

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

**TOWNSHIP COMMITTEE MEETING MINUTES  
MARCH 19, 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 Pastor Dave Ridder, Pastor at Bayside Chapel

**4. Salute to the flag led by Mayor Cirulli**

**Resolution 2012-200**

Resolution appointing Michele Rivers as Deputy Municipal Clerk

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

**Resolution 2012-201**

Resolution appointing Donna Manno as Confidential Secretary

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

**Resolution 2012-173**

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

**Motion to adopt resolution: J. Melchiondo Second: A. Bille**

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

**Mayor’s Report read and made a part of these minutes**

**5. Committee Reports**

M. Lisella – Invited to Trenton to go over plan with the Acting Commissioner to address an easier and more cost effective plan for tax assessments for each year to save the Township money.

L. Morano – We are getting close to budget time, please no tax increase. Committee and Zoning Board should get together to resolve the sidewalk issue, due to safety issues at the Laurel Oaks development.

J. Melchiondo – Amendment to sign ordinance on tonight’s agenda, this will apply to all political signage and eliminate the large signs. Barnegat Historic District Ordinance will eliminate the \$50 permit fee required for renovations. Chamber of Commerce; sign on Lighthouse Drive is a continued target for vandalism.

A. Bille – I am honored to have attended Eagle Scout Court of Honor for James Priestly IV.

**6. Administrator’s Report**

Discussed items on this agenda; affordable housing now in round 2, round 3 (future obligations) will be coming in the near future. Laurel Oaks is the current developing project. Affordable Housing is a State mandate, not a local requirement. NJDOT construction at Route 72 and W. Bay Ave is due to the widening project underway. Town Center status will enable Township to secure commercial development. Further explained were resolutions and ordinances to be voted on from this agenda. Steve Cotton is here to answer questions on the artificial turf issues.

Presentation: Steve Cotton – President Jr. Bengal Football League: Installing artificial turf is part of what I do. Asked contact at Annapolis for donation of turf for Barnegat Township. Annapolis was replacing a field that had not been very much used. This was from a Stadium Field, which is thicker, and not used as much, about two years of playing. If Barnegat would pay shipping, they would donate the stadium field turf they were replacing. Steve will volunteer his time for installation process, including men and equipment. Everything I do for this town is volunteered, I have

not profited from this town. Temperature of turf does increase with weather, but that varies by area. Some fields are now made from coconut, which is cooler. Sprinklers will cool, but then rebound with heat to produce increased humidity on field. Every synthetic field is put through tests, as far as impact safety. It only had two years of use; it has years of useful life left. Annapolis wanted the next generation of turf available that is why they wanted to get rid of it. Grooming machine costs about \$1800 to maintain turf. Grading and sweeping moves the crumb rubber often to prevent dry rot, the key is to keep high traffic areas groomed often. I will do it or I will teach personnel to maintain it takes about a half hour.

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

Frank Pecci – 11 Hemlock Dr: In reference to Ocean Acres Conservation zone; the developer has to remediate DEP study. Who developed bid for fire truck? Bring Township up to speed on the turf longevity issue. Spoke about PBA contract and percentages and longevity amounts.

Jake Taylor – 106 Newark Road: Spoke about Zoning Board member appointment, Ocean Acres conservation zone and turf. Engineer representing Laurel Oaks. Amount in Trust Fund account from developers?

John Hess: responds: Route 9 improvements previously done near the COAH housing project created a five year moratorium on improvements, which is why we had them put the driveway apron in for the housing. Sidewalks would require curbing; we did initially show sidewalks we asked for waiver due to moratorium. Curbing requires drainage, would fall under moratorium as per DOT, no approval. Project manager advised us we can amend our submittal before the Board, based on representation received from the DOT as to how their moratorium is enforced. Moratorium is for major utility road openings. I work for the Township, and represent only the Township; I have never represented Walters Development.

Vince Green – Heritage Bay: Fair contract for PBA.

Linda Kropf – 38 Bridgewaters Passage: In reference to ordinance regarding political signs, wants to restrict the number of signs on a property.

Raphael Adorno – 22 Beacon Drive: Apologized for outburst during presentation of turf. Navy Marine Corp. Memorial Stadium is the website for the information on the turf. Look into the entire turf process for complete information on costs associated with it. Who will be covering the costs associated with the completion and maintenance of this project? Contaminants break down on natural turf, artificial turf breeds

contamination; cleaning chemicals needed to remove. Please consider not doing anything to the existing fields, because if we can not play on it for any circumstance, hold onto the other field.

