

**BARNEGAT TOWNSHIP COMMITTEE  
OCEAN COUNTY  
900 WEST BAY AVENUE  
BARNEGAT, NJ 08005**

**COMMITTEE MEETING MINUTES  
SEPTEMBER 7, 2010, 6:30 PM**

- 1. Called to Order by Mayor Melchiondo**
- 2. Provisions of the Open Public Meetings Law were read into record.**

**3. Roll Call of Officials Present:**

Committeeman Lisella - Present  
Committeewoman Ryan - Present  
Committeeman Morano - Present  
Deputy Mayor Cirulli - Present  
Mayor Melchiondo - Present

**Invocation was given by Rev. Erik C. Hall, Pastor Barnegat Anew United Methodist Church**

**Salute to the flag was led by Mayor Melchiondo**

- 4. Mayor's Report** was read into record and is attached and becomes part of these minutes

**5. Committee Reports**

**Committeeman Lisella:** We have 120 Vendors signed up for Pirate's Day so far. It should be a real success. The Opening Ceremony will be at 9:00AM. Please come down and see it. As for my sports report, Vikings and the Saints but not until Thursday.

**Committeewoman Ryan:** The concerts have been great and I am happy to report that donations have amounted to \$1,323.98 so far. The money will be deposited to the Recreation Trust Fund and used to help fund the concerts next year. The Municipal Dock and the music are a wonderful asset to our community.

**Committeeman Morano:** We have had just a great time at the Saturday concerts at the Dock and now we have Sinatra on Sundays and soon we may have Barbra Streisand concerts. So come down and enjoy the concerts with us.

**Deputy Mayor Cirulli:** We are continuing to look into Public Works staffing and streamlining duties to best benefit our residents. Cannot speak about the Ocean County lawsuit because it is under litigation but it is progressing. We are also looking in to Oyster Creek to keep that facility news updated.

**6. Administrator's Report:** I am happy to report that two miles of sidewalks have been successfully installed in time for the first day of school. Many thanks to John Hess, Jerry Dasti and Bruce Connell for their hard work in seeing this project through. It was indeed challenging.

Our Fun-time Day Camp at the Dunfee School was a huge success. Over 170 campers participated. Many thanks to the Board of Education for their cooperation. We had the use of five or six school busses. I will ask that the Committee table Ordinance 2010-23 on tonight's agenda for further review. Mr. Breeden explained the amending Bond Ordinance.

## **7. Public Portion:**

**Motion to Open Public Comment:** L. Morano      **Second:** D. Ryan

**Frank Pecci – 11 Hemlock:** On Ordinance 2010-24, I would rather we pay down the debt instead of reappropriating the funds to use for other purposes. On the shared service agreements, I caution you to be sure we are held harmless. Mr. Breeden also explained that the Cops Software was an annual renewal fee.

**Bernie Laufgas – Schooner Avenue:** I am asking if the letters were sent out to all the people who offered to contribute to the marquee for the school.

**Marianne Clemente – 565 East Bay Avenue:** Asked about the budget. Also asked what the income will be for Barnegat under the LEH Shared Services agreement. Mr. Breeden said it will depend on the volume and assured Ms. Clemente that it will generate revenue. I am lucky to have Senator Connors here because I need to ask if the Township will generate a resolution in support of overturning the Governor's veto of the Women's Health Care Bill and ask him if he will support that. Senator Connors replied No and explained his position.

**Jason Bing, Superintendent of Barnegat Schools:** I am here to report that we had an extremely good first day of school and express my thanks to the Chief of Police for all the cooperation to make this first day smooth. I also wish to thank the Township Committee for their efforts in the timely completion of the sidewalks that were necessary for Safe Routes to School. It was also wonderful to have the kids be able to attend the Summer Camp. Our Friday night football starts on September 10<sup>th</sup> and we are in the midst of a solar energy initiative. We should be able to reduce our energy consumption by 50%.

