

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

**TOWNSHIP COMMITTEE MEETING MINUTES
MAY 7, 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 Glenn Swank, Pastor of Barnegat Bay Assembly of God

4. Salute to the flag

Resolution 2012-251

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: 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:

My thoughts and prayers are with the McGetrick family at this difficult time in having to deal with the loss of their son Kyle. The Committee continues to work with the League of Municipalities and other state agencies in order to change the property tax assessment procedure in New Jersey.

L. Morano: Condolences to the McGetrick family in the passing of their courageous son Kyle. Tickets available through the recreation department for various shows, I am working closely with Jean in the recreation dept for other shows.

J. Melchiondo: As Mayor in 2011, Christmas Day he proclaimed Kyle McGetrick to be honorary Mayor for the day, which will live on in Barnegat Twp., we are all very proud of Kyle. Chamber of Commerce news: record registration for town wide yard sale day. Pet Day has been cancelled for this year. Upcoming cable channel 22 will be public announcements approved by the Township to be broadcast to any and all having Comcast cable. American Pickers were in the township recently, and their show will air in the fall 2012. Vandalism to project playground, police department investigating, and cameras will be installed in this area, I wish to encourage prosecution of these individuals. I wish a Happy Mother's Day to all. Bob Vosseler is our newest reporter to join us tonight from the Asbury Park Press.

A. Bille: It is a sad event having lost Kyle from our Community, Blessings to his family. Attended the Blue Mass at St. Mary's church this past week. Would like to see the bike patrol on the Rail Trail for security reasons.

7. Administrator's Report

Administrator reviewed ordinances and resolutions on this agenda. Provided power point presentation on the Township's Bond Rating Review process, made a part of these minutes.

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

Second: J. Melchiondo

Jake Taylor – 106 Newark Road: asked for clarification on resolution for pump station bid. Questioned resolutions regarding Lower Shore Road project and money spent already to date.

Frank Pecci – 11 Hemlock Dr: M. Lisella asked for clarification of statement made by Frank at the last meeting regarding change of Town Center designation area limits. Frank: that statement is correct, it did jump. John Hess provided information regarding contiguous area limits to be included in Town Center, wetlands area of the Gunning River is commercial core and included in this designation. Frank: questioned resolution 263, 264, 266 & 267 on this agenda and costs associated with each.

Rose Jackson – 12 Marblehead Place: Thank you to Mayor & Committeeman Melchiondo for attending Fire Wise community meeting. Thank you also for prioritizing basin issue. Will real estate personnel on committee going to be

allowed to vote on these Town Center ordinances? Committee will take it under advisement.

Kelly Irizarry – 24 Hannah Lee Road: please explain the Hillside Pump Station and how it relates to the Blue Claw retention basin. John Hess explains process and location.

Al Bille responds to Rose Jackson real estate comment, I do not do commercial real estate and I have not sold a house in Barnegat. Rose responds with what does your real estate license say? Does it limit you to sell commercial real estate?

Mike Howard – 22 Birdsall Street: I had the opportunity to attend the Cruise for a Cure this weekend at the dock, concerned about the condition of the handicap access area which is in need of cleanup. What is the status of tree replacement on E. Bay Ave. near Gazebo Park? Township will look into it. Post Office property is in poor shape. Why are we encouraging tax appeals?

Walt Fernandez – Fifth Street: I have had properties for sale for a few years, under other company names. I have nothing to do with any Town Center designation.

Joe Lesnieski - 102 Spruce Lane: is there any way to monitor the handicap placards of people parking at the dock?

Angelo Mureo – 8 Creekview Road: handed out information regarding Glassboro Municipal Assessors. How much would the Township save if we eliminated the Tax Assessors office? Administrator responds that certain counties are running a pilot program that they will evaluate in approximately three years if it will apply statewide. Board of Education raised his taxes 9% on his property tax bill. Read a letter referencing the budget situation with the Board of Education.

