

REGULAR MEETING OF MAYOR AND COUNCIL
April 14, 2021

THE CAUCUS MEETING of the Mayor and Council was called to order by Mayor Larson at 4:30pm at the Barnegat Light Fire Hall , 907 Central Avenue, Barnegat Light, NJ. He stated that adequate notice of this meeting has been provided in accordance with the New Jersey Open Public Meetings Act. Original notice of this meeting was advertised in the Asbury Park Press on January 27, 2021. Notice of the change in venue, was published in the Asbury Park Press on April 1, 2021.

ROLL CALL: Spark, Wellington, Alloway, Reynolds was not present, Foley, and Mikuletzky

Also present: Mayor Larson, Terry Brady, Stuart McGowan and Brenda Kuhn

Sponge Washburn and Councilwoman arrived at 4:32pm.

Discussion: The 2021 Budget was the main topic of the Caucus meeting. Councilman Spark, Chairman of the Finance Committee explained that the proposed budget would reflect a ½% increase. The head of each committee talked about things that fall within their committees that would be reflected in the 2021 budget. Some of the things discussed were as follows:

- playground equipment
- painting of the water tower
- contributing to the Barnegat Light Fire Company for the purchase of their new fire truck
- water treatment plants
- stoning the parking lot at the dock
- mobi mats
- streets

Terry Brady said that there was a distribution request for LOSAP which took much investigation to ascertain that the request was legitimate. He asked council to authorize the CFO, administrator of the LOSAP program, by vote, to sign off on the request during the regular meeting.

Sponge Washburn and Councilwoman Reynolds arrived at 4:32pm.

Kathleen Flanagan arrived at 4:40pm.

The Mayor said that there was a problem at the pavilion and other borough buildings with bikes and skateboards. He said that we should introduce an ordinance to prohibit.

Mayor Larson asked for a motion to close the Caucus. On a motion by Foley, 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 the Barnegat Light Fire Hall, on East 7th Street. He stated that adequate notice of this meeting has been provided in accordance with the NJ Open Public Meetings Act. Original notice of this meeting was advertised in the Asbury Park Press on January 27, 2021. Notice of the change in venue, was published in the Asbury Park Press on April 1, 2021.

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, Alloway, Reynolds, Foley, and Mikuletzky

Also present: Mayor Larson, Terry Brady, Stuart McGowan, Sponge Washburn, Kathleen Flanagan and Brenda Kuhn

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of March 10, 2021 regular meeting.

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

APPROVE MINUTES: Mayor Larson asked for a motion to approve the minutes of March 22, 2021 special meeting.

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

COMMITTEE REPORTS:

FINANCE: Councilman Spark said that the budget was being introduced with a ½ cent increase and most of the increase was caused by things we have no control over, such as the police and garbage contracts, construction costs, increase in pension contributions and equipment and supplies. He said that the budget would be voted on next month.

PUBLIC WORKS: Councilman Wellington said that Public Works had an active month. Some of the things are as follows:

- Lifeguard house
- Electrician, plumber, and HVAC all working inside
- Courthouse completed and ready
- Cleaned beach wheels
- Asphalt parking lots were swept and cleaned
- Public water back on at docks and pavilion
- Storm damage at 14th Street walkway was repaired. They had to tear up 70’ of boardwalk, regrade and put it back down
- All the lifeguard stands were repaired and painted
- Replaced 6x6 by public docks and once the budget is adopted, the parking by dock will be graded and new stone will be put down

DOCKS AND HARBORS: Councilman Alloway said nothing because Ed just did it for him.

BEACHES AND PARKS: Councilwoman Reynolds said that the beach badge revenue was \$27,722. She said that they would be going up to \$40 on the 5th of June. She said that the revenue for the dog park was \$11,170 which was up from this time last year. She said that the Beaches committee met with the Lifeguards and the pickle ball groups and decisions will be made after the next committee meeting. She welcomed suggestions.

WATER/SEWER: Councilwoman Foley said there was a broken water main on 5th Street and it was fixed within 3 hours. She said that next month the hydrants were going to be flushed and it could take 2-3 days to complete. She said that construction would start on West 6th St. She said they were going to install 6 new catch basins, 185 linear feet of 10” drainage and 385 linear feet of 8” drainage. Milling and paving will be done after the trenches settle. The Councilwoman said that 760 meters have been inputted in system for readings. She said that we will be working on the new rates for billing.

