

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

TOWNSHIP COMMITTEE MEETING August 20, 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 pagers 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 Reverend Richard I. Bell, Pastor of Mt. Zion Baptist Church

4. Salute to the flag
Proclamation – Constitution Week September 17 thru 23, 2012

Resolution 2012-372 *Tabled***

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: L. Morano *Second: J. Melchiondo*

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: Property tax assessment issue still being looked at. We should reach out to Little Egg Harbor to help us make changes for tax rates. The DCA commissioner realizes how many towns are in agreement with this effort that we are trying to make.

L. Morano: Concerts are going excellent, a few rain outs but the residents got the kind of music they want. Thank you to the Township and the Dock master and staff for all their help.

J. Melchiondo: Pirate's Day spaces are filling up fast, some still available. Parking is limited but shuttle buses are available, there are no fireworks this year, but Sir Rod will be the musical entertainment. Big Lots! Grand opening scheduled for the 14th.

A. Bille: Agrees with the Mayor that the energy aggregation program is not right for Barnegat, the residents should decide what carrier they want.

7. Administrator's Report

Since the Kara Homes bankruptcy we are trying to get the Horizons drainage basin corrected. Lengthy items on this agenda explained.

***Motion to open Public Comment: L. Morano
All are in favor***

Second: A. Bille

Phil Greco – Donation to Barnegat Food Pantry from Jersey Outlaw Boat Racing Club, presented to Jake Taylor.

Phil Checcia – 12 Windward Drive: He would like letters sent to DCA in addition to every Senator in reference to property taxes. Drainage ditch behind Heritage Bay, trees growing, can it be cleaned up? Field opening date? September.

Jake Taylor – 106 Newark Road: Posed questions on ordinance 2012-22 pertaining to Ocean Acres Zoning Map. Ordinance should not be presented because the Pinelands has not approved it yet. Atty: this ordinance pertains to the map only; the Pinelands Commission has a meeting prior to our adoption upon 2nd reading. Discussion again pertaining to Judge Grasso's order on zoning change. Asked for clarification on items on this agenda.

Rose Jackson – 12 Marblehead Place: questioned status of Fifth Avenue Tract development as pertains to Res 2012-465 on this agenda. Engineer gave explanation.

Vince Green – 89 Sandpiper Road: questioned res 2012-458, the status of development across the street, and accidents in front of Heritage Bay development.

Morris Flory – 4 Blue Claw Drive: Thank you to the committee on behalf of the residents of Blue Claw Estates for completing the improvements. What is the status of Comcast installing video capabilities? Installation is progressing.

Frank Pecci - 11 Hemlock Drive: Questioned ordinance for police video upgrades. Why are we reimbursing for recycling? They can recycle themselves for money, or why not public works pick up. Shared services for fleet maintenance I have a problem with, are we protected.

Susan Conway – 24 Carriage Way: Insert in tax bills, who paid for them, taxpayers? They sounded like election rhetoric to me. Jerry Dasti is the chairman of the Ocean County Republican Finance Committee? Walter’s money donated to that Committee and keeps getting permission to build here. Why do we allow the extra COAH units? What is there and economical value to building now versus when we are to be required? It should be considered to make closed session minutes more detailed.

Ray Leszczak – 116 Redwood Drive: Bog on Rt. 554 @ Brookville Drive not retaining water anymore, even with heavy rains. Engineer explained that it is on private property. Wanted clarification on Pinewood estates rent increase. Admin. explained to let it be explained at rent Leveling meeting next month.

Frank Troia – 117 Redwood Drive: Requested decrease in rent for Pinewood Estates, no maintenance on properties at all, does not understand the increase. Admin. explained to let it be explained at rent leveling meeting next month.

Dorothy Ryan – 92 Sandpiper Road: Girl’s softball were asked to leave Lower Shore field because of a men’s league needing field, wanted committee to look into scheduling times.

Mike Howard – 22 Birdsall St.: East Bay Avenue trees have not been replaced. Read article on climate changes. Disputed fact that trees on E. Bay Avenue obstruct commercial signs for businesses.

