

**SPECIAL MEETING OF MAYOR AND COUNCIL**  
**January 24, 2025**

THE SPECIAL MEETING of the Mayor and Council was called to order by Mayor Larson at 1:00pm at the at the Barnegat Light Borough Hall, 10 East 7<sup>th</sup> 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 a 48-hour notice was transmitted to the Asbury Park Press and the Beach Haven Times on January 22, 2025.

Pledge of Allegiance

ROLL CALL: Wellington, Gutowski, Reynolds, Foley and Mikuletzky

ABSENT: Spark

Also present: Mayor Larson, Sponge Washburn and Brenda Kuhn

Mayor Larson called the meeting to address two main concerns: sinkholes at the jetty caused by sand deposition from the DOT dredging project and the Piping Plover habitat managed by DEP Fish and Wildlife. He thanked the First Aid Squad and Fire Company for alerting the media about the dangerous situation. Reynolds updated the public on the Piping Plover project, confirming that the state received funding to complete the original habitat plan, which includes a berm. Although much vegetation was removed, Reynolds emphasized that it was necessary for the birds. Larson noted that the council did not approve the project, as the property is state-owned. Regarding the jetty, Gutowski explained that the water pressure from the dredging caused the mat to overflow, leading to sinkholes. The area is fenced off and being monitored by the state. Gutowski suggested that the town could file complaints and monitor the situation. Wellington voiced frustration about the effectiveness of the Piping Plover project and encouraged the public to attend a meeting on February 8th with Todd Pover, the biologist leading the project, to discuss concerns.

At this time, Mayor Larson asked for a motion to open to the public. A motion was made by Maryellen Foley and all were in favor.

Joy Luedtke of 20 East 7<sup>th</sup> St. shared that she spoke with Todd Pover and agreed with Wellington's view that concerned citizens should attend the February 8th meeting. Luedtke mentioned that Pover stated that, from the state's perspective, piping plovers take precedence over other species in Barnegat Light. She also asked Pover if an Environmental Impact Study was conducted before bulldozing the maritime forest that had previously protected homes during Superstorm Sandy, but he declined to answer. Luedtke expressed frustration with the project's execution and noted that she had contacted multiple state officials and politicians. She emphasized the need for the community to collectively voice their concerns.

Preben Knapp from 608 Central inquired if the council could file an injunction to halt further actions on the project. Mayor Larson responded that because piping plovers are an endangered species, the state has broad authority. Knapp also questioned why the community wasn't informed about the state's plans, given that the council was notified in November, as this could have allowed for protests to be organized.

Michael Sullivan of 2002 Bayview expressed that he wanted to make sure this project did not involve the town. It was confirmed that this was in fact a state project.

Chris Auda of 15 West 26th raised concerns about the removal of vegetation on the beachfront, noting that it is leaving the town more vulnerable to winter storm conditions. He also expressed worry about sinkholes and asked if the town could request the state to return and grade those areas to address the dangerous conditions.

Tim Brindley of 1404 Bayview expressed gratitude for the town's involvement in addressing these issues. While acknowledging that the state's actions are driven by the need to protect endangered species, he emphasized the importance of the town advocating for the protection of Barnegat Light's forests.

Larry McGearty of 704 Central inquired if the public could help build a berm at the piping plover project site. Mayor Larson responded that he didn't think the state would permit it. McGearty then clarified that he was referring to the boundaries of the project area, not the state-owned area.

Tracey Cameron of 13 West 5<sup>th</sup> Street asked if the meeting could have been held earlier to inform the public about the project sooner, and other members of the public agreed. Knapp inquired if the Borough had received a letter in November about the project. Wellington explained that the organization leading the project has been active since 2019, doing work on the pond each year, and that the November notice was a routine courtesy, though this year's work is more extensive than before. Both Wellington and Mayor Larson stated they were unaware of the full scope of the work and assured the public they are on the same side, doing their best to handle the situation.

William Buzby from 20 West 4th Street expressed concerns about distinguishing between state-owned and town-owned land, asking if the borough could obtain something that clearly defines these boundaries. Wellington consulted the town engineer, who confirmed that the old maps show these delineations. Wellington then asked the council if it would be possible to allocate funds for updated maps reflecting current property lines. He also explained that the state and organizations involved in the project are permitted to work on state-owned land, and he doesn't believe their intentions are to encroach on borough property.

Mary Thompson from 13 West 4th Street asked the council to act as representatives and more strongly express the public's concerns to the organizations involved. Wellington agreed with her point, also suggesting that the Taxpayers Association has valuable resources for this purpose. Mayor Larson also agreed with the suggestion.

Luedtke read an email sent to Brenda Kuhn and Dottie Reynolds in November 2024, which outlined the acreage to be cleared and regraded. Reynolds explained that the town receives a routine courtesy notice each year about state work, and this notice didn't raise any concerns. She also clarified that not all of the council received the email and emphasized that there was no intention to deceive the public.

Mayor Larson reminded the public that the piping plovers are an endangered species and that this furthers complications pertaining to the state.

Knapp asked if the Taxpayers Association would have the council's full support if they took action against the state. The council agreed to support the association, but with the condition that they would not commit taxpayer money to the effort at this time.

At this time Mayor Larson asked for a motion to close to the public. A motion was made by Foley and all were in favor.

There being no further business Mayor Larson asked for a motion to close. A motion was made by Wellington and all were in favor.

APPROVED:

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KIRK O. LARSON, MAYOR

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BRENDA L. KUHN, MUNICIPAL CLERK