

**MEETING MINUTES
BARNEGAT LIGHT PLANNING BOARD
JANUARY 15, 2020**

Planning Board Secretary Elaine Tollison called the meeting to order and said that adequate notice of this meeting has been published and posted in accordance with requirements set forth in the New Jersey Open Public Meetings Act.

The oath of office was administered to: Frank Mikuletzky, Richard Manookian, Jeffrey Washburn & Barry Mescolotto

Roll Call: Washburn, Larson, Mikuletzky, Gutowski, Manookian, Sulock, Mescolotto
Absent: Patterson, Mears
Due to absences, Mescolotto sat on the board
Also present: Joseph Coronato, Sr, Esq. & Elaine Tollison

Pledge of Allegiance followed

Nominations for Chairman

On a motion made by Gutowski and seconded by Larson, Richard Manookian nominated for Chairman. No other nominations were forthcoming, and nominations were closed.

Motion: Gutowski

Second: Larson

Ayes: Washburn, Larson, Mikuletzky, Gutowski, Sulock, Mescolotto

Nays: None

Abstain: Manookian

Absent: Patterson, Mears

Nominations for Vice Chairman

On a motion by Larson and seconded by Mescolotto, James Gutowski was nominated for Vice Chairman. No other nominations were forthcoming, and nominations were closed.

Motion: Larson

Second: Mescolotto

Ayes: Washburn, Larson, Mikuletzky, Manookian, Sulock, Mescolotto

Nays: None

Abstain: Gutowski

Absent: Patterson, Mears

Approve Minutes March 20, 2019

On a motion made by Manookian, and seconded by Gutowski to approve the minutes.

Motion: Manookian

Second: Gutowski

Ayes: Washburn, Gutowski, Manookian, Sulock

Nays: None

Abstain: Larson, Mikuletzky, Mescolotto

Absent: Patterson, Mears

Note: The agenda had the wrong resolution numbers on it. The secretary stated that the vote was for the correct resolution numbers not the numbers stated on the agenda

Resolution 2020-01 Set time and date of meetings

On a motion made by Larson and seconded by Washburn to approve the resolution

Motion: Larson

Second: Washburn

Ayes: Washburn, Larson, Mikuletzky, Gutowski, Manookian, Sulock, Mescolotto

Nays: None

Abstain: None

Absent: Patterson, Mears

RESOLUTION 2020-01

**RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF BARNEGAT LIGHT, COUNTY OF
OCEAN, STATE OF NEW JERSEY, SETTING THE
TIME, DATE AND PLACE OF THE MEETINGS**

WHEREAS, the Planning Board of the Borough of Barnegat Light is a public body, which convenes regular meetings for the purpose of action on applications submitted to it pursuant to N.J.S.A. 40:55D-1, et. seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq. mandates that the public be advised of all regular meeting dates; and

WHEREAS, the Board proposes to conduct regular meetings on the dates hereinafter specified with each meeting to be convened at 5:00pm at the Borough Hall, 10 East 7th Street, Barnegat Light, NJ 08006.

NOW THEREFORE BE IT RESOLVED, this 15th day of January, 2020 as follows:

1. The board shall meet on the following dates:
February 19, March 18, April 15, May 20, June 17,
July 15, August 19, September 16, October 21,
November 18, December 16 and Organization 2021 on January 20, 2021.

The Meetings will take place at 5:00pm on the above mentioned dates, at the Borough Hall, 10 East 7th Street, Barnegat Light, NJ.

2. The notice shall be:

Prominently posted in at least one (1) place reserved for similar announcements. Mailed, telephoned or hand delivered to at least two (2) newspapers, which newspapers shall be designated by the public body to receive such notices because they have the greatest likelihood of informing the public within the area of jurisdiction of the public body of such meetings. Filed with the Borough Clerk as well.

3. The notice mentioned in paragraph two (2) hereof is to be given within seven (7) days of the date.

4. Notwithstanding anything contained herein to the contrary, the Board may call special meetings upon giving at least 48 hours advance notice in the manner specified in paragraph two of this resolution.

