

**New Jersey Boat Regulation Commission Meeting  
March 13, 2024  
Ocean City Yacht Club  
100 Bay Road  
Ocean City, NJ 08103**

**I. ROLL CALL**

Acting Chairman Ed Harrison Jr.  
Bruce Strigh  
Leonard Mangiaracina  
Roland Gehweiler Jr.  
Christopher Wozniak

**STAFF**

DAG Kevin Dronson	Office of the Attorney General
DAG Daniel Knox	Office of the Attorney General
Sergeant Karen Fahy	NJSP, Marine Services Bureau

**PLEDGE OF ALLEGIANCE**

**II. SUNSHINE LAW ANNOUNCEMENT (OPEN PUBLIC MEETINGS LAW)**

The meeting was called to order at 10:18 AM by Acting Chairman Ed Harrison Jr., at which time he also announced that this meeting is being held in compliance with the provisions of Chapter 231, Public Law 1975, known as the Open Public Meetings Act. Notice of this meeting was filed with the Secretary of State, various news media outlets via the New Jersey State Police Office of Public Information, the New Jersey State Police website, and posting at State Police Headquarters, West Trenton, NJ.

**III. MINUTES OF OCTOBER 2023 MEETING**

Minutes from the October 25, 2023, Boat Regulation Commission Meeting were approved by Bruce Strigh and the motion to approve was seconded by Leonard Mangiaracina.

**IV. UNFINISHED BUSINESS**

- **Update regarding Vessel Transactions with the Motor Vehicle Commission (12:7-34.45 Change of address of Owner; status of vessel // 13:82-8.11 Notification required)**

Acting Chairman Ed Harrison Jr. asked Sergeant Karen Fahy about the status of the New Jersey Motor Vehicle Commission regarding documenting vessel transactions. She reminded the Commission she had been in communication with an assigned liaison from the New Jersey Motor Vehicle Commission. The liaison had advised her the NJMVC's computer systems did not have the capability to document vessel transaction information. She also had requested DAG Vivek Mehta to touch base with the NJMVC DAG to discuss the issue. Currently there is no update and Sergeant Karen Fahy stated she would remove the topic from the agenda until further progress is made on the subject.

- **13:82-1.4(f) amendments (replace “recreational” with “any”)**

Sergeant Karen Fahy stated the NJSP Marine Services Bureau Office will create a justification to replace the word “recreational” with “any” in 13:82-1.4(f), however after a closer review of the verbiage for the regulation, she advised it may be just as suitable to simply remove the word “recreational” without the addition of “any” and maintain the same meaning in the language. DAG Kevin Dronson affirmed the removal of “recreational” would still have the same effect. Acting Chairperson Ed Harrison Jr. agreed and asked the commission members their thoughts. Bruce Strigh made a motion to just remove the word “recreational” from the regulation. Roland Gehweiler Jr. seconded the motion.

- **13:82-1.4 maintain the regulation with the current exemptions from (b) and (f)**

During the last Boat Regulation Commission meeting, the members discussed amending 13:82-1.4 to include and regulate any vessel under 26 feet, reference concern for what type of vessel the new mandatory cold-weather PFD wear applies. Sergeant Karen Fahy proposed leaving the current exemption language as is, due to an oversight with the amended language on the exemption requirements.

Sergeant Karen Fahy explained that 13:82-1.4(d) describes exemptions for the following classes of vessels from 13:82-1.4(b), which are:

1. Vessels owned and operated by the United States;
2. Vessels owned and operated by the State of New Jersey or agency thereof, a county, a municipality, a volunteer first aid squad, a search and rescue unit established within a fire district created pursuant to N.J.S.A. 40A:14-70 or a volunteer fire company created pursuant to N.J.S.A. 40A:14-70.1 when a child is on board as a direct result of being rescued from an emergency situation;
3. Commercial vessels; and
4. Ferries.

Upon adoption of the new mandatory cold weather PFD wear, new language was introduced to 13:82-1.4(d) at the time that included the same exemptions for 13:82-1.4(f)

as for 13:82-1.4(b), to read: (d) the following classes of vessels shall be exempt from the requirements at (b) above (and currently) and (f) below. The exemption language was overlooked during the initial discussion. Acting Chairman Ed Harrison stated, in that case, there was no reason to make any changes. The Commission members agreed.

## V. NEW BUSINESS

- **Commission member Philip Weisbecker resigned**

Acting Chairman Ed Harrison inquired about new business. Sergeant Karen Fahy stated Commission member Philip Weisbecker resigned from the Boat Regulation Commission via telephone on the previous day. She said we will be looking for someone to fill his position.

Acting Chairman Ed Harrison asked the public attendees if there were any volunteers for Phil's position. Marty Kane, from the Lake Hopatcong Foundation, said it would be great to have someone from the lake and stated he would ask around. Melissa Danko, of the Marine Trades Association, stated she too would ask around and added that it could be someone from the Marine Trades Association. Acting Chairman Ed Harrison commented that a resume would need to be submitted and the interested party would need a senator to recommend the appointment, then two or more senators would concur. Ed Harrison III, from Baywood Marina and the New Jersey Marine Trades Association, advised the information can be located online.