**Walt Fernandez – 31 Fifth Street:** Day on the Bay has been ongoing for five years now and it gets better each year. We have seen 1000 to 1500 people participate and enjoy this event. Many thanks to the Police Department and Officer Yates who does the kid ID program. Also the Fire Department and Quality Ambulance for their volunteerism.

**Scott Nevins – 427 East Bay Avenue:** He wanted to report that he was not polled to ask if the residents of Pebble Beach wanted the area to be named Pirate's Peninsula.

**Motion to Close Public Comment:** M. Lisella      **Second:** A. Cirulli

## **8. Old Business:**

### ***Ordinance 2010-23***

Ordinance of the Township of Barnegat, County of Ocean, State of New Jersey providing for the vacation of a certain paper street and right-of-way located on the Northerly side of West Bay Avenue, East of the intersection with Barnegat Boulevard, North

***Motion to TABLE ordinance for further review:*** A. Cirulli

***Second:*** D. Ryan

***Roll Call:***      ***Lisella:*** Yes

***Ryan:*** Yes

***Morano:*** Yes

***Cirulli:*** Yes

***Melchiondo:*** Yes

## **10. New Business:**

### ***Ordinance 2010-24***

Ordinance amending Ordinance 2004-47 to cancel certain funded appropriations in the sum of \$105,000.00 and reappropriate such funded balances for the purpose of funding equipment for the Fire Department, Police and Town Hall

***Motion to introduce ordinance: D. Ryan***

***Second: M. Lisella***

***Roll Call: Lisella: Yes***

***Ryan: Yes***

***Morano: Yes***

***Cirulli: Yes***

***Melchiondo: Yes***

### **Minutes Approval:**

Approval of Workshop, Regular and Closed Session Meeting Minutes of the Township Committee Meeting of August 16, 2010.

***Motion to approve Minutes and hold Closed Session Minutes until any litigation is resolved: A. Cirulli***

***Second: M. Lisella***

***Roll Call: Lisella: Yes***

***Ryan: Yes***

***Morano: Yes***

***Cirulli: Yes***

***Melchiondo: Yes***

## **11. Formal Action Agenda:**

### ***Resolution 2010-365***

Resolution authorizing payment of Current Year Bill List in the amount of \$753,380.68

***Motion to adopt resolution: A. Cirulli***

***Second: M. Lisella***

***Roll Call: Lisella: Yes***

***Ryan: Yes***

***Morano: Yes***

***Cirulli: Yes***

***Melchiondo: Yes***

### ***Resolution 2010-366***

Resolution authorizing payment of Partial Payroll Bill List for Pays #14, 15, 16 and 17 in the amount of \$1,688,137.85

***Motion to adopt resolution: M. Lisella***

***Second: A. Cirulli***

***Roll Call: Lisella: Yes***

***Ryan: Yes***

***Morano: Yes***

***Cirulli: Yes***

***Melchiondo: Yes***

### ***Resolution 2010-367***

Resolution authorizing emergency temporary appropriations for the Current Fund

***Motion to adopt resolution: A. Cirulli***

***Second: M. Lisella***

***Roll Call: Lisella: Yes***

***Ryan: Yes***

***Morano: Yes***

***Cirulli: Yes***

***Melchiondo: Yes***

***Resolution 2010-367A***

Resolution authorizing emergency temporary appropriations for the Water/Sewer Fund

***Motion to adopt resolution:*** A. Cirulli

***Second:*** M. Lisella

***Roll Call:*** Lisella: Yes

Ryan: Yes

Morano: Yes

Cirulli: Yes

Melchiondo: Yes

12. Consent Agenda:

The below listed items are considered to be routine by the Township of Barnegat and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Approval of a 50/50 Raffle for the American Legion Post 232 for January 2, 2011

Approval of the use of the Municipal Dock Gazebo for the OCC, Barnegat Bay Partnership (formerly Barnegat Bay Estuary Program) and NJ Kayak on October 2, 2010 for a Fund Raisers