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

**7. New Business:**

**Ordinance 2012-10 (First Reading)**

An Ordinance amending Chapter 55, Land Use, of the Code of the Township of Barnegat

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

**Explanation:** Wellhead Protection Overlay District Ordinance, for the protection of water resources

**Ordinance 2012-11 (First Reading)**

An Ordinance amending Chapter 55, Land Use, of the Code of the Township of Barnegat

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

**Explanation:** To revise requirements for Political Signs

**Ordinance 2012-12 (First Reading)**

An Ordinance amending the Codified Ordinances of the Township of Barnegat in particular redesignating certain lots from the Residential Conservation Zone to the Residential High Zone and amending the Township Zoning Map to reflect that modification

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

**Explanation:** To change designation of certain lots in the Ocean Acres Section 3

**Approval of Minutes** for the Regular Township Committee Meeting of March 5, 2012

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

**Bille: Yes**

**Cirulli: Yes**

**8. Formal Action Agenda**

**Resolution 2012-174**

Resolution authorizing payment of Bill List in the amount of \$4,333,697.49

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

**Second: M. Lisella**

**Roll Call: Lisella: Yes**

**Morano: Abstain Melchiondo: Yes**

**Bille: Yes**

**Cirulli: Yes**

**Resolution 2012-175**

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 2012-176**

Resolution authorizing Water/Sewer Budget Transfers

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

**Second: A. Bille**

**Roll Call: Lisella: Yes**

**Morano: Yes**

**Melchiondo: Yes**

**Bille: Yes**

**Cirulli: Yes**

**Resolution 2012-177**

Resolution authorizing the purchase of servers for Barnegat Township Town Hall and Barnegat Township Police Department under State Contract

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

**Second: A. Bille**

**Roll Call: Lisella: Yes**

**Morano: Yes**

**Melchiondo: Yes**

**Bille: Yes**

**Cirulli: Yes**

**9. 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 Brian S. Herczeg and Christopher Nicosia as volunteers for the Barnegat First Aid Squad

Approval of David R. Siecinski as a volunteer for the Barnegat Fire Company

Approval of the use of the Municipal Dock on Sunday, May 6, 2012 for a charity motorcycle event "David's Dream & Believe Foundation" from 8:30 AM until 11:00 AM

Approval of the use of the Municipal Dock on Saturday, April 28, 2012 for the "Jog with Jake" to have refreshments, a D.J. and face painting from 9:00 AM until 2:00 PM. The event "Jog with Jake" was previously approved by the Township Committee

Approval of the use of the Municipal Dock on Friday, June 8, 2012 from 5:30 PM until 7:30 PM for the Meridian Hospice Memorial Service

Approval of a Coin Toss for Pinewood Estates Fire Department on Route 72 and Route 539 on May 26, 27, 28, June 22, 23, 29, 30, July 1, 6, 7, 8, August 17, 18, 19, 31 September 1, 2, 7, 8, 9, 2012

**Resolution 2012-178**

Resolution authorizing Tax Collector to cancel charges on a Water/Sewer Account on Block 159, Lot 3, also known as 465 North Main Street

**Resolution 2012-179**

Resolution authorizing Tax Collector to cancel charges on a Water/Sewer Account on Block 164, Lot 3, also known as 866 West Bay Avenue

**Resolution 2012-180**

Resolution appointing Fred Bost to the Open Space Committee for the year 2012

**Resolution 2012-181**

Resolution authorizing the release of the Reforestation Bond for Advance Auto Parts

**Resolution 2012-182**

Resolution authorizing the release of a Performance Guarantee for Gunning River Mall for Sanitary Sewer System Improvements contingent upon the posting of a Maintenance Bond in the Amount of \$7,944.00

**Resolution 2012-183**

Resolution authorizing the release of a Maintenance Bond for Heritage Point South, Section 2

**Resolution 2012-184**

Resolution authorizing a close out of the Horizon's Retention Basin Project and release of all remaining bonds associated therewith

**Resolution 2012-185**

Resolution authorizing the release of a Reforestation Bond for Meyer's Buy Rite Liquors

**Resolution 2012-186**

Resolution denying the release of Performance Guarantee for Site Improvements for Meyer's Buy-Rite Liquors

**Resolution 2012-187**

Resolution authorizing the refund of escrow deposits to Andwin Realty Investors, LLC due to application being withdrawn for a Self Storage Facility

**Resolution 2012-188**

Resolution authorizing the refund of escrow deposits to Andwin Realty Investors, LLC due to application being withdrawn for a Dunkin Donuts

**Resolution 2012-189**

Resolution authorizing the refund of escrow deposits to David Cavalier for Green Thumb Day Care Planning Board review escrow due to project being constructed

**Resolution 2012-190**

Resolution authorizing the refund of Planning Board Review Escrow deposits to Gary Tucker for Dunkin Donuts due to application being approved

