

MEETING OF MAYOR AND COUNCIL
February 12, 2025

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 January 23, 2025.

ROLL CALL: Spark, Wellington was absent, Gutowski, Reynolds, Foley and Mikuletzky
Also present: Mayor Larson, Terry Brady, Sponge Washburn, Kathleen Flanagan, Ed Seeger, Cece Mattina and Brenda Kuhn

Mayor Larson said he wanted to address a pending law which would increase the building starting point which is now 9' to 14' above BFE.

Sponge Washburn said that the Borough may want to start thinking about what we will do about raising building heights to allow for this 5' increase.

Mayor Larson showed concerned about historic buildings in the state that could be affected. He went on to say, if someone had a kitchen fire, with the cost of building materials, the assessed value of the home could be greater than 50% therefore they would have to abide by the new flood standards and raise the home.

Sponge was concerned about the effect on flood insurance.

Councilman Gutowski explained that with the typical reverse living, construction to rebuild, would require the 1st floor to start at 14', therefore, you cannot get the floors that you had.

The mayor said that this would go into effect on August 1, 2025. Sponge shared that there are 6-7 lawsuits trying to stop it from Cape May up but it doesn't look like it will be stopped. Mayor Larson said that is has already been signed by Senate, Assembly and the Governor.

Mayor Larson said this was something we really have to think about. We should write letters to local assembly and ask them if this was really happening. Height is always a big issue with Barnegat Light.

Terry Brady, Municipal Attorney, said that some towns have had appraisers come in and appraise the building higher so that the first floor would not have to start at 14'.

Sponge said the main thing to do is to stay on top of this and be proactive.

Mayor Larson asked if everyone knew our Tax assessor, Ed Seeger. He said that Ed would be working on the revaluation of the town.

Mayor Larson asked for a motion to close the Caucus. On a motion by Foley, seconded by Spark 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 January 23, 2025.

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 was absent, Gutowski, Reynolds, Foley and Mikuletzky
Also present: Mayor Larson, Terry Brady, Sponge Washburn, Kathleen Flanagan, Ed Seeger, Cece Mattina and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of January 3, 2025 Reorganization meeting.

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

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of January 8, 2025 meeting.

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

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of January 24, 2025 Special meeting.

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		X			
Foley		X	X			
Mikuletzky			X			

COMMITTEE REPORTS:

BEACHES AND PARKS: Councilwoman Reynolds reported as follows:

- Beach badge revenue down from last year approximately \$1000
- \$714 has been collected for holiday badges
- Be sure to renew your dog licenses and paw passes

DOCKS AND HARBORS: Councilman Gutowski reported as:

- All boat slips have been rented and paid
- Replacement of the walkways at the south side of the boat slip area is almost completed
- In addition, there will be a cut through in the bulkhead to add a finger pier on the south side, which will be more functional and safer.
- Positive news regarding wind energy, Shell pulled out, \$3,000,000 off the table

FINANCE: Councilman Spark reported as follows:

- Worked on 2025 budget before this meeting, everything is looking good
- Approved bills in the amount of \$1,859,157.04
- Big ticket items were the Ocean Co. tax levy and the regional school tax

WATER/SEWER: Councilwoman Foley reported as follows:

- NJ Natural Gas putting in additional valves to turn off gas easily in case of a fire

PUBLIC SAFETY: Councilman Mikuletzky reported as follows:

- Make the court a part of the meeting minutes
- Reported on court revenue- court brought in \$656.60
- Fire Company had 14 calls for the month, 16 from beginning of the year (2 gas leaks, 1 chimney fire, 1 lift assist, 1 motor vehicle accident and 9 fire alarms)
- The calls totaled 62 man-hours
- 4 drills totaled 127 man-hours (ice rescue and normal operations)

PUBLIC WORKS: Councilman Wellington was absent and no report was given

Mayor Larson announced that Lee Anne Oros has been voted to fill the LBI School Board vacancy due to the passing of Marilyn Wasilewski. 5-3 vote. (until the general election)

COMMUNITY DEVELOPMENT BLOCK GRANT/2ND MEETING/PUBLIC HEARING

The Municipal Clerk explain that that the Borough applied for the Community Development Block Grant. Proposed CDBG Project: Retrofit new ADA accessible restroom and construct access ramp at the Old Borough Hall. Total project cost \$45,000.

Mayor Larson asked for a motion to open to the public. Gutowski made a motion and it was seconded by Foley.

Tim Brindley of 1404 Bayview Avenue inquired when it would be open to the public. The council was unsure of the date. Mayor Larson asked if anyone else had any questions, being none, he asked for a motion to close. There was a motion by Gutowski and second from Foley. All were in favor.

Mayor Larson said the playground, pickleball courts and tennis courts will have a bathroom.

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

Motion: Spark Second: Foley All in favor X

Connie Higgins, 10 East 11th Street, wanted to know if the wind project was dead.

Gutowski said “no”. He explained that there were setbacks. It is not dead but it’s not going full steam ahead. He went on to say, Governor Murphy pulled the last solicitation for leases because there is trouble on the horizon. His opinion was that if the subsidies go away, the wind will go away because it just doesn’t work

economically. He added, with Shell pulling out, it will be very difficult for Atlantic Shores and there is pressure on BOEM. He said that there are a lot of positives.

Mayor Larson said that he read that there were over 600 strandings (whales and dolphins) off the shores of Massachusetts and Rhode Island.