Frank Pasenti – 41 Hannah Lee Road: Eagles are now roosting in the area of the proposed development by R. Stone off Cherry Street, please check with DEP.

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

8. New Business:

Ordinance 2012-19 (First Reading)

An Ordinance amending and supplementing Chapter 17 of the Barnegat Township Code entitled “Vehicles & Traffic”

Motion to Introduce Ordinance: J. Melchiondo Second: A. Bille
Roll Call: Lisella: Yes Morano: Yes Melchiondo: Yes
Bille: Yes Cirulli: Yes

Ordinance 2012-20 (First Reading)

An Ordinance amending and supplementing Chapter 36 entitled "Brush, Weeds, and Obnoxious Growth"

Motion to Introduce Ordinance: L. Morano Second: J. Melchiondo
Roll Call: Lisella: Yes Morano: Yes Melchiondo: Yes
Bille: Yes Cirulli: Yes

Ordinance 2012-21 (First Reading)

An Ordinance authorizing acquisition of a portion of Block 165, Lot 22.01 from Burprop, LLC

Motion to Introduce Ordinance: J. Melchiondo Second: A. Bille
Roll Call: Lisella: Yes Morano: Yes Melchiondo: Yes
Bille: Yes Cirulli: Yes

Ordinance 2012-22 (First Reading)

An Ordinance approving and adopting the revisions to the Zoning Map for the lots in Ocean Acres, Phase 3, from Residential Conservation (RC) Zone to Residential High (RH) Zone

Motion to Introduce Ordinance: J. Melchiondo Second: A. Bille
Roll Call: Lisella: Abstain Morano: No Melchiondo: Yes
Bille: Yes Cirulli: Yes

Ordinance 2012-23 (First Reading)

An Ordinance cancelling certain unfunded appropriation balances heretofore provided for various General Capital Projects totaling \$85,000.00 and reappropriating such unfunded appropriation balances for various General Capital Improvements and to reappropriate the sum of \$85,000.00 to pay the cost thereof

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

Ordinance 2012-24 (First Reading)

An Ordinance establishing revised Water and Sewer Connection fees as required by State Statute

Motion to Introduce Ordinance: J. Melchiondo Second: A. Bille
Roll Call: Lisella: Yes Morano: Yes Melchiondo: Yes
Bille: Yes Cirulli: Yes

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

Motion to approve Minutes: M. Lisella Second: A. Bille
Roll Call: Lisella: Yes Morano: Yes Melchiondo: Yes

Bille: Yes

Cirulli: Yes

9. Formal Action Agenda

Resolution 2012-373

Resolution authorizing payment of Bill List in the amount of \$ 14,697,816.02

Motion to adopt resolution: J. Melchiondo

Second: A. Bille

Roll Call: Lisella: Yes

Morano: Abstain

Melchiondo: Yes

Bille: Yes

Cirulli: Yes

Resolution 2012-374

Resolution cancelling old outstanding checks

Motion to adopt resolution: L. Morano

Second: A. Bille

Roll Call: Lisella: Yes

Morano: Yes

Melchiondo: Yes

Bille: Yes

Cirulli: Yes

10. 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 Angelo Chiamonte, Michael Ford, Lisa Lucariello and Dominick Zadera for the Barnegat First Aid Squad

Approval of Jeffrey A. Smit, Jr., as Volunteer Fire Fighter for the Barnegat Volunteer Fire Department

Approval of a 50/50 Raffle for the Barnegat sports Boosters, Inc. on September 14, 21, October 26, November 2, 9, 16 30, 2012

Approval of a Gift Raffle for the Barnegat Volunteer Fire Company, Ladies Auxiliary on August 11, 2012

Approval of an On Premise Raffle for the American Legion on September 23, 2012

Approval of an On Premise 50/50 Raffle for the Italian American Social Club on September 28, October 26, November 23, December 28, 2012, January 23, February 22, March 22, April 24, May 24, June 28, July 26 and August 23, 2013

Approval of a Block Party on Cedar Street on Saturday, August 18, 2012 from Noon to 9:00 PM