**Resolution 2012-191**

Resolution authorizing the refund of Zoning Board Review Escrow deposits to Gary Tucker for Dunkin Donuts due to application being approved

**Resolution 2012-192**

Resolution authorizing the refund of escrow accounts with a zero balance

**Resolution 2012-193**

Resolution opposing the mandatory fluoridation in New Jersey Drinking Water as required by A-1811 and S-959

**Resolution 2012-194**

Resolution appointing Michael Baker to the Barnegat Township Zoning Board

**Resolution 2012-195**

Resolution for the Municipal Clerk to advertise for the receipt of Request for Proposal for Management and Full Service Maintenance for Water Storage Vessels

**Resolution 2012-196**

Resolution rescinding the additional fifty dollar charge for inspection of properties in the Barnegat Township Historic District

**Resolution 2012-197**

Resolution awarding the contract for the supply of a 105 Foot Aerial Ladder Fire Truck to Pierce Manufacturing, Inc. in the amount of \$784,308.00

**Resolution 2012-198**

Resolution appointing two (2) Part Time Dock Masters and one (1) Part Time Adult Aerobics Instructor

**Resolution 2012-199**

Resolution authorizing the Township of Barnegat to participate in a Gasoline Contract with the Stafford Township Purchasing Department

**Resolution 2012-200 - Removed from Consent and placed on Page 1 after salute to the flag**

Resolution appointing Michele Rivers as Deputy Municipal Clerk

**Resolution 2012-201 - Removed from Consent and placed on Page 1 after salute to the flag**

Resolution appointing Donna Manno as Confidential Secretary

***Motion to Adopt Consent Agenda: M. Lisella Second: J. Melchiondo***

***Roll Call: Lisella: Yes Morano: Yes  
Melchiondo: Yes (abstain 2012-196)  
Bille: Yes (abstain 2012-183) Cirulli: Yes***

**Resolutions added to the agenda:**

**Resolution 2012-202**

Resolution approving Teamsters Contract for a period of three (3) years

***Motion to adopt resolution: J. Melchiondo Second: A. Bille***

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

**Resolution 2012-203**

Resolution approving PBA Contract for a period of three (3) years

***Motion to adopt resolution: J. Melchiondo Second: A. Bille***

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

**Resolution 2012-204**



Resolution appointing Richard Tallman to the ADA Committee

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

**10. Motion to Adjourn: L. Morano      Second: A. Bille**  
**All are in favor**

**Township of Barnegat, New Jersey  
Mayor's Report – March 19, 2012**

Tonight's agenda is a reflection of how this Township Committee continues to work diligently on behalf of the residents of Barnegat. Whether it is resolving ongoing litigation or purchasing equipment for our public safety volunteers, this governing body is committed to making sure Barnegat remains a safe, clean and affordable place to live.

There are a few agenda items that I would like to comment on this evening. Ordinance 2012-10 amends the Land Use Code regarding well head protection. This is one of many ordinances related to land use that the Township must adopt in order to maintain the Town Center status. Having Town Center status will allow Barnegat to be more competitive in attracting commercial development along with receiving favorable treatment with state grant opportunities.

Ordinance 2012-12 will resolve ongoing litigation involving Ocean Acres, section 3. Back in 2004, the Township entered into an agreement with Pinelands Commission and Mark Madison that would NOT permit development of this section of Ocean Acres until the completion of a multilayer snake study. The study was performed and the findings resulted in "a completely negative finding with no Northern Pine Snakes being trapped, captured or seen during the study period." While the Township initially denied the zoning, the judge has indicated that we must sit down and acknowledge the facts and recognize our obligation to honoring the agreement. This ordinance strikes a delicate balance between smart growth and preservation of sensitive environmental areas through the creation of conservation zones. Simply calling for the Township to deny this zoning change or propose a building moratorium is not a practical approach to solving this matter and in the long run, would result in most likely costly and unsuccessful litigation.

Resolution 2012-97 authorizes the Township to acquire a fire aerial truck needed to replace an existing ladder truck that is unable to be certified as it is approaching 25 years old. One of the most important functions of this Committee is to make sure our public safety volunteers have the necessary resources to properly and safely respond to the needs of the community.

Finally, at the last Township Committee meeting, certain representations are made regarding the artificial turf field planned for Lower Shore Road Recreation Complex. Mr. Steve Cotton is here tonight to clarify some statements made at the last meeting. I am confident that Mr. Cotton will enlighten all of us on how having a turf field in Barnegat will benefit all who participate in recreational activities. As stated many times, this will be a multipurpose field to be used by many different Township related organizations.

It is safe to say not all will agree with some of the statement and decisions being made this evening. Regardless of how one feels about some of the decisions rendered by this Committee, all decisions are made with the best interest of Barnegat at heart. Thank you.

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

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Municipal Clerk