, Affordable Housing expert, who also works with Ship Bottom, would be right for the job. The mayor spoke to Mr. MacLeod and he's ready to go. Councilman Spark asked how we address the deadline. Barry Mescolotto said that Planning Board sent a letter to Mayor and Council recommending that they hire Cameron Macleod to get the housing element in our Master Plan. The end of January deadline is not a deadline for the Planning board. Mr. Macleod will advise and possibly draft a letter accepting the number of units required. Then we get five months to adopt the ordinances and get certification. The topic of fire alarm violations and fees was discussed but nothing was decided.

Mayor Larson asked for a motion to close the Caucus. On a motion by Foley, seconded by Wellington 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 was on the phone, Foley and Mikuletzky

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

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of November 13, 2024 Regular meeting.

	Moved	Second	Aye	Nay	Abstain	Absent
Larson						
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.

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

BUILDING AND ZONING REPORT: Mayor Larson asked for a motion to approve the Building and Zoning Report.

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

Foley		X	X			
Mikuletzky	X		X			

COMMITTEE REPORTS:

FINANCE: Councilman Spark reported as follows:

- Bills being paid amount to \$635,230.88
- Budget meeting tomorrow at 2:00pm

PUBLIC WORKS: Councilman Wellington reported as follows:

- Replaced the furnace at old Borough Hall-dangerous
- Built a platform for AC
- Put up Christmas decorations
- Some of the snowflakes won't light or flickering due to ACE issue on their pole
- Windscreens and volleyball nets are down
- Cleaned beach debris and removed a party area in the dunes

DOCKS AND HARBORS: Councilman Gutowski reported as follows:

- Ramp and kayak revenue up \$8,000
- Kayaks due to be out. The vessels that haven't been removed are a kayak on 10th Street and on 25th Street there's a Sunfish, a paddleboard and a half-sunk paddle boat
- Last day the ramp will be attended is Sunday
- Bathroom is closed and a port-a-potty was installed
- Talked about the State's dredging project for High Bar Harbor and Double Creek channel. He said that some people were concerned about the height. It will be below the cap of the walkway and a barrier is going in to prevent sand from flowing into the inlet. He said don't worry if there are mounds out there because after the 1st of the year, they will do some site work
- There was a contractor using our bulkhead and they were told that there was a permit process.

BEACHES AND PARKS: Councilwoman Foley reported on behalf of Councilwoman Reynolds as follows:

- Beach badges down in 2024 by \$12,827
- Dog park down \$960
- Pickleball down \$870

WATER/SEWER Councilwoman Foley reported as follows:

- Annual water sample completed and passed
- Water/sewer department cleaned out catch basins
- Fire hydrant replacement will begin soon
- 21st & 29th Street main replacement will begin in the spring
- LBT is looking into LEAP grant water vacuum truck which would require a shared service agreement, Stuart would like to join them
- Stafford installing a mono-pole. Frank, Stuart and Mary Ellen to meet with them
- Pros, cons and cost

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- Wants to make the Court report a part of the minutes
- Court brought in \$3,692.73
- Fire Company had 4 calls since last meeting which included a pole fire, wires down, gas leak and CO alarm. 19.5 hours
- FC just purchased new air packs for \$120,000

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

Motion: Mikuletzky Second: Gutowski All in favor X

Tim Brindley, 1404 Bayview Avenue, said his son join the Fire Company and has just acquired a fire suit. He said the Santa and tree lighting event seems to get bigger each year.

Rich Brodman, 4 East 10th Street, Barnegat Light Taxpayers Association President, said he was also a member of the joint council. The joint council had a meeting with the Ocean County Administrator who explained the tax increase. He was very informative and therefore the BLTA would like to have him as a speaker at their June or July meeting.

John Tennyson, 6 West 22 Street, asked if there would be a cap on the legal services for Affordable Housing planner? The mayor said that the planning board attorney and engineer almost have this done. The Affordable Housing Counsel will just be overseeing. Councilman Spark asked who would write the ordinance. Mayor Larson said that there will be two ordinances.

Mayor Larson said that Cece passed the Municipal Clerk’s exam. She thanked council for the education.

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

Motion: Spark Second: Wellington All in favor X

RESOLUTIONS:

There was a question on the Emergency Repairs contract, Councilwoman Foley explained that it would only be used in the case of emergency.

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	X			
Gutowski			X			
Reynolds			X			
Foley			X			
Mikuletzky			X			

(AMENDED)

RESOLUTION 2024-117

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CANCELING VARIOUS GENERAL CAPITAL AND UTILITY CAPITAL IMPROVEMENT APPROPRIATION BALANCES FOR COMPLETED PROJECTS

WHEREAS, various General Capital and Utility Capital Improvement appropriation balances remain dedicated to projects which have now been completed; and

WHEREAS, it is necessary to formally cancel said balances in order that the unexpended balances may be returned to the General Capital and Utility Capital Improvement Fund or credited to Surplus, and any unused debt authorizations may be canceled; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to cancel the unused and unexpended General Capital and Utility Capital Improvement appropriation balances for projects which have now been completed.