Approval of a Block Party on Deer Run Drive North on Sunday, September 2, 2012 from Noon to Midnight

Approval of a Special Permit for Social Affair for the Barnegat Volunteer Fire Co. for a beer and wine tasting event on September 29, 2012

Resolution 2012-375

Resolution authorizing a refund of premium paid at Tax Sale on Block 161, Lot 21.16, also known as 20 Allison Way

Resolution 2012-376

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.27, Lot 34, also known as 23 Anchor Road

Resolution 2012-377

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.26, Lot 14, also known as 27 Aspen Circle

Resolution 2012-378

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.01, Lot 10, also known as 27 Barnegat Boulevard

Resolution 2012-379

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.01, Lot 21, also known as 49 Barnegat Boulevard

Resolution 2012-380

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.05, Lot 14, also known as 76 Barnegat Boulevard

Resolution 2012-381

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.15, Lot 1, also known as 81 Barnegat Boulevard

Resolution 2012-382

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.15, Lot 8 also known as 95 Barnegat Boulevard

Resolution 2012-383

Resolution authorizing a refund of premium paid at Tax Sale on Block 174.08, Lot 6, also known as 2 Blue Claw Drive

Resolution 2012-384

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.14, Lot 44, also known as 70 Bowline Street

Resolution 2012-385

Resolution authorizing a refund of premium paid at Tax Sale on Block 258, Lot 15, also known as 154 Brook Street

Resolution 2012-386

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.18, Lot 10, also known as 10 Bucks Drive

Resolution 2012-387

Resolution authorizing a refund of premium paid at Tax Sale on Block 161.05, Lot 20, also known as 90 Burr Street

Resolution 2012-388

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.49, Lot 48, also known as 22 Cannonball Drive

Resolution 2012- 389

Resolution authorizing a refund of premium paid at Tax Sale on Block 93.10, Lot 3, also known as 6 Carriage Way

Resolution 2012-390

Resolution authorizing a refund of premium paid at Tax Sale on Block 256, Lot 14, also known as 19 Center Street

Resolution 2012-391

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.25, Lot 31, also known as 46 Chestnut Way Circle

Resolution 2012-392

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.36, Lot 5, also known as 64 Chestnut Way Circle

Resolution 2012-393

Resolution authorizing a refund of premium paid at Tax Sale on Block 92.58, Lot 1, also known as 21 David Drive

Resolution 2012-394

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.29, Lot 14, also known as 21 Deer Run Drive, North

Resolution 2012-395

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.09, Lot 10, also known as 84 Deer Run Drive, South

Resolution 2012-396

Resolution authorizing a refund of premium paid at Tax Sale on Block 208.06, Lot 21, also known as 9B Diamond Drive

Resolution 2012-397

Resolution authorizing Tax Collector to cancel charges on a Water/Sewer Account on Block 258, Lot 31, also known as 635 East Bay Avenue

Resolution 2012-398

Resolution authorizing the Tax Collector to refund payment erroneously paid on Block 95.44, Lot 96, also known as 28 Edgewater Path

Resolution 2012-399

Resolution authorizing a refund of premium paid at Tax Sale on Block 111, Lot 13, also known as 34 First Street

Resolution 2012-400

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.59, Lot 57, also known as 23 Freedom Hills Drive

Resolution 2012-401

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.37, Lot 33, also known as 32 Georgetown Boulevard

Resolution 2012-402

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.32, Lot 46, also known as 80 Georgetown Boulevard

Resolution 2012-403

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.46, Lot 7, also known as 103 Georgetown Boulevard

Resolution 2012-404

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.47, Lot 8, also known as 121 Georgetown Boulevard

Resolution 2012-405

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.10, Lot 14, also known as 91 Gunning River Road

Resolution 2012-406

Resolution authorizing a refund of premium paid at Tax Sale on Block 111.05, Lot 6, also known as 11 Herkimer Court

Resolution 2012-407

Resolution authorizing a refund of premium paid at Tax Sale on Block 99, Lot 10, also known as 38 Highland Drive