Approval of a Block Party on Carriage Way on September 25, 2010

***Resolution 2010-368***

Resolution authorizing the Tax Collector to cancel charges on Block 208, Lot 16, also known as 416 East Bay Avenue due to a cut and cap for both water and sewer

***Resolution 2010-369***

Resolution authorizing the Tax Collector to cancel a nuisance balance on Block 46, Lot 5, also know as 749 Route 72 due to the property now owned by an exempt entity known as State of NJ DEP Green Acres

***Resolution 2010-370***

Resolution authorizing the Tax Collector to refund an overpayment for taxes on Block 142.05, Lot 15, also known as 7 Ryan Road

***Resolution 2010-371***

Resolution authorizing the Tax Collector to refund an overpayment for water and sewer on Block 114, Lot 7.01 combining three (3) accounts into one (1) account

***Resolution 2010-372***

Resolution authorizing the Township Administrator to sign a contract agreement with GTBM, Inc., for Info-Cop Mobile Devise for the period July 31, 2010 through July 30, 2011

***Resolution 2010-373***

Resolution authorizing vehicle windshield repair to Joyce Farenga due to grass cutting maintenance

***Resolution 2010-374***

Resolution denying the release of the maintenance bond for Bayside Chapel, Phase 1, Site Improvements

***Resolution 2010-375***

Resolution authorizing the release of performance guarantee for Ocean Acres, Phase 4, Sanitary Sewer System

***Resolution 2010-376***

Resolution authorizing the release of performance guarantee for Ocean Acres, Phase 4, Site Improvements

***Resolution 2010-377***

Resolution authorizing the release of performance guarantee for Barnegat Nine Plaza, Sanitary Sewer System Improvements

***Resolution 2010-378***

Resolution authorizing the release of performance guarantee for Barnegat Nine Plaza, Site Improvements

***Resolution 2010-379***

Resolution authorizing the acceptance and execution of a Shared Service Agreement with the Township of Little Egg Harbor for providing Construction Code Enforcement Services

***Resolution 2010-380***

Resolution authorizing reimbursement to Mignatti Companies for electric for the South Point Pump Station due to the Township assuming ownership of same

***Resolution 2010-381***

Resolution authorizing Payment #2 and Payment #3 to Eagle Paving Corporation for the NJDOT Municipal Aid Project for Rose Hill Road in the amount of \$307,181.64

***Resolution 2010-382***

Resolution authorizing Payment #3 to Kurz Concrete Construction, LLC for the 2010 Sidewalk Construction Project in the amount of \$68,376.27

***Resolution 2010-383***

Resolution authorizing Payment #4 to D & D Utility Contractors, Inc., for the Rehabilitation of Georgetown Pump Station in the amount of \$32,111.66

***Resolution 2010-384***

Resolution authorizing the refund of Escrow Deposits to Mignatti Construction for Heritage Point Minor Subdivision

***Resolution 2010-385***

Resolution amending Resolution 2010-222 to correctly specify the closure of Mary DiGaetano escrow account

***Resolution 2010-386***

Resolution declaring a default by Forte Builders, LLC and Bond Safeguard Insurance Company with regard to Site Improvements which need to be installed in conjunction with the Bay Avenue Estates Project

***Resolution 2010-387***

Resolution denying the release of a Road Opening Bond to Mione Builders, Block 92, Lot 1 also known as 83 Gunning River Road

***Resolution 2010-388***

Resolution authorizing the renaming of Bayshore Peninsula to Pirate's Peninsula and dedicating the peninsula on Pirate's Day September 11, 2010

***Motion to adopt Consent Agenda: A. Cirulli                      Second: M. Lisella***

***Roll Call:            Lisella: Yes, and abstain from 2010-375 and 376***

***Ryan: Yes, abstain from 2010-388                      Morano: Yes, except 2010-388, No***

***Cirulli: Yes                      Melchiondo: Yes***

**13. Motion to Adjourn: A. Cirulli**

**Second: L. Morano**

Respectfully Submitted: :\_\_\_\_\_