PUBLIC SAFETY: Councilman Mikuletzky said he wanted to make the February and March court reports a part of the meeting minutes. He said that the court took in \$2,296.45 in February and we kept 76.50. He added that in March the court took in \$200.46 and we kept \$46.00. Councilman Mikuletzky urged everyone to continue to look out for scams. He said that they can be text messages, phone calls or even emails.

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

Motion: Spark Second: Alloway All in favor X

Bonnie Brodman, 4 East 10th Street, was at the meeting to talk about the proposal from the Garden Club to install a butterfly garden in the North West corner at the pavilion. She said that everything planted in the garden would flower and smell wonderful. She said that there would be benches to sit and enjoy. She talked about an arbor at the entrance. She said the Garden Club would do the planting and maintain it. She said that they would use soaker hoses on timers for the watering. Councilman Alloway asked who would maintain it in 5 years. Bonnie said the Garden Club would continue the maintenance.

Tim Brindley, 1404 Bayview, said that before the pavilion was built, the lot had beautiful wildflower. The Mayor said that he planted them there. Tim said that he saw the lightship and it wasn’t doing very good. Tracey Cameron 5th Street inquired about the plans for the pizza parlor. She wanted to know if they are going forward. Sponge said that the plans are coming in.

Connie Higgins, 10 East 11th Street, wanted to know what was going to be done with the whale. The Clerk said that the DEP said weren’t doing anything.

Rich Brodman. 4 East 10th Street, he asked how many additional chairs would be able to be stored in the storage area at the pavilion.

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

Motion: Spark Second: Alloway All in favor X

RESOLUTIONS:

The clerk said that the resolutions 2021-058-2021-065, 2021-068 & 2021-071 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			
Alloway		X	X			
Reynolds			X			
Foley			X			
Mikuletzky			X			

2021-058

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS IN THE AMOUNT OF \$1,425,025.63

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 \$1,425,025.63 be authorized to be paid upon verification of the Treasurer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

2021-059

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING 2021 REVISIONS TO THE VEHICLE –USE MANAGEMENT PLAN

WHEREAS, the Borough of Barnegat Light’s Coastal General Permit No. 2 - Beach and Dune Maintenance Activities was issued with a special condition; and
WHEREAS, the condition of the permit required the Borough to compose a “Vehicle-use Management Plan” in coordination with the NJDEP Division of Fish & Wildlife’s Endangered Species Program; and
WHEREAS, the 2021 “Vehicle-use Management Plan” is set forth in Attachment A; and
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey as follows:
The Vehicle-Use Management Plan is approved.
A certified copy of this resolution shall be forwarded to the NJDEP Division of Fish & Wildlife’s Endangered Species Program representative Christine Davis
Certified copies will be issued to Public Works, Beach Patrol, Barnegat Light Fire Volunteer Fire Company, Barnegat Light First Aid Squad, and Long Beach Township Police Department.

2021-060

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

WHEREAS, Bob Rickabaugh leased boat slip #36 in the amount of \$2100.00; and
WHEREAS, Mr. Rickabaugh informed the Borough that he will not be able to use the boat slip and requested a refund; and
WHEREAS, boat slip #36 has been leased to another individual; and
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, as follows:
That the CFO is authorized to refund the boat slip lease fee of \$2,100.00.
That the check should be mailed to: Bob Rickabaugh
24 Elmwood Drive
Tabernacle, NJ 08088

2021-061

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF WATER & SEWER BILLING DUE TO CUT AND CAP

WHEREAS, the water and sewer bill for the calendar year 2021 was issued to account No. 968-0 also known as Block 44, Lot 22, with an address of 2210 Bayview Avenue; and
WHEREAS, permit #20-013D was issued for a cut and cap of the water supply; and
WHEREAS, the 2021 billing shall be cancelled in the amount of 627.00
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, as follows:
1. That a certified copy will be forwarded to the Utility Collector.
2. That the Utility Collector be authorized to cancel the 2021 billing.