Resolution 2012-408

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.36, Lot 37, also known as 12 James Hollow Drive

Resolution 2012-409

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.26, Lot 119, also known as 9 Lexington Boulevard

Resolution 2012-410

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.52, Lot 5, also known as 28 Lexington Boulevard

Resolution 2012-411

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.26, Lot 109, also known as 29 Lexington Boulevard

Resolution 2012-412

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.34, Lot 29, also known as 4 Longboat Avenue

Resolution 2012-413

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.35, Lot 6, also known as 15 Longboat Avenue

Resolution 2012-414

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.22, Lot 6, also known as 11 Mast Drive

Resolution 2012-415

Resolution authorizing a refund of premium paid at Tax Sale on Block 142.06, Lot 3, also known as 6 Melissa Drive

Resolution 2012-416

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.49, Lot 18, also known as 11 Midway Court

Resolution 2012-417

Resolution authorizing refund of premium paid at Tax Sale on Block 95.37, Lot 6, also known as 8 Millcreek Terrace

Resolution 2012-418

Resolution authorizing a refund of premium paid at Tax Sale on Block 95.37, Lot 7, also known as 10 Millcreek Terrace

Resolution 2012-419

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.52, Lot 11, also known as 6 Potomac Avenue

Resolution 2012-420

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.53, Lot 4, also known as 9 Potomac Avenue

Resolution 2012-421

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.27, Lot 5, also known as 11 Ravenwood Boulevard

Resolution 2012-422

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.34, Lot 23, also known as 56 Ravenwood Boulevard

Resolution 2012-423

Resolution authorizing a refund of premium paid at Tax Sale on Block 144.01, Lot 32.01, also known as 74 Rose Hill Road

Resolution 2012-424

Resolution authorizing a refund of premium paid at Tax Sale on Block 107, Lot 19, also known as 19 Second Street

Resolution 2012-425

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.23, Lot 7, also known as 13 Sextant Drive

Resolution 2012-426

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.28, Lot 20, also known as 26 Starboard Avenue

Resolution 2012-427

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.50, Lot 35, also known as 16 Teakwood Lane

Resolution 2012-428

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.31, Lot 19, also known as 119 Village Drive

Resolution 2012-429

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.27, Lot 21, also known as 122 Village Drive

Resolution 2012-430

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.14, Lot 88, also known as 192 Village Drive

Resolution 2012-431

Resolution authorizing a refund of premium paid at Tax Sale on Block 144.04, Lot 18, also known as 115 Vivas Drive

Resolution 2012-432

Resolution authorizing a refund of premium paid at Tax Sale on Block 208, Lot 47, also known as 51 Water Street

Resolution 2012-433

Resolution authorizing a refund of premium paid at Tax Sale on Block 172, Lot 19, also known as 721 West Bay Avenue

Resolution 2012-434

Resolution authorizing a refund of premium paid at Tax Sale on Block 174, Lot 9.04, also known as 811 West Bay Avenue

Resolution 2012-435

Resolution authorizing a refund of premium paid at Tax Sale on Block 104, Lot 4, also known as 996 West Bay Avenue

Resolution 2012-436

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.25, Lot 14, also known as 1 Whitestone Court

Resolution 2012-437

Resolution approving an Application for Amended Final Sanitary Sewerage Facilities for Barnegat Crossing

Resolution 2012-438

Resolution approving an Application for Amended Final Water System Facilities for Barnegat Crossing

Resolution 2012-439

Resolution authorizing the release of a Maintenance Bond for Sanitary Sewer System for Barnegat Nine Plaza

Resolution 2012-440

Resolution authorizing the release of a Performance Guarantee and waiving the posting of a Maintenance Bond for On-Site Site Improvement for the Commons at Hampton Ridge

Resolution 2012-441

Resolution authorizing the release of a 10 Year Stormwater Management System Bond for Heritage Point North, Section 1

Resolution 2012-442

Resolution consenting to Block 146.01, Lot 6.01, also known as 575 North Main Street, Union Plaza connecting to Ocean Township Supply

