

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

**TOWNSHIP COMMITTEE MEETING MINUTES  
APRIL 23, 2012, 6:30 PM**

1. Call to Order
2. Provisions of the Open Public Meetings Law:  
Pursuant to the requirements of the OPEN PUBLIC MEETINGS LAW, adequate Public Notice of this meeting has been given:
  - a. By publication in the required newspapers of the date, time and location of this meeting more than 48 hours in advance.
  - b. By posting advance written notice on the official Bulletin Board in the Municipal Building.
  - c. By filing advance written notice with the Township Clerk for the purpose of Public inspection.

**ANNOUNCEMENT:** At this time we ask everyone to please turn all cell phones or pages to either **OFF** or **VIBRATE**.

3. Roll Call of Officials Present:  
Committeeman Lisella - Present  
Committeeman Morano – Present  
Committeeman Melchiondo - Present  
Deputy Mayor Bille - Present  
Mayor Cirulli – Present

Invocation by Monsignor Ken Tuzeneu, Pastor St. Mary's Church

4. Salute to the flag  
Proclamation proclaiming the month of May as Poppy Month

**Resolution 2012-225**

Resolution authorizing the Township Committee to retire into closed session for the purpose of discussing personnel, public safety, contractual and litigation matters.

**Motion to TABLE resolution: J. Melchiondo                      Second: A. Bille**  
**Roll Call:    Lisella: Yes                      Morano: Yes                      Melchiondo: Yes**  
**Bille: Yes                                      Cirulli: Yes**

5. Mayor's Report  
Read and made a part of these minutes
6. Committee Reports

M. Lisella: Introduction of the 2012 budget on this agenda, acknowledged Township employees for their efforts in preparing the budget.

L. Morano: Thank you for the diligent work having the tax rate lowered. Sign for concert schedule will be installed.

J. Melchiondo: Meadowedge Park planted 100+ trees at the park. Chamber of Commerce Town wide yard sale has 166 entrants so far. Sale proceeds at 145 Village Drive will go towards Courage for Kyle donations. Barnegat Fire House holding Barnegat Curves Zumba gold food drive food donations will go to Barnegat Food Pantry. Barnegat Bay Environmental Consortium at Lighthouse Center in Waretown, Ocean Theater Company presenting spring show at Barnegat High School. Relay for Life to be held at the Barnegat High School. Frank Pecci-Commissioner of Sports facilities- discussed redevelopment 110 acres of Shoreline property on W. Bay Ave.

A. Bille: 2012 introduced budget will have a 2<sup>nd</sup> year budget decrease. Thank you to all employees doing much more with much less.

**7. Administrator's Report**

Explained ordinances and resolutions contained on this agenda.

***Motion to open Public Comment: A. Bille***

***Second: L. Morano***

Frank Pecci – 11 Hemlock Dr: Questioned Cap Bank regarding budget. Wondering what is to be done with Shoreline property concerning Pinelands regulations. Turf concerns: lawsuit is on company that manufactured it.

Joe Giaradi-Pinewood Estates: Concerns at their development: pool closed last year, still paying for amenities, selling homes for \$100 that are not fit for living in. Paying for C.O. to Township but the Inspectors are not getting involved in checking on home condition. A. Bille explained the letter of no interest process. Trees near homes need to be taken down before they fall down. What action can we take to bring back the quality of the park? Brought in petition of 90 residents wanting improvements. Attorney: The Township will attempt to contact the owner with your concerns.

MaryAnn Basile- Pinewood Estates: Concerned about old homes, no pipes, fire trap a health hazard.

Henry Anderson – 101 Chestnut Drive: Regarding trees in Pinewood Estates had to have tree cut down because HOA would not.

Jake Taylor-106 Newark Road: wants breakdown on expenses of affordable housing trust fund. Wants minutes of turf discussion to reflect the turf was down for six years at the Marine Academy.

Larry Cataldo-9 Village Drive: Wanted explanation of the Menk lawsuit payout. Residents walking in road west of the parkway need to use walkway. Handicap accessibility needed at Lower Shore fields.

Frank Troia-117 Redwood Drive: addressed issues at Pinewood Estates: pool, sewers caving, quads driving around property, need to address code book.