On a different topic, Mrs. Higgins inquired about a tax relief program that she saw in the paper. She was under the impression that seniors could get half of their property taxes back. She asked if that was true. The Clerk said that there was a new tax relief program called StayNJ but didn't have many details about it.

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

Motion: Spark Second: Foley All in favor X

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

RESOLUTION 2025-051

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,859,157.04

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 \$1,859,157.04 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 2025-052

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF ATAX OVERPAYMENT

WHEREAS, Corelogic Tax Services and American Abstract paid 4th quarter taxes on Block 24 Lot 1, 2 West 12th Street; and

WHEREAS, Corelogic Tax Services has requested, in writing, a refund in the amount of \$1,208.53.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Barnegat Light Tax Collector be authorized to reverse the duplicate payment.
2. That the Barnegat Light CFO be authorized to refund the payment.
3. That certified copies will be forwarded to the Tax Collector and CFO
4. That the check in the amount of \$1,208.53 will be mailed to:

CoreLogic Refunds Department
3001 Hackberry Road
Irving, TX 75063

RESOLUTION 2025-053

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, adopting the 2025 updated employee handbook.

WHEREAS, as part of the requirements to be eligible for Insurance Coverage as a member of the Ocean County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, it is necessary for the Borough of Barnegat Light to review and/or update its Personnel Policy annually; and

WHEREAS, various changes to the EMPLOYEE PERSONNEL POLICY are needed as a result of collective bargaining negotiations and other employee practice changes; and

WHEREAS, it is the desire of the Mayor and Borough Council to make an annual review and update of its EMPLOYEE PERSONNEL POLICY.

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 and Borough Council do hereby adopt the Borough of Barnegat Light 2025 EMPLOYEE PERSONNEL POLICY, copies of which are on file in the Borough Clerk's Office.

2. That copies of the Borough of Barnegat 2025 EMPLOYEE PERSONNEL POLICY shall be supplied to all officers and employees of the Borough of Barnegat Light, and to the Ocean County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.

RESOLUTION 2025-054

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER – 1 TO THE 2022 ROAD IMPROVEMENT PROJECT-w. 8TH STREET CONTRACT WITH Shore Connection, Inc., for the as-built QUANTITY AND FIELD CONDITIONS adjustments

WHEREAS, a contract was previously awarded to Shore Connection, Inc. for the 2022 Road Improvement Project & Utility Replacement Project for West 8th Street and in the amount of \$697,865; and

WHEREAS, the Mayor and Borough Council wish to authorize a change order which will result in a reduction of \$-12,685 in the contract price, consisting of as-built quantity and field condition adjustments; and

WHEREAS, this change order amounts to an increase of 4.76% of the original contract awarded to Shore Connection, Inc.; and

WHEREAS, this change order has been recommended by the Borough Engineer and agreed to by the contractor.

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 and Borough Council of the Borough of Barnegat Light do hereby authorize the execution of Change Order Number 2 to the contract with Shore Connection, Inc. the 2022 Road Improvement Project & Utility Replacement Project-West 8th Street, to provide for a decrease of the contract price from \$745,565 to \$732,800 or a net decrease in the contract price in the net amount of \$-12,685, for final as-built quantity and field conditions adjustments.
2. The Mayor and Borough Clerk are hereby authorized to execute Change Order Number 2, a copy of which is attached hereto & is incorporated herein by reference.
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:

Barnegat Light Bond Ordinances
2023-08
2023-09

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

RESOLUTION 2025-055

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 2025 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	\$18.50
Madsen, Stanley	Assistant Dock Master	\$17.75
Thim, Merrill	Ramp Attendant	\$17.75

TRAM

Lewis, Pete	Tram Driver	\$17.75
Benson, Michael	Tram Driver	\$17.50

BOOTH

Kosar, Elaine	Booth Attendant	\$17.50
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ORDINANCES:

Second Reading/Public Hearing: 2025-01

The Clerk said that Ordinance 2025-01 was passed on first reading at the January 8, 2025 meeting and there will be a public hearing. She read the Ordinance by number and title.

ORDINANCE OF THE BOUROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriations and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Barnegat Light_in the County of Ocean finds it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$26,524.36 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Barnegat Light, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Borough of_Barnegat Light shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$92,835.26, and that the CY 2025 municipal budget for the Borough of Barnegat Light_be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Public Hearing: Motion: Mikuletzky Second: Foley
There was no public comments.

Close Public Hearing: Motion: Spark Second: Foley
Mayor Larson asked for a motion to adopt.

ADOPTION:

Final Passage: 2025-01 February 12, 2025

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

First Reading:

Ordinance 2025-02 was read by title and the Clerk recorded the votes.

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"

Introduction: 2025-02 February 12, 2025

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

First Reading:

Ordinance 2025-03 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 THE BOROUGH ZONING CODE TO REVISE THE BUILDING HEIGHT LIMITATIONS IN THE MARINE COMMERCIAL ZONE.

Introduction: 2025-03 February 12, 2025

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

CORRESPONDENCE:

Judie Putt- Resume Zumba Classes-May through October Wednesdays 10:30-11:30
All in Favor X

Skatepark Workshop Request-Fellowship of Christian Athletes
All in Favor X

MATES request for 2 beach badges-denied

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Foley Second: Gutowski All in Favor X

APPROVED:

Kirk O. Larson, Mayor

Brenda L. Kuhn, Municipal Clerk