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

1. That the following unexpended and dedicated balances of General Capital and Utility Capital Improvement appropriations shall be cancelled:

<u>PROJECT DESCRIPTION</u>	<u>AMT.CANCELED</u>
Coast Guard Building Phase IV \$	662.60
Mower	\$ 8,184.56
Concert Pavilion Phase 2	\$ 1,263.25
8th Street Improvements	\$ 4,647.22

2. That any unexpended balances may be returned to the General Capital and Utility Capital Improvement Fund or credited to Surplus and any unused debt authorizations may be canceled.

3. That a copy of this resolution shall be forwarded to the Borough Treasurer and the Borough Auditor.

RESOLUTION 2024-120

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the Borough of Barnegat Light to enter into a contract for the provision of certain governmental services with the County of Ocean; and
WHEREAS, N.J.S.A. 40:8A-4 requires such a contract to be authorized by resolution; and
WHEREAS, it is the desire of the Mayor and Council of the Borough of Barnegat Light to authorize the execution of a contract with the Ocean County Board of Health for Animal Facility Services for 2024.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, that the agreement entitled "CONTRACT FOR ANIMAL FACILITY SERVICES", be executed by the Mayor and Borough Clerk in accordance with the provisions of law.

RESOLUTION 2024-121

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING REFUND OF BOAT SLIP FEE

WHEREAS, Eric J. Henhaffer leased a boat slip for one week in the amount of \$125.00; and
WHEREAS, due to unforeseen weather circumstances, Mr. Henhaffer's vessel never occupied the slip; and
WHEREAS, Mr. Henhaffer has requested, in writing, a full refund.

NOW, THEREFORE, BE IT RESOLVED, that the amount of \$125.00 should be refunded to: Eric J, Henhaffer
159 Hooton Road
Mount Laurel, NJ 08054

RESOLUTION 2024-122

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A STAND-BY CONTRACT FOR EMERGENCY WATER & SEWER REPAIRS TO SHORE CONNECTION INC.

WHEREAS, the Borough of Barnegat Light duly advertised for the receipt of bids for a stand-by contract for any necessary emergency water & sewer repairs; and WHEREAS, at the time, place and date set for the receipt of bids, formal bids were received by the Borough as follows:

Shore Connection Inc.	\$138,702.00
Mathis Construction Co.	\$140,213.13
Earl Asphalt Co.	\$170,981.00
J. Fletcher Creamer & Sons	\$291,307.00

WHEREAS, said bids were taken under advisement and have been reviewed by the Borough Engineer and it has been determined that Shore Connection Inc. submitted the lowest responsible bid in accordance with the bid specifications, said bid being in the amount of \$138,702.00; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Barnegat Light to award a stand-by contract for any necessary emergency repairs to Shore Connection Inc., the lowest bidder.

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 Mayor & Borough Council of the Borough of Barnegat Light do hereby award a stand-by contract for any necessary emergency repairs to Shore Connection Inc. at the price of \$138,702.00.

2. That the Mayor and Borough Clerk are hereby authorized to execute an agreement with Shore Connection Inc. for said project, said agreement to be in conformance with bid specifications and bid submitted by Shore Connection Inc.

3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following line-item appropriations or ordinances constitute the availability of funds for this contract:

Dedicated Water-Sewer Utility Budget
Other Expenses

4. That a certified copy of this resolution shall be forwarded to Shore Connection Inc., the Borough Superintendent of Public Works, the Chief Financial Officer and the Borough Engineer

DATED: December 11, 2024

RESOLUTION 2024-123

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY,
OPPOSING THE TOLL INCREASES SCHEDULED FOR THE GARDEN STATE PARKWAY AND THE NEW JERSEY TURNPIKE

WHEREAS, the New Jersey Turnpike Authority has scheduled 3% increases in the tolls for the Garden State Parkway and the New Jersey Turnpike, effective January 2025; and
 WHEREAS, these toll increases represent the 5th such increase in less than 5 years; and
 WHEREAS, Ocean County residents will be forced to pay a disproportionate share of these toll increases, due to the lack of public transportation and our reliance on state highways; and
 WHEREAS, these increases will also have a disproportionate impact upon our large population of commuters and senior citizens; the toll increases will also deter tourist visitors to our area, which is a large sector of the local economy; and
 WHEREAS, the Governor has the Constitutional authority to veto the toll increases of the New Jersey Turnpike Authority.
 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 Borough of Barnegat Light does strongly oppose the toll increases for the Garden State Parkway and the New Jersey Turnpike, being imposed by the New Jersey Turnpike Authority.