Charlie Giles-564 E. Bay Ave.: Explained that ADA Advisory Board is working on some of his concerns, we are also scheduled to meet with administrator and invite Administrator to attend field trip to address items. Pinewood Estates deserve to have their pool re-opened must be ADA compliant. We deserve to recognize employees with 20+ years of service.

Emma Sprague-110 Chestnut Drive: Issues with traffic and turn lane on Route 72 into Pinewood Estates.

Larry Cataldo-9 Village Drive: did not like local residents speaking about "Barneghetto" there are a lot of good things going on in Barnegat-get the word out.

Phil Checcia-12 Windward Drive; Wants clarification of reimbursement amounts to communities for services i.e., snow plowing. Asking for clarification on 1099 forms. Questioned what other towns were inspected by Ocean County. What other towns in NJ had problems with their re-assessments, and what were their remedies?

***Motion to close Public Comment: J. Melchiondo    Second: A. Bille***

**8. New Business:**

***Ordinance 2012-16 (First Reading)***

An Ordinance amending and supplementing Chapter 39 of the General Code Book entitled "Construction Codes, Uniform"

***Motion to introduce Ordinance: A. Bille            Second: J. Melchiondo***

***Roll Call:    Lisella: Yes            Morano: Yes            Melchiondo: Yes***  
***Bille: Yes                            Cirulli: Yes***

***Ordinance 2012-17 (First Reading)***

An Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank in accordance with N.J.S.A. 40A:4-45.14

***Motion to introduce Ordinance: J. Melchiondo            Second: A. Bille***

***Roll Call:    Lisella: Yes            Morano: Yes            Melchiondo: Yes***  
***Bille: Yes                            Cirulli: Yes***

***Ordinance 2012-18 (First Reading)***

An Ordinance amending and supplementing the General Code Book Chapter 1B entitled "Americans with Disabilities Act"

**Motion to introduce Ordinance: A. Bille                      Second: M. Lisella**  
**Roll Call:    Lisella: Yes                      Morano: Yes                      Melchiondo: Yes**  
**Bille: Yes                      Cirulli: Yes**

**Approval of Minutes** for the Regular Township Committee Meeting of April 2, 2012

**Motion to approve Minutes: A. Bille                      Second: J. Melchiondo**  
**Roll Call:    Lisella: Yes                      Morano: Yes                      Melchiondo: Yes**  
**Bille: Yes                      Cirulli: Yes**

**9. Old Business**

**Ordinance 2012-14 (Second Reading)**

An Ordinance amending Part II of the Codified Ordinance entitled "General Legislation" to amend Section 70E entitled "Containerized Yard Waste"

**Motion to Open Public Comment: A. Bille                      Second: L. Morano**

**Motion to Close Public Comment: A. Bille                      Second: L. Morano**

**Motion to adopt Ordinance: A. Bille                      Second: M. Lisella**  
**Roll Call:    Lisella: Yes                      Morano: Yes                      Melchiondo: Yes**  
**Bille: Yes                      Cirulli: Yes**

**Ordinance 2012-15 (Second Reading)**

An Ordinance amending Part II of the Codified Ordinance entitled "General Legislation" to amend Section 70F entitled "Containerized Yard Waste"

**Motion to Open Public Comment: A. Bille                      Second: M. Lisella**

**Motion to Close Public Comment: Melchiondo                      Second: A. Bille**

**Motion to adopt Ordinance: J. Melchiondo                      Second: M. Lisella**  
**Roll Call:    Lisella: Yes                      Morano: Yes                      Melchiondo: Yes**  
**Bille: Yes                      Cirulli: Yes**

**10. Formal Action Agenda**

**Resolution 2012-226**

Resolution authorizing payment of Bill List in the amount of \$4,204,455.96

**Motion to adopt resolution: A. Bille                      Second: M. Lisella**  
**Roll Call:    Lisella: Yes                      Morano: Yes                      Melchiondo: Yes**  
**Bille: Yes                      Cirulli: Yes**

**Resolution 2012-227**

Resolution authorizing Emergency Temporary Appropriations for the Current Fund

**Motion to adopt resolution: J. Melchiondo**

**Second: A. Bille**

**Roll Call: Lisella: Yes**

**Morano: Yes**

**Melchiondo: Yes**

**Bille: Yes**

**Cirulli: Yes**

**Resolution 2012-228**

Resolution authorizing Emergency Temporary Appropriations for the Water/Sewer Fund