Resolution 2012-443

Resolution denying the release of a Maintenance Bond for Heritage Point, South, Section 4 Site Improvements

Resolution 2012-444

Resolution authorizing the release of the Maintenance Bond for Site Improvement for Ocean Acres, Phase 1

Resolution 2012-445

Resolution approving application for Preliminary and Final Water System Facilities for Ocean Acres, Phase 3A

Resolution 2012-446

Resolution authorizing the release of a Maintenance Bond for Sanitary Sewer System Improvements for Ocean Acres, Phase 4

Resolution 2012-447

Resolution authorizing the release of a Maintenance Bond for Ocean Acres, Phase 4, Site Improvements

Resolution 2012-448

Resolution authorizing a lien be placed on various properties for failure to comply with obnoxious growth violations

Resolution 2012-449

Resolution authorizing the Mayor and Township Clerk to sign an application for the Municipal Alliance Grant for the year 2013 in the amount of \$25,000

Resolution 2012-450

Resolution supporting S-380/A-2027 the "Jessica Lunsford Act" which would increase penalties for those who commit sex crimes against minors

Resolution 2012-451

Resolution opposing S1650/A2463 regulation of Emergency Medical Services

Resolution 2012-452

Resolution supporting the passage of S1502/A392 also known as "Peggy's Law"

Resolution 2012-453

Resolution authorizing reimbursement of cancellation Summer Recreation Programs

Resolution 2012-454

Resolution authorizing reimbursement to Patriot's Cove for Recycling and Waste Disposal Expenses for the year 2011 in the amount of \$8,433.65

Resolution 2012-455

Resolution authorizing reimbursement to Patriot's Cove for Recycling and Waste Disposal Expenses for the first half of 2012 in the amount of \$3,687.47

Resolution 2012-456

Resolution authorizing the Municipal Clerk to advertise for the receipt of Bids for Water Meters for the Barnegat Township Water/Sewer Department

Resolution 2012-457

Resolution authorizing payment to Advantage Site Work, LLC in the amount of \$15,555.00 for construction of Flush Concrete Curbing

Resolution 2012-458

Resolution appointing Chief Raymond Hayducka as Hearing Officer for the Township

Resolution 2012-459

Resolution awarding a contract for the Maintenance for the DIVR System for 2012 in the amount of \$21,750.00 for the Barnegat Township Police Department to Link Communications, Inc.

Resolution 2012-460

Resolution appointing Carol Geene as Clerk/Typist in the Municipal Court at a rate of \$11.00 per hour

Resolution 2012-461

Resolution appointing Judith Voishnis as Clerk/Typist in the Municipal Court at a rate of \$11.00 per hour

Resolution 2012-462

Resolution approving a Shared Services Agreement for Fleet Maintenance with the Borough of Tuckerton and authorizing the Mayor to execute an Agreement with the Borough of Tuckerton

Resolution 2012-463

Resolution awarding a contract for maintenance on Police Department radios for the period of June, 2012 through May, 2013 in the amount of \$9,534.00

Resolution 2012-464

Resolution authorizing the refund of escrow deposits to Morning Shores HOA for Zoning Board Docket #ZB 11-06

Resolution 2012-465

Resolution authorizing the refund of escrow deposits to Menk Corporation for the Fifth Avenue Tract Planning Board Docket #PB 01-11

Resolution 2012- 466

Resolution authorizing Payment #3 to Seminole Construction, LLC in the amount of \$23,277.96 and approving Change Order #1 in the amount of \$14,390.35

Resolution 2012-467

Resolution approving the updated Barnegat Township Policies and Procedures Manual and the Employee Handbook

Motion to Adopt Consent Agenda: J. Melchiondo

Second: M. Lisella

Roll Call: Lisella: Yes Morano: Yes

Melchiondo: Yes

Bille: Yes Abstain 2012-441 & 2012-443

Cirulli: Yes

11. Motion to Adjourn: J. Melchiondo

Second: A. Bille

All are in favor

**I hereby certify that the foregoing minutes
were formally approved by the Barnegat
Township Committee**

Municipal Clerk