- **BRC@njsp.gov Email Communications Inbox Report**

Sergeant Karen Fahy provided an update regarding the Commission's email inbox and advised it contained one email from an unnamed concerned citizen of the Metedeconk River. She prefaced explaining the contents of the email with the fact that the email did not address any issue that fell under purview of the Regulation Commission but may be worthy of public comment. The email, in fact, was sent to another Marine Services email address, and multiple agencies throughout the state to garner attention.

Sergeant Karen Fahy read the letter as follows:

Subject: Follow-Up on Abandoned Vessels Issue - Urgent Action Required

Dear Mayor, Council, New Jersey State Police, and Lt. Paul Catalina, I hope this email finds you well. I am writing to follow up on the ongoing issue of the sunken boats located at the marina located behind Beacon 70 in Brick, NJ. As well as to address the broader problem of several abandoned sunken vessels at this marina and within our community's waters. I appreciate the efforts of the Brick Township Police

Department, as detailed by Lt. Paul Catalina, who informed me of the responses on 3/21/23, 4/12/23, and 11/3/23, and the involvement of the New Jersey State Police given the jurisdictional complexities.

However, it has become increasingly clear that this is not an isolated issue but part of a larger pattern of abandoned and derelict vessels posing environmental concerns. How many vessels can a marina have sunk and abandoned on its property until it becomes an enforceable issue? Despite the attempts to resolve the situation at the marina at Beacon 70, the boats remain a hazard. In light of this, I urge a collaborative approach between the Brick Township Police Department, the Mayor's office, the New Jersey State Police, and relevant state agencies to address this issue more comprehensively.

The New Jersey statutes as mentioned in the; State of New Jersey Abandoned and Derelict Vessel (ADV) Legislative and Administrative Review ([link below](#)), offer a legal framework for managing these situations, yet it seems enforcement and resolution efforts could be strengthened. A coordinated effort, possibly including the development of a formal program for the removal of abandoned vessels, could significantly impact our ability to address these hazards promptly and effectively. This is not only a matter of public safety but also of preserving the environmental integrity of our waterways. I propose a meeting between all concerned parties to discuss actionable steps we can take to expedite the resolution of the current environmental situation and to prevent similar issues in the future. It is imperative that we work together to find a sustainable solution to this recurring problem. Thank you for your attention to this matter. I am eager to contribute to finding a resolution and look forward to your prompt responses.

Best regards,  
Concerned Citizen of the Metedeconk River

The return correspondence from the Marine Services Bureau is as follows:

Good morning, Concerned Citizen of the Metedeconk River.

The sinking and sunk abandoned and derelict vessels located at the Beacon 70 Marina in Brick Township have been addressed on multiple occasions by the New Jersey State Police Marine Services Bureau. The owners, who are available, have been addressed and enforcement action has been taken. If the vessels are not a current hazard to navigation or an active pollution hazard, which I understand they are not, the removal and eventual disposal of these vessels is the responsibility of Beacon 70 Marina. The marina has been made aware of their responsibility. I have attached the New Jersey Motor Vehicle Commission Abandoned Vessel Package for your awareness. This will allow the Marina to obtain title for the vessels to dispose of them. The marina is well within its right to remove the vessels from the water at any time and store same until title is obtained. Additionally, private companies exist to walk marinas through the abandoned vessel procedure, if needed.

Regards,

Sergeant Karen Fahy

- **Waiver Request for the Lake Mohawk Ski Hawks**  
Acting Chairman Ed Harrison Jr. inquired about the Lake Mohawk Ski Hawks boating regulation waiver request. Members of the Commission asked Sergeant Karen Fahy if there existed any reasons to deny the waiver which elicited a negative response. Leonard Mangiaracina put forth a motion to approve the waiver, and Bruce Strigh seconded the motion.
- **Waiver Request for Sussex County Rowing Club**  
Members of the Commission asked Sergeant Karen Fahy if there existed any reasons to deny the boating regulation waiver request from the Sussex County Rowing Club. This elicited a negative response, at which time Roland Gehweiler Jr. put forth a motion to approve the waiver, and Leonard Mangiaracina seconded the motion.
- **13:82 terms to be defined (including “recreational”)**  
Sergeant Karen Fahy reminded the Commission members that during the last meeting there was discussion about some words and terms within the 13:82 regulations that may need to be defined within the regulations. She provided a list of terms along with proposed definitions to the Commission members. She subsequently read the list of proposed terms for public record. The proposed terms are as follows:
  - Recreational Vessel
  - Passenger
  - Floats
  - Swim Platform
  - Ski Jumping
  - Power Vessel
  - Muffling Device
  - Livery

Acting Chairman Ed Harrison Jr. questioned the proposed definition of “passenger.” He suggested we simplify the definition from “any person being transported on a vessel who is not an operator or a crew member”, to any person being transported on a vessel. DAG Kevin Dronson asked if we need a definition for “operator” and “crew member” for the term passenger. Sergeant Karen Fahy was not sure it would be necessary if we removed the latter part of the proposed definition.