Charlie Giles – 564 E. Bay Avenue: sits on the ADA Committee and will be addressing issues mentioned today, along with others within the Township. “Courtesy” handicap stickers are not to be confused with official handicap parking placards.

Karen Kostick – 12 Hannah Lee Road: Mentioned an issue to the engineer previously about the retention basin in the Holly Oaks development which the Township seems to have taken block & lot. Gave her number to Jerry Dasti, he will look into issue.

Phil Checcia – 12 Windward Drive: Certain committee should recuse themselves from voting on the Town Center ordinance. Defended comment made in the Patch about his conduct at a Planning Board meeting. Wants Township to cease business with Birdsall Engineering due to article about investigation of branch of the firm. Wants administrator vehicle marked for municipality, and 1099 information for administrator use. Wants costs paid for snow removal and lighting to communities, Mayor advised him to come into town hall for figures not readily available at this meeting.

Frank Pisenti – 41 Hannah Lee Road: questioning location of stream under new development for Aphrodite running through Hannah Lee some residents basements getting water in. Engineer: basin certified by engineer and will function properly. Original builder of Holly Oaks was told previously that he could not develop the property, due to frogs, now scheduled for development by R. Stone. Engineer: Original builder did not come before the board to develop that property. Four Land Use Ordinances being overlooked pertaining to this proposed development. Engineer: Residential Site Improvement Standards issued by the State supersedes our Municipal Ordinances, no longer applicable and can not impose them. Attorney offered to see him to further explain this situation.

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

Mayor opened public portion due to resident not seen as waiting to speak.

Frank Troia – 117 Redwood Drive: Looking for decrease in rent for Pinewood Estates Community discussed possible costs for pool amenities. Spoke with David Hale, did not get information he needed to go forward with rent leveling decrease application.

102 Spruce Lane: Does the board (committee) have any means to prod the Management of Pinewood Estates into making necessary repairs.

8. New Business:

Approval of Minutes for the Regular Township Committee Meeting of April 23, 2012

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

9. Old Business

Ordinance 2012-05 (Second Reading)

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

Motion to Open Public Comment: L. Morano Second: A. Bille
All are in favor

Phil Checcia – 12 Windward Drive: What are the limits of the Town Center designation?

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

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

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

Ordinance 2012-06 (Second Reading)

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

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

No public comment

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

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

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

Ordinance 2012-07 (Second Reading)

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

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

No public comment

Motion to Close Public Comment: A. Bille **Second: L. Morano**
All are in favor

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

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.

Ordinance 2012-08 (Second Reading)

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

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

All are in favor

No public comment

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

All are in favor

Motion to adopt Ordinance: M. Lisella

Second: A. Bille

Roll Call: Lisella: Yes Morano: Yes

Melchiondo: Yes

Bille: Yes Cirulli: Yes

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

Ordinance 2012-09 (Second Reading)

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

Motion to Open Public Comment: L. Morano

Second: J. Melchiondo

All are in favor

Jake Taylor – 102 Newark Road: Will this ordinance affect the number of parking spaces? Does not want to see a reduction in parking spaces required. Engineer explained provisions of this ordinance.

Motion to Close Public Comment: J. Melchiondo

Second: M. Lisella

All are in favor

Motion to adopt Ordinance: A. Bille

Second: J. Melchiondo

Roll Call: Lisella: Yes Morano: Yes

Melchiondo: Yes

Bille: Yes Cirulli: Yes

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

Ordinance 2012-10 (Second Reading)

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

Motion to Open Public Comment: L. Morano

Second: M. Lisella

All are in favor

No public comment

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

All are in favor

Motion to adopt Ordinance: J. Melchiondo

Second: A. Bille

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 (Second Reading)

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

Motion to Open Public Comment: M. Lisella Second: L. Morano
All are in favor

Phil Checcia – 12 Windward Drive: Limiting the size of signs will restrict first amendment rights of the public.