DATED: JANUARY 15, 2020

MOTION: LARSON

SECOND: WASHBURN

**VOTE:AYES:WASHBURN,LARSON,MIKULETZKY,GUTOWSKI,MANOOKIAN,
SULOCK,MESCOLOTTO**

NAYS: NONE

ABSENT: PATTERSON, MEARS

ABSTAIN: NONE

ELAINE TOLLISON
PLANNING BOARD SECRETARY

Resolution 2020-02 Planning Board Attorney

On a motion made by Larson and seconded by Manookian to approve the resolution

Motion: Larson

Second: Manookian

Ayes: Washburn, Larson, Mikuletzky, Gutowski, Manookian, Sulock, Mescolotto

Nays: None

Abstain: None

Absent: Patterson, Mears

RESOLUTION 2020-02

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE AWARDED OF A PROFESSIONAL
SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING
OR FAIR & OPEN ADVERTISING
- PLANNING BOARD ATTORNEY**

WHEREAS, there exists a need for the services of a Planning Board Attorney for a one-year term; and

WHEREAS, the Borough of Barnegat Light has determined that its professional services contractors do not make reportable political contributions to municipal candidates so as to otherwise require fair and open contract advertising pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Borough Chief Financial Officer has determined and certified in writing

that the value of is contract will not exceed \$17,500; and

WHEREAS, Joseph D. Coronato, Sr. Esquire and Joseph D. Coronato Jr., Esq. of Coronato Law is qualified to hold the position of Planning Board Attorney in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the NJ Campaign Contributions & Expenditures Reporting Act, NJSA 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, as follows:

1. Joseph D. Coronato, Sr. Esquire and Joseph D. Coronato Jr., Esq. of Coronato Law is hereby appointed Planning Board Attorney for the Borough of Barnegat Light for the year 2020. This contract for professional services is awarded without competitive bidding or advertising under the provisions of the Local Public Contracts Law and the NJ Campaign Contributions & Expenditures Reporting Act.

2. That the Determination of Value shall be placed on file with this resolution.

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

Temporary Budget Planning Board O and E

4. That a Notice of Contract Award shall be published in accordance with NJSA 40A:11-5(1)(a).

5. That certified copies of this resolution shall be forwarded to Joseph Coronato, Esquire and the Borough Treasurer.

DATED: JANUARY 15, 2020

MOTION: LARSON

SECOND: MANOOKIAN

**VOTE: AYES: WASHBURN, LARSON, MIKULETZKY, GUTOWSKI,
MANOOKIAN, SULOCK, MESCOLOTTO**

NAYS: NONE ABSTAIN: NONE

ABSENT: PATTERSON, MEARS

ELAINE TOLLISON, SECRETARY

Resolution 2020-03 Planning Board Engineer

On a motion made by Larson and seconded by Gutowski to approve the resolution

Motion: Larson

Second: Gutowski

Ayes: Washburn, Larson, Mikuletzky, Gutowski, Manookian, Sulock, Mescolotto

Nays: None

Abstain: None

Absent: Patterson, Mears

RESOLUTION 2020-03

**RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE AWARDED OF A PROFESSIONAL
SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING
OR FAIR & OPEN ADVERTISING -
PLANNING BOARD ENGINEER & PROFESSIONAL
PLANNER**

WHEREAS, there exists a need for the services of a Planning Board Engineer and Professional Planner for a one-year term; and

WHEREAS, the Borough of Barnegat Light has determined that its professional services contractors do not make reportable political contributions to municipal candidates so as to otherwise require fair and open contract advertising pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Borough Chief Financial Officer has determined and certified in writing that the value of is contract will not exceed \$17,500; and

WHEREAS, Frank Little, Jr. of the firm Owen Little & Associates is qualified to hold the position of Planning Board Engineer and Professional Planner in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the NJ Campaign Contributions & Expenditures Reporting Act, NJSA 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, as follows:

1. That Frank Little, Jr., OF THE FIRM Own Little & Associates is hereby appointed Planning Board Engineer and Professional Planner for the Borough of Barnegat Light for the year 2020. This contract for professional services is awarded without competitive bidding or advertising under the provisions of the Local Public Contracts Law and the NJ Campaign Contributions & Expenditures Reporting Act.

2. That the Determination of Value shall be placed on file with this resolution.

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

Temporary Budget Engineering Services O and E

4. That a Notice of Contract Award shall be published in accordance with NJSA 40A:11-5(1)(a).

5. That certified copies of this resolution shall be forwarded to Frank Little, Jr., and the Borough Treasurer.

DATED: January 15, 2020

MOTION: LARSON

SECOND: GUTOWSKI

**VOTE: AYES: WASHBURN, LARSON, MIKULETZKY, GUTOWSKI, MANOOKIAN
SULOCK, MESCOLOTTO**

NAYS: NONE ABSTAIN: NONE

ABSENT: PATTERSON, MEARS

ELAINE TOLLISON, BOARD SECRETARY

Application PB-2020-01, Lighthouse Marina, Minor Site Plan

Attorney Mr. James Raban represented Lighthouse Marina. The following was marked as exhibits:

A1 Application

A2 Site plan by Nelke, Constantine & Assoc.

