

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

**TOWNSHIP COMMITTEE MEETING MINUTES  
MARCH 5, 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 Reverend Erik C. Hall, Pastor Barnegat Anew United Methodist Church

**4. Salute to the flag**

Presentation of Team New Jersey Elite on Developing a Youth Baseball/Athletic Complex in Barnegat

Presentation to Township Committee by Jersey Outlaws Boat Racing Association

Presentation of certificates to the Barnegat High School Cheerleaders

**5. Mayor's Report**

Read and made a part of these minutes

Motion to create resolution opposing Senate Bill 959 and Assembly Bill 1811 which mandates fluoridation of public water systems

**Motion: J. Melchiondo**  
**All are in favor**

**Second: A. Bille**

## **6. Committee Reports**

M. Lisella: Tax situation is state wide, not just Barnegat problem. Meeting with Commissioner was fruitful, should have another meeting in about three weeks. Township has the right, not the County or the Tax Assessor, to ask for any assessments when we think they are deemed needed.

L. Morano: Shared services are working very well, working closely with Recreation department. Concerts scheduled, we are \$6,000 under budget with concert bookings.

J. Melchiondo: Recycling efforts are paying off, received \$25,175.96 from County for tonnage picked up. Chamber of Commerce Town Wide yard sale set for April 28, 2012. EDC building permit issued to Big Lots for the former A&P site. Genuardi's will stay open until they find a new buyer. Meadowedge Park classes have been set, check website.

Al Bille: Spoke at the Dunfee School last week for read across America Day, the second graders are wonderful. Planning Board unanimously rejected the Fifth Avenue project, which was a conversion from a 55+ community to a non-adult community.

## **7. Administrator's report**

Meeting with Commissioner of Department of Community Relations was very productive. Town can bond for tax assessment loss. Recommended extend the re-inspection time for tax assessment inspections. Highlighted the inconsistencies throughout the state with respect to tax assessments. Discussed this agendas ordinances and resolutions.

J. Dasti: Received reimbursement of a portion of legal expenses for Menk paying for Wells and Fourth Street Pump Station benefitting both east and west of the parkway, town will be receiving 1.4 million in connection fees.

**Motion to open Public Comment: M. Lisella**  
**All are in favor**

**Second: A. Bille**

Phil Checcia – 12 Windward Drive: asking for clarification on the budget process and the 2% CAP.

Jake Taylor – 106 Newark Road: asking committee to look into Historic Preservation Ordinance and associated fees. Stated information he

researched on the turf received from field in Annapolis. Why did we pay so much to ship free turf for Lower Shore Road field? Wants Mr. Cotton brought in to explain the turf used and longevity.

Joseph Inserra – 20 Stillwaters Court: Will present homeowners be grandfathered in to eliminate fees for Historic District?

Frank Pecci – 11 Hemlock Drive: Fluoridation in our water should not be allowed. Required clarification on a few resolutions on this agenda. Commented on prior turf health issues, the newer type is safer than previous made turf.

Attorney explained energy provider resolution on agenda.

Rafael Adorno – 22 Beacon Drive: Highly suggests the Committee looks into the donated turf issue as it relates to product longevity, health and injury issues that have been reported on for turf usage. Check the Navy Marine Academy website who donated this turf to Barnegat.

Marianne Clemente – 565 E. Bay Avenue: Wanted clarification on the expansion of the Historical area as relates to the resolution on this agenda. Asked committee for clarification of holiday pay to Public Works employees for collecting recycling on a holiday.

***Motion to close Public Comment: J. Melchiondo    Second: A. Bille  
All are in favor***

**8. New Business:**

***Ordinance 2012-05 (First Reading)***

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

***Explanation:*** To create a new Town Center area along Route 9 from the intersection of Route 9 and Barnegat Boulevard North to just before the intersection of Route 9 and Gunning River Road

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

***Ordinance 2012-06 (First Reading)***

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

**Explanation:** To create a new Commercial Core Planned Highway Development Commercial (CC-CPHD) Overlay Zone along the Route 9 Corridor

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

**Ordinance 2012-07 (First Reading)**

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

**Explanation:** This Ordinance amends Section 55-31, Schedule of Area, Yard and Building Requirements and Schedule A to include the bulk, yard and other requirements for the TC\_CPHD, TC-CN, TC-CV and CC-CPHD Overlay Zones.