Sergeant Karen Fahy asked DAG Kevin Dronson about where in the regulations the definitions would fit best. DAG Kevin Dronson advised we could place the definitions in the back under its own section, or under each individual regulation.

Leonard Mangiaracina inquired about the proposed definition of a “livery.” He asked if boat rental companies would fall under the definition of a Livery. Christopher Wozniak stated he would like to look into it some more. Acting Chairman Ed Harrison Jr. advised we could table the topic until the next meeting.

- **Exploring any needed 13:82 area specific updates / changes**

Acting Chairman Ed Harrison Jr. announced the Commission is exploring the need for any regulation changes. Sergeant Karen Fahy confirmed we are focusing on specific bodies of water within the 13:82 regulation that may require updates.

Marty Kane, from the Lake Hopatcong Foundation, advised the Lake Hopatcong Commission has undertaken the task of reviewing the regulation. A sub-committee has been talking about the 10 mile per hour speed limit to be amended to slow speed / no wake at night. The Lake Hopatcong Commission would like to speak to it at the July meeting.

Christopher Wozniak said the history behind looking into these regulations for any necessary changes was to have the Marine Police review the regulations, provide insight and communicate with community leaders that also oversee these areas. He added that it has been two decades since the regulations were written, so we have made it a point to research any needed updates.

Bruce Strigh mentioned Paulinskill Lake. He questioned that in a narrow area where there are other boats, is there still a 200' speed wash wake distance from other vessels? He further stated that the boats may not be able to fit in the same lake at the same time. Christopher Wozniak responded with the information that Paulinskill Lake had already requested an exemption due to the new regulation. He added the ski area is marked and located in a remote area and stated it's up to us to decide to give the exemption or not.

Sergeant Karen Fahy explained she provided the commission members with a packet that itemizes each body of water that was identified as needing a regulatory update, what the update may be, and contact information. Bruce Strigh stated the Commission can review the packet and move the topic to the next meeting. Acting Chairman Ed Harrison concurred to move to the next meeting.

## **VI. PUBLIC COMMENT**

Sergeant Karen Fahy announced the addition of Online Course information to the Boating Safety Course locator which can be found on the New Jersey State Police Marine Services Bureau public website.

*Marty Kane, the Lake Hopatcong Foundation Board Chair.* Marty Kane addressed the Commission and spoke about the lake draw down. He stated the lake has already raised 5 feet, and they have a full lake now. He also spoke about a community funded project to put sewers in the lakefront portion of Jefferson Township, as well as Lake Shawnee. He stated that this would be a huge improvement for water quality. He included that the army core of engineers is involved and moving forward with the project. Marty Kane mentioned the shrink wrap program is going well. He added they have two sites across the lake. The wrap gets recycled, saves the marinas and boat owners money and it does

not wind up in a landfill. Marty also informed the Commission about a 900-acre aeration project to help with water quality on the lake and lessen the chance for harmful algal blooms. He added that a dredging project on the lake will be helpful. Marty Kane also spoke about trying to get local townships involved with policing on the lake. He advised it is going well, everyone is involved, and Byram Cove has calmed down. The Park Police are planning on getting involved and will patrol Byram Cove. He thanked the State Police for training them. Lastly, He informed the Commission about the Lake Hopatcong block party date, on May 18<sup>th</sup>.

*Melissa Danko, Executive Director of the Marine Trades Association.* Melissa Danko requested that she be contacted regarding safety information to be relayed to the boating community. She advised she will include the information on the [goboatingnj.org](http://goboatingnj.org) website to share any needed information.

**VII. EXPRESSION OF APPRECIATION**

Acting Chairman Ed Harrison Jr. expressed his appreciation to the providers of the facility and to the staff for the accommodations for the meeting.

**VIII. AGENDA FOR THE NEXT MEETING**

The agenda for the next meeting will be posted publicly on the New Jersey State Police website and at State Police Headquarters, West Trenton, NJ.

**IX. DATE, TIME AND LOCATION OF THE NEXT MEETING**

The next Boat Regulation Commission meeting is posted publicly on the New Jersey State Police website, [www.njsp.org](http://www.njsp.org), under Public Information, Marine Services, New Jersey Boat Regulation Commission Annual Schedule of Meetings. The meeting is scheduled for 10:00AM, Wednesday, May 8, 2024, at the New Jersey Maritime Museum, 528 Dock, Beach Haven, NJ 08008.

**X. ADJOURNMENT**

Roland Gehweiler Jr. moved to adjourn the meeting; Bruce Strigh seconded the motion. The meeting was adjourned at 11:02AM.