2021-062

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

WHEREAS, the owner of 3 East 9th Street, water/sewer account #348-0, paid for the year 2021; and
WHEREAS, the Utility Collector has identified a water overpayment on the account in the amount of \$5.00; and
NOW, THEREFORE, BE IT RESOLVED, as follows:
That the Utility Collector be authorized to make the adjustments on the account.
1. That the Finance Department shall be authorized to refund \$5.00.
2. Send refund to: Shirley E. Nicholson Trust

C/O Lisa Butler
120 Tamarack Circle
Skillman, NJ 08558

2021-063

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 2021 season; and
WHEREAS, the following 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.

Badge Check

Klase Britton \$12.25

Booth attendant

Kay Giberson

Tram Driver

Al DiAntonio \$16.50

Marc Peimer \$15.75

Dock Master

Ed Kenny \$14.50

Dock Ramp Attendant

Stanley Madsen \$12.00

Rafael Martinez \$12.00

Merrill Thim \$12.00

2021-064

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION 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, it is the desire of the Borough of Barnegat Light to join in a shared service agreement 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 a 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, 2020 to April 30, 2021 on or before May 1, 2020.

2. That the Mayor and Borough Clerk are hereby authorized to execute the attached Municipal Transportation System Shared Service Agreement, and any and all other documents necessary for said services.

3. 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.

2021-065

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Barnegat Light, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

2021-068

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EMPLOYING CECILE HODGSON FOR THE POSITION OF ADMINISTRATIVE CLERK

WHEREAS, Frances Elaine Tollison is retiring after nine years of service to the Borough of Barnegat Light; and

WHEREAS, the Borough of Barnegat Light is in need of filling the vacancy due to the retirement of Frances Elaine Tollison; and

WHEREAS, Cecile Hodgson has applied for the position and was selected to fill the vacancy; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barnegat Light as follows:

1. Cecile Hodgson is hired as a full-time employee in the position of Administrative Clerk
2. Cecile Hodgson will be compensated in the amount of \$33, 800 per year.

2021-071

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF WATER & SEWER BILLING DUE TO CUT AND CAP

WHEREAS, the water and sewer bill for the calendar year 2021 was issued to account No. 1087-0 also known as Block 49, Lot 17, with an address of 13 East 25th Street; and

WHEREAS, permit #21-002D was issued for a cut and cap of the water supply; and

WHEREAS, the 2021 billing shall be cancelled in the amount of 313.50.00

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

1. That a certified copy will be forwarded to the Utility Collector.
2. That the Utility Collector be authorized to cancel the 2021 billing.

2021-066

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, INTRODUCTION OF 2021 MUNICIPAL BUDGET

RESOLUTION 2021-069

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE BARNEGAT LIGHT VOLUNTEER FIRE COMPANY WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2020

WHEREAS, Ordinance No. 01-018 of the Borough of Barnegat Light implemented the Length of Service Award Program (LOSAP) for the Barnegat Light Volunteer Fire Company and was passed by voters by a referendum on November 6, 2001; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year: and

WHEREAS, the Governing Body has received and reviewed such certified list from the President of the Barnegat Light Volunteer Fire Company.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Barnegat Light as follows:

1. Per the certified list received, the following Barnegat Light Volunteer Fire Company members are hereby approved to receive the 2020 LOSAP award.

Anderson, Keith	LaPlaca, Joseph
Anderson, Kyle	Manookian, Nancy A.
Applegate, Harry	Manookian, Richard E.
Arras, Edward	Mikuletzky, Frank F.
Ballinger, Arthur	Mikuletzky, Morgan J.
Barcalow, Nicole	Mimm, Kevin
Connelly Jr., David J.	Pereria, Scott
Connelly, David J.	Perko, James
Ely, Gerald	Puskas, John
Fox, Warren	Richard, Jacques
Grimste III, Frederick	Russo, Peter
Haviland, Stanley	Selfridge, Bob

Hollander, Kim

Kaminski, Edward

Kaminski, Edward J.

Kane, Reginald

Slahetka, Walter

Voris, David M.

Washburn, Evan

Washburn, Jeffrey

Wright, Troy

2. Qualified members will each receive \$708.00 for the 2020 LOSAP award, pursuant to application approval.
3. The certified list of members shall be posted on the official bulletin board of the Municipal Clerk of the Borough of Barnegat Light and at the Barnegat Light Volunteer Fire Company for a period of thirty (30) days to allow sufficient time for membership review.
4. Appeals shall be mailed to the Municipal Clerk of the Borough of Barnegat Light, P. O. Box 576, Barnegat Light, NJ 08006-0576, and must be received within thirty (30) days of the posting date of the approved certified list.