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

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

Explanation: To revise requirements for Political Signs

Ordinance 2012-12 (Second 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 Open Public Comment: J. Melchiondo Second: L. Morano
All are in favor

Rose Jackson -12 Marblehead Pl: Why is this ordinance back up for voting when it was previously voted against? Attorney: explained the Mark Madison agreement and the reason for creation of the Ordinance. Outdated study should not be valid, and questions the Pinelands Commission's stand.

Theresa Lettman – Pinelands Preservation Alliance: Letter to Township Committee read and made a part of these minutes.

Frank Pecci – 11 Hemlock Dr: Pinelands Preservation Alliance notified Township Committee that they wanted to intervene with this suit. Read excerpt from letter NJ State DEP John Stokes' letter in reference to pine snake study. This letter implies the snake pits were spiked, and that is why no snakes were found. This is a lose-lose situation we are better off keeping open space.

Jake Taylor – 106 Newark Road: I am in support of Theresa and Frank; things were done to get a favorable report on the study. Developers have over ridden and can

Approval of a change of date for the use of the Municipal Dock for the Annual Memorial Services by Meridian Hospice South for June 15, 2012

Resolution 2012-255

Resolution authorizing a refund of Premium Paid at Tax Sale on Block 249, Lot 4, also known as 51 Birdsall Street

Resolution 2012-256

Resolution authorizing a refund of Premium Paid at Tax Sale on Block 114.14, Lot 7, also known as 113 Barnegat Boulevard

Resolution 2012-257

Resolution in support of establishing a Regional Police Training Facility in Little Egg Harbor on Route 539

Resolution 2012-258

Resolution authorizing Township Clerk to advertise for the receipt of bids for the Hillside Avenue Pump Station and Sewer Main

Resolution 2012-259

Resolution authorizing Township Clerk to advertise for the receipt of bids for the resurfacing of Hillside Avenue

Resolution 2012-260 ***Not Used***

Resolution 2012-261

Resolution authorizing the refund of a Cash Bond in the amount of \$8,680.00 due to bond being posted twice

Resolution 2012-262

Resolution denying the release of a Maintenance Bond for Patriot's Cove Site Improvements

Resolution 2012-263

Resolution accepting a proposal from Remington & Vernick for a Utility Services Feasibility and Pinelands Commission Application Scoping for the Public Works Facility in an amount not to exceed \$9,100.00

Resolution 2012-264

Resolution awarding the bid for the Construction of Flush Concrete Curbing for the Football Field at Lower Shore Road Park to Advantage Site work, LLC in the amount of \$15,555.00

Resolution 2012-265

Resolution authorizing final payment to Earle Asphalt Company in the amount of \$21,837.61 for improvements to Bowline Street

Resolution 2012-266

Resolution awarding the bid for the furnishing and delivery of Precast Concrete Inlets for the Football Field at Lower Shore Road Park to Campbell Foundry Company in the amount of \$2,155.00

Resolution 2012-267

Resolution awarding the bid for the furnishing and delivery of HDPE Pie and Fittings for the Football Field at Lower Shore Road Park to Campbell Foundry Company in the amount of \$30,333.50

Resolution 2012-268

Resolution authorizing application to the New Jersey Department of Community Affairs for a \$10,000. Grant to enhance recreational programs for individuals with special needs

Resolution 2012-269

Resolution authorizing the refund of Escrow Deposits to State of NJ Development Authority, Joseph T. Donahue Elementary School

Resolution 2012-270

Resolution authorizing the Chief of Police to execute a Maintenance Agreement with Safran MorphoTrak in the amount of \$2,349.00 for the year 2012

Resolution 2012-271

Resolution authorizing the purchase of protective clothing and equipment under State Contract #A80948 in the amount of \$27,715.09 for the Barnegat Township Fire Department

Motion to Adopt Consent Agenda: L. Morano

Second: A. Bille

Roll Call: Lisella: Yes

Morano: Yes

Melchiondo: Yes

Bille: Yes

Cirulli: Yes

12. Motion to Adjourn: J. Melchiondo

Second: M. Lisella

All are in favor

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

Municipal Clerk