BE IT RESOLVED that the Mayor and Borough Council do hereby further petition the Governor of the State of New Jersey to veto the.

BE IT RESOLVED That certified copies of this resolution shall be forwarded to the New Jersey Turnpike Authority, our State 9th District Legislative team of Senator Amato and Assembly members Rumpf and Myhre, the Ocean County Board of Commissioners.

RESOLUTION 2024-124

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$635,203.88

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 \$635,203.88 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 2024-125

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF APPROPRIATIONS ACCORDING TO 40A:4-58

WHEREAS, the Borough of Barnegat Light in the County of Ocean and State of New Jersey finds it necessary to transfer money from certain 2024 budget appropriations to carry on and pay its obligations and that such transfers are permitted by law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light that the Treasurer is hereby authorized to make the following transfers:

CURRENT FUND:

FROM:

Municipal Court	OE	\$5,000.00
Gasoline	OE	\$5,500.00
Lifeguard	OE	\$3,360.00

TO:

Social Security	OE	\$5,000.00
Lifeguard	SW	\$8,860.00

ORDINANCES:

SECOND READING/PUBLIC HEARING/ADOPTION:

Ordinance 2024-14 was read by title.

OPEN PUBLIC HEARING: Mayor Larson asked for a motion to open the public hearing for Ordinance 2024-14

Motion: Foley Second: Spark All in favor X
 There was no public comment.

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

Motion: Wellington Second: Gutowski All in favor X

Final Passage: Date: December 11, 2024

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Wellington			X			
Gutowski			X			

Reynolds			X			
Foley	X		X			
Mikuletzky			X			

ORDINANCE 2024-14

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO PROVIDE FOR REVISED BEACH BADGE 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 144-8 of the Borough Code of the Borough of Barnegat Light, entitled "Fees," is hereby amended and supplemented to provide as follows:

Chapter 144
RECREATION AND PUBLIC RESORT AREAS

Article I
Beaches

§ 144-8. Fees.

In order to provide the necessary funds to improve, maintain and police the beaches, including the employment of lifeguards and purchase of necessary equipment for the protection and safeguard of bathers, the following fees shall be charged for the facilities:

- A. Daily beach badge, or any fractional part thereof, during bathing season: \$10.00 per day.
- B. Weekly beach badge, for any calendar week or any fractional part thereof, during the bathing season: \$25.00 per person.
- C. Preseason beach badge, for the entire bathing season or any fractional part thereof: \$40.00 per person, provided that application is made to the Borough in the manner prescribed on or before the date determined by the Beaches and Parks Committee and approved by Council annually.
- D. Holiday/Preseason beach badge (in holiday package), for the entire bathing season or any fractional part thereof: \$42.00 per person, provided that application is made to the Borough in the manner prescribed on or before December 31st preceding the bathing season (until supplies last).
- E. Seasonal beach badge, for the entire bathing season or any fractional part thereof: \$50.00 per person, provided that application is made to the Borough in the manner prescribed after the date determined by the Beaches and Parks Committee annually.
- F. Children under the age of 12 years: no fee.
- G. Adults 65 years of age or older, for a seasonal beach badge: \$12.00 per person, provided that the applicant furnishes at the time of application appropriate proof of age to the satisfaction of the Borough.
- H. Adults 62 years of age or older who have previously obtained a lifetime beach badge pursuant to prior ordinances may continue to use the same for free access to the beach. No such badge, however, shall be issued now or in the future.
- I. Persons who meet the disability criteria for disability benefits under Subchapter II of the federal Social Security Act (42 U.S.C. § 401 et seq.): no fee.
- J. Persons in active military service in any of the Armed Forces of the United States and their spouse or dependent children over the age of 12 years: no fee.
- K. Persons who are active members of the New Jersey National Guard who have completed initial active duty training and to their spouse or dependent children over the age of 12 years: no fee.
- L. Persons who have served in any of the Armed Forces of the United States and who were honorably discharged and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of a service-incurred injury or disability: no fee.
- M. Persons holding a driver's license or identification card with a Gold Star Family designation issued pursuant to N.J.S.A. 39:3-10f6 or N.J.S.A. 39:3-29.3 (spouse, domestic partner, parent, sibling, child, legal guardian or legal custodian of a member of the Armed Forces of the United States or National Guard, who lost his/her life while on active duty): no fee.

SECTION 2. All ordinances or 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.

FIRST READING/INTRODUCTION:

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Foley Second: Wellington All in Favor X

APPROVED:

KIRK O. LARSON, MAYOR

BRENDA L. KUHN, MUNICIPAL CLERK