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

**Second: M. Lisella**

**Roll Call: Lisella: Yes**

**Morano: Yes**

**Melchiondo: Yes**

**Bille: Yes**

**Cirulli: Yes**

**Resolution 2012-229**

Resolution introducing the 2012 Municipal Budget

**Motion to introduce 2012 Municipal Budget: A. Bille** **Second: M. Lisella**

**Roll Call: Lisella: Yes**

**Morano: Yes**

**Melchiondo: Yes**

**Bille: Yes**

**Cirulli: Yes**

**11. 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 Social Affairs Permit for the American Legion Clam Bake to be held on July 28, 2012 with a rain date of July 29, 2012

Approval of Robert V. Steinbrunn as a Fire Police for the Pinewood Estates Fire Department

**Resolution 2012-230**

Resolution authorizing the Tax Collector to transfer funds from the Tax Account to Water/Sewer Account on Block 206, Lot 1, also known as 1 Bridge Road

**Resolution 2012-231**

Resolution authorizing a refund of Premium Paid at Tax Sale on Block 114.44, Lot 1, also known as 77 Georgetown Boulevard

**Resolution 2012-232**

Resolution authorizing the Tax Collector to refund payment erroneously paid on Block 92.111, Lot 24.11, also known as 770 Lighthouse Drive

**Resolution 2012-233**

Resolution authorizing a refund of Premium Paid at Tax Sale on Block 114.16, Lot 31, also known as 30 Mizzen Drive

**Resolution 2012-234**

Resolution authorizing a refund of Premium Paid at Tax Sale on Block 80, Lot 2.06, also known as 1467 West Bay Avenue Lien Holder: Empire Tax Fund III LLC

**Resolution 2012-235**

Resolution authorizing a refund of Premium Paid at Tax Sale on Block 80, Lot 2.06, also known as 1467 West Bay Avenue Lien Holder: US Bank-Cust

**Resolution 2012-236**

Resolution approving a waiver request for a Road Opening Permit for New Jersey Institute for Disabilities

**Resolution 2012-237**

Resolution approving a waiver request for a Road Opening Permit for John and Patricia Worth

**Resolution 2012-238**

Resolution approving an application for Preliminary and Final Sanitary Sewerage Facilities for Stone Hill @ Barnegat

**Resolution 2012-239**

Resolution approving an application for Preliminary and Final Water System Facilities for Stone Hill @ Barnegat

**Resolution 2012-240**

Resolution authorizing Township Administrator to execute a contract with Impact Technology Solutions, LLC for the year 2012 in the amount of \$1,140.00 for the Barnegat Township Municipal Court

**Resolution 2012-241**

Resolution opposing Legislative Bills S-1452/A-2425 Reform to the Open Public Records Act

**Resolution 2012-242**

Resolution authorizing a refund for the cancellation of two (2) fall 2012 Pre-School Classes

**Resolution 2012-243**

Resolution appointing Dock Masters for the 2012 Summer Season

**Resolution 2012-244**

Resolution awarding the bid to Seminole Construction, LLC for Blue Claw Estates Site Improvements Completion Project

**Resolution 2012-245**

Resolution authorizing a paid medical leave to George Krause for the period of April 1, 2012 through April 30, 2012

**Resolution 2012-246**

Resolution approving and authorizing execution of a Settlement Agreement with a former Township employee, Barbara Levin

**Resolution 2012-247**

Resolution approving and authorizing execution of a Settlement Agreement with a former Township employee, Cynthia Rahn

**Resolution 2012-248**

Resolution authorizing the establishment of two insurance programs with AFLAC of Columbus, GA for a Section 125/Cafeteria Plan and a Flexible Spending Account

**Resolution 2012-249**

Resolution authorizing the execution of a Shared Services Agreement with the City of Ocean City for various Public Works related services

**Resolution 2012-250**

Resolution waiving Water and Sanitary Sewer Fees for 63 Lexington Boulevard inasmuch as the property is inhabitable resulting from a fire

**Motion to Adopt Consent Agenda: A. Bille**

**Second: M. Lisella**

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

**Morano: Yes  
Cirulli: Yes**

**Melchiondo: Yes**

**12. Motion to Adjourn: J. Melchiondo**

**Second: L. Morano**

**I, hereby certify that the foregoing minutes  
Were formally approved by the Barnegat  
Township Committee:**

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**Municipal Clerk**