A3 Floor plan by Craig Brearley, Architect

B1 Frank Little, Engineer, review letter

Mr. Raban said that this application is for the ship store and they want to demolish and rebuild. It would be an improvement to this site and that a variance is needed to the 25 ft. setback.

Mr. Jeff Daum, Engineer and Professional Planner of Nelke, Constantine & Associates was sworn in. He prepared the site plan marked A1 and stated that this is an existing full service marina with ample parking. The current building is a one story office/ships store. It is proposed to replace it with a modern building that is raised up and moved forward. It would reduce the nonconformity of the setback from 2 ft to 5 ft. The variance requested is for that condition. There would be no negative impact to the neighbors. Mr. Daum talked about the chain of title and that there was no conveyance on the storage building and the applicant is aware of it. Mr. Raban stated that the owner said everything was constructed with proper permits from Barnegat Light. Mr. Coronato asked if there were any other issues if the board were to grant this. Mr. Daub said that the buildings have preexisting conditions. Mr. Coronato said that if the board were so inclined to grant this variance that a condition of the resolution would be a clear title and they would not have to come back before the board. Mr. Manookian asked

about moving the proposed building. Mr. Daub said that if that was done the forklifts would not be able to get through the out buildings. The secretary stated that this application came in as a minor site plan and Mr. Little's review letter said that is a major site plan. Mr. Raban said that with the variance requested it should be amended to a major site plan. Mayor Larson said that this would be the same operation that they have had for the last 50 years. Mr. Daum discussed surveys and right of ways for this property. No further questions from the board.

Open to the Public for Mr. Daum

On a motion made by Larson and seconded by Gutowski the meeting was open to the public

Motion: Larson

Second: Gutowski

All in favor

No public comment

Close to the Public for Mr. Daum

On a motion made by Larson and seconded by Mescolotto the meeting was closed to the public

Motion: Larson

Second: Mescolotto

All in favor

Mr. Raban called Tim Brindley. He was sworn in. He is a commercial fisherman and his mother is the co-owner of the marina. He took and printed out pictures of the site. Mr. Raban marked the pictures as A4, A5 & A6. He described each picture and how they needed adequate width for loading and unloading. The photos were passed around to the board.

Mr. Craig Brearley was sworn in. He is a licensed architect with his own firm. He said that the proposed building would be a raised A frame structure with breakaway walls that included retail, office and restrooms and bathrooms for the marina. It will be constructed as a modular building.

Open to the Public for Mr. Brearley

On a motion made by Larson and seconded by Gutowski the meeting was open to the public

Motion: Larson

Second: Gutowski

All in favor

No public comment

Close to the Public for Mr. Brearley

On a motion made by Larson and seconded by Manookian the meeting was closed to the public

Motion: Larson

Second: Manookian

All in favor

Mr. Tim Brindley was recalled. His parents are co-owners of the marina since 1974. His father has since passed away. He thinks that the storage building located outside of the property lines was built in the late 1970's. He believes that permits were obtained. The store sells clothing, fuel oil, boat slips and things related to boating and fishing.

Open to the Public for Mr. Brindley

On a motion made by Larson and seconded by Gutowski the meeting was open to the public

Motion: Larson

Second: Gutowski

All in favor

No public comment

Close to the Public for Mr. Brindley

On a motion made by Larson and seconded by Gutowski the meeting was closed to the public

Motion: Larson

Second: Gutowski

All in favor

Mr. Gutowski asked Mr. Coronato about the ability of the board to approve the application based on clear title tonight. Mr. Coronato said that the application is for a building that sits on their property. He said that if the board was so inclined it could be approved. He said that there is also a storage building on the site that also needs a variance that was in the engineer's report and since it was part of the notice, the board could approve this if they cleared the title and they wouldn't have to come back before the board. A board discussion followed.

Vote

A motion was made by Gutowski to approve the application and to approve the storage building with a clear title and seconded by Mescolotto

Motion: Gutowski

Second: Mescolotto

Ayes: Washburn, Larson, Mikuletzky, Gutowski, Manookian, Sulock, Mescolotto

Nays: None Abstain: None Absent: Patterson, Mears

Other Business

Mayor Larson spoke about reviewing our planning board books to discuss parking and setback issues so that we don't have issues that Beach Haven and Ship Bottom are having. Mr. Coronato said that for instance on the island some businesses that have existed for a long time don't have the proper parking. He said that some of the towns have reduced the parking requirements to help them conform but that can cause an issue when a new business comes before a board. He said that since Sandy there have been a lot of changes. Mayor Larson thinks that a review is necessary so that future issues can be avoided.

Motion to adjourn

A motion was made by Gutowski to adjourn to the meeting and seconded by Mescolotto. All in favor

Elaine Tollison, Board Secretary