DATED: April 14, 2021

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

2021-070
RESOLUTION OF THE BOROUGH OF BARNEGAT LGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS OF THE BARNEGAT LIGHT FIRST AID SQUAD WHO QUALIFIED FORCREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2020

WHEREAS, Ordinance No. 01-019 of the Borough of Barnegat Light implemented the Length of Service Award Program (LOSAP) for the Barnegat Light First Aid Squad and was passed by voters by a referendum on November 6, 2001; and
WHEREAS, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year: and
WHEREAS, the Governing Body has received and reviewed such certified list from the President of the Barnegat Light First Aid Squad.
NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Barnegat Light as follows:

1. Per the certified list received, the following Barnegat Light First Aid Squad members are hereby approved to receive the 2020 LOSAP award.

Cafiero, Michael

Crutchlow, William

Holzwarth, Renee

Lyon, James

Ovalle, Karen Bozar

Patterson, Laura

Pojednic, Mark

Puskas, Cheryl

Selfridge, Robert

Rebeck, Stephanie

Volpe, John

Walsh, Kevin

Zimmerman Jr, James

D’Antonio, Christian

2. Qualified members will each receive \$314.00 for the 2020 LOSAP award, pursuant to application approval.
3. The certified list of members shall be posted on the official bulletin board of the Municipal Clerk of the Borough of Barnegat Light and at the BarnegatLight First Aid Squad for a period of thirty (30) days to allow sufficient time for membership review.
4. Appeals shall be mailed to the Municipal Clerk of the Borough of Barnegat Light, P.O. Box 576, Barnegat Light, NJ 08006-0576, and must be received within thirty (30) days of the posting date of the approved certified list.

DATED: April 14, 2021

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

The Mayor thanked all of the volunteers for all they did in such a difficult time. They all deserve the LOSAP credits.

Mayor Larson said that Elaine Tollison was a great employee. He said she was a very hard worker. She always did what was asked of her.Councilwoman Reynolds said that we were very fortunate to have her for the time that we did.

Mayor recognized what all the employees for showing up during COVID and keeping the town running by showing up. He said that a lot was accomplished in 2020 despite everything that was happening.

The Clerk read the following resolution.

2021-067
RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, EXPRESSING THANKS AND BEST WISHES TO FRANCES ELAINE TOLLISON UPON HER RETIREMENT.

WHEREAS, Elaine Tollison has served the Borough of Barnegat Light for over nine years; and
WHEREAS, Elaine Tollison has served as Administrative Clerk, Tax and Utility Clerk, Planning and Zoning Board Secretary, Recreation Coordinator, among many other jobs for the Borough of Barnegat Light for over nine years; and

WHEREAS, Elaine Tollison is retiring from her years of public service, effective May 1, 2021, after many years of faithful, loyal and exemplary service to the municipal government and the residents of Barnegat Light; and

WHEREAS, the Mayor & Borough Council wish to express their most heartfelt thanks and appreciation for her years of public service that she has given to the Borough community, and do further express their sincere best wishes upon her retirement.

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 express their most heartfelt thanks and appreciation for the years of public service that Elaine Tollison has given to the municipal government, residents and community of the Borough of Barnegat Light.
- 2. That the Mayor and Borough Council do further express their sincere best wishes to Elaine Tollison upon her retirement.
- 3. That a certified copy of this resolution shall be forwarded to Elaine Tollison

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

The Mayor said that he would say no because he wants her to stay! Some of the Council Members asked if they could change their vote so Elaine would stay!
CONGRATULATIONS ELAINE!

ORDINANCES: 3 Introductions and 2 Adoptions

INTRODUCTION:

First Reading:

Ordinance 2021-09 was read by title by the Attorney and the Clerk recorded the votes.

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROHIBITING THE USE OF PERSONAL ROLLING EQUIPMENT ON BOROUGH FACILITIES

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

INTRODUCTION:

First Reading:

Ordinance 2021-07 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 AND SUPPLEMENTING CHAPTER 215 OF THE BOROUGH CODE, ENTITLED “ZONING,” TO PROHIBIT THE SALE, PURCHASE, DISPENSING OR CULTIVATION OF CANNABIS WITHIN THE BOROUGH.