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

**Ordinance 2012-08 (First Reading)**

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

**Explanation:** This Ordinance will amend Chapter 55 in accordance with the Township of Barnegat's Initial Plan Endorsement amending Section 55-7 Zoning Map to reflect changes that have occurred since the adoption of the last Zoning Map, dated May 10, 2005

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

**Ordinance 2012-09 (First Reading)**

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

**Explanation:** This Ordinance will establish parking standards for the uses permitted within the TC-CPHD, TC-CN, TC-CV and CC-CPHD

**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 February 21, 2012

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

**9. Formal Action Agenda**

**Resolution 2012-154**

Resolution authorizing payment of Bill List in the amount of \$919,785.75

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

**Resolution 2012-155**

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**

**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 an On-Premise 50/50 on April 21, 26, 27, 28, 29 and May 23, 2012 for the PTO Barnegat High School

**Resolution 2012-156**

Resolution canceling taxes and authorizing a refund pursuant to N.J.S.A. 54:4-3.32 on Block 95.44, Lot 96, also known as 28 Edgewater Path

**Resolution 2012-157**

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.39, Lot 35, also known as 8 Seaview Court

**Resolution 2012-158**

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 2012-159**

Resolution authorizing a refund of overpayment on lots no longer assessed on Block 92.16, Lot 3

**Resolution 2012-160**

Resolution authorizing Kammie Verdolina to issue Tax Searches for the calendar year 2012

**Resolution 2012-161**

Resolution authorizing the closing of Escrow Accounts which have a zero balance

**Resolution 2012-162**

Resolution authorizing the reduction of a Performance Guarantee for Site Improvements to Gunning Hill Estates

**Resolution 2012-163**

Resolution supporting Bills S243 and A327 Volunteer Protection Legislation

**Resolution 2012-164**

Resolution authorizing the Township Administrator to endorse a contract with Stewart Business Systems for the supply of laser printer toner for 2012

**Resolution 2012-165**

Resolution authorizing the Township Administrator to endorse a contract with Schaefer Pyrotechnics for July 4, 2012 Fireworks Display

**Resolution 2012-166**

Resolution authorizing the Township Administrator to endorse a contract with Mitchell Humphrey & Co. for Zoning Manager and Land Use Manager Software

**Resolution 2012-167**

Resolution of need of the Township of Barnegat approving the Application and the Financial Agreement with Laurel Oaks Family Apartments 2 LLC for a Tax-Exempt pursuant to the New Jersey Housing and Mortgage Finance Agency Law

**Resolution 2012-168**

Resolution approving the Application and the Financial Agreement with Laurel Oaks Family Apartments 2 LLC

**Resolution 2012-169**

Resolution authorizing the Township of Barnegat to seek the qualifications of Energy Agents and Energy Consultants for the purpose of investigating the feasibility of developing a "Government-Private Energy Aggregation Program

**Resolution 2012-170**

Resolution authorizing the Township Administrator to execute a contract under New Jersey State Contract Number A76370 for the purchase of various Firefighter Protective Clothing and Equipment for the Barnegat Volunteer Fire Company

**Resolution 2012-171**

Resolution authorizing settlement of litigation with the County of Ocean for Barnegat Township v. Menk Corporation

**Resolution 2012-172**

Resolution authorizing acceptance and execution of consent order in litigation initiated by Mark Madison

**Motion to Adopt Consent Agenda: L. Morano    Second: A. Bille**  
**Roll Call:    Lisella: Yes (abstain from #167 & 168)    Morano: Yes**  
**Melchiondo: Yes    Bille: Yes                                  Cirulli: Yes**

**11. Motion to Adjourn: L. Morano                                  Second: J. Melchiondo**  
**All are in favor**