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

INTRODUCTION:

First Reading:

Ordinance 2021-08 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 AND SUPPLEMENTING SECTION 144-31 OF THE BOROUGH

CODE, ENTITLED “SPECIAL EVENT PERMIT APPLICATION FEE,” TO PROVIDE FOR BEACH TRAM FEES.

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

Second Reading/Public hearing:

Ordinance 2020-05 was read by title and the Clerk said that there would be a public hearing.

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.

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 215-4 of the Borough Code of the Borough of Barnegat Light, entitled “General regulations,” is hereby amended and supplemented to provide a revised paragraph G. to read as follows:

Chapter 215

ZONing§ 32-27Creation of position. § 32-28Appointment; term of office.

§ 32-29Powers and duties.

§ 215-4. General regulations.

....

G. Height limits. The following shall apply:

(1) No building or structure shall be erected or enlarged to exceed 30 feet in height; except that in the MC Marine Commercial Zone, west of Bayview Avenue, the building height for non-residential, commercial buildings (other than the municipal livery properties) shall not exceed 32 feet in height.

(2) In measuring the height of any building to determine its conformity with the thirty-foot height restriction as herein imposed, the measurement shall be taken from the crown of the nearest improved street or easement on which the building or structure is located. To determine the height of the vertical plane of the building being measured, a straight level line perpendicular to the edge of the easement or improved street and running directly from the crown of said building at its closest point to the crown of the improved street or easement point shall be marked, from which a vertical line shall be taken upwards to the point of intersection with the plane of the highest point on the building.

(3) No exceptions are permitted as to height restrictions except as are herein specifically provided or as hereinafter specifically provided in § 215-14A of this chapter.

(4) Nothing may be stored or placed on any building in excess of the height limitations herein imposed.

All other sections, subsections, paragraphs, subparagraphs and provisions of Section 215-4 shall remain in full force and effect.

SECTION 2. This zoning regulation amendment has been initiated by and approved by to the Barnegat Light Planning Board at its meeting held on February 17, 2021, 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 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.

Open Public Hearing: Motion: Wellington Second: Alloway

Being no public comment, Mayor Larson asked for a motion to close.

Close Public Hearing: Motion: Wellington Second: Alloway

ADOPTION:

Final Passage:

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

Second Reading/Public hearing:

Ordinance 2021-06 was read by title and the Clerk said that there would be a public hearing.

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 144 THE BOROUGH CODE, ENTITLED “RECREATION AND PUBLIC RESORT AREAS,” TO PROHIBIT THE SMOKING OF CANNABIS ON THE BEACHES.

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 144-11 (entitled “Rules and regulations,”) of Article I (entitled “Beaches,”) of Chapter 144 (entitled “RECREATION AND PUBLIC RESORT AREAS,”) of the Borough Code of the Borough of Barnegat Light, is hereby amended and supplemented to provide a revised paragraph V. to read as follows:

Chapter 144
RECREATION AND PUBLIC RESORT AREAS
Article I
Beaches

§ 144-11. Rules and regulations.
It shall be unlawful for any person on any beach or resort area within the Borough, whether or not designated as a bathing beach or area, to:

.....
V. Smoking Prohibited. Smoking, the burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, cannabis or other smoke-producing substance, and the use of electronic cigarettes (e-cigarettes, vape pens and other vaping devices) shall be prohibited on any beach or resort area within the Borough.
SECTION 2. All ordinances of 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.

Public Hearing: **Motion:** Reynolds **Second:** Foley

Being no public comment, Mayor Larson asked for a motion to close.

Close Public Hearing: **Motion:** Reynolds **Second:** Spark

ADOPTION:

Final Passage:

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

CORRESPONDENCE:

Butterfly Garden **Motion:** Reynolds **Second:** Wellington All in favor

LOSAP- Terry Brady, Borough Attorney, said that we needed a motion to authorize the Borough LOSAP Administrator to sign distrisbution request on remitter #CR32784.

Motion: Foley **Second:** Reynolds All in favor

There was a complaint about pickleball noise and requesting that we do not install any new courts. Dottie said that there quieter pickle ball. The CFO said she would look into it.

MOTION TO ADJOURN:

Mayor Larson asked for a motion to adjourn.

Motion: Foley **Second:** Reynolds **All in Favor**

APPROVED: KIRK O. LARSON, MAYOR BRENDA L. KUHN, MUNICIPAL CLERK