

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

**TOWNSHIP COMMITTEE MEETING MINUTES
October 1, 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 Glenn Swank, Pastor Barnegat Bay Assembly of God

4. Salute to the flag

Resolution 2012-484 **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: 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 – Thanked all the volunteer personnel, the bonded money supplied improved equipment for these emergency services.

L. Morano – Schedule finished for summer concerts, concert events will be extended next year beginning Memorial Day to Labor Day, looking forward to donations for these events. Halloween event to be held Saturday October 27th at Gazebo Park.

J. Melchiondo – Old Post Office area is scheduled to be fenced off, we can not allow this to happen it is used as downtown parking lot for businesses, since a 1975 Planning Board approval the parking lot has been open to public use. November will be a K-9 unit fund raising event, tickets will be available. Farmers Market will continue into November.

A. Bille – Oyster Creek plant is an economic engine for the area. The closing will create a potential loss of jobs for 80 Barnegat residents who work at the power plant. WWII bomb unearthed by contractor at Heritage Point Development, minimum evacuation of residents, the state bomb disposal unit safely detonated the bomb. Thank you to the Barnegat Police and Fire Depts. for efficiently handling the situation.

7. Administrator's Report

Damage from storm of Sept 18th was isolated to east of Route 9 along Bay Avenue and along Water Street most trees down were on public property no structural damages. Taylor Lane flooding concerns will be addressed by Public Works. Tanner's Pit: an inspector from the DEP was at the site and seems to be forward movement on this evaluation. The township engineer met with residents to explain our Planning and Zoning regulations, 61% of Barnegat can not be developed. Barnegat's best practices inventory was answered affirmatively to 44 out of 50 questions, which scored the township a high rating. Explained ordinances and resolutions on this agenda.

Presentation from Barnegat First Aid Squad by James Goldstein and Rob Liccione. The forward thinking of our Township Committee have provided us with the proper equipment to do our job. Our First Aid Squad is the highest rated in the county out of volunteer and paid squads. Training programs are available for anyone who would like to join.

***Motion to open Public Comment: A. Bille
All are in favor***

Second: L. Morano

Larry Cataldo – 9 Village Drive: I am an advocate of recreation, we were promised Lochiel Park 18 years ago. Cloverdale Park is a dirt road with a construction trailer. Road to Lower Shore Park needs to be attended to, and bathrooms need to be moved closer.

Rose Jackson – 12 Marblehead Place: going back to her community about the progress with the basin. In the future please do not schedule meetings on Jewish Holy days, which begin at sundown the evening before.

Denise Pilovsky - ___ Aphrodite Drive: handed out pictures to committee of Tanner's Pit. Investigated the paperwork at DEP relating to this facility; she discovered hundreds of violations. Please have this area tested it is very important, and read this report which states this site may exhibit outside conditions such as evidence of environmental contamination. The Planning Board allowed the development of R. Stone development. Contaminates have been found at this site. The water flows from Tanner's Pit towards my street off Route 9.

Frank Pasenti – Hannah Lee Road: Nothing is being done about this area concerning the contamination.

Angelo Mureo – 8 Creekview Road: Read a personal letter to the Governor, and made a part of these minutes.

Ray Leszczak – 116 Redwood Drive: Oyster Creek needs to be closed as soon as possible.

Howard Efron – 163 Gunning River Road: What is the status of Lower Shore Road? The turf is unplayable.

Raphael Adorno – 22 Beacon Drive: My concern as well is Lower Shore; I am going to continue to ask some of those same questions. The turf is ripped, and there are only a few volunteers and kids working on this. Our kids have not been able to play on it the season is over. The equipment is sitting there, the integrity of the league is also very bad, there are no kids playing, nobody's really down there we went from a program that was 127 kids in football there's not even 70 now in football, how do you lose 60-something kids? We want to make that a pristine area it's quite embarrassing, please do something.

Frank Pecci – 11 Hemlock Drive: many years ago when they were cleaning out Tanner's Pit, it was deplorable, they just closed it off there's no subtitle B it will never be redeveloped. Barnegat High School field #1 in county, remember that we were going to do turf there years ago. We paid twice for the same feasibility study done on the public works facility. The Master Plan took seven years; Ms. Hartman from Rutgers was going to do it for no cost. Bids for meters are restrictive, and not sure where it was published, bids should go in all papers.

Jake Taylor – 106 Newark Road: The costs for the field from Open Space funds, the company that manufactured that turf has 60 lawsuits against them; I don't want to see any kids playing on it. The engineering fees for street paving cost us a lot of money. There's a drain put in the middle of the street where the Vets park. We had to go back

after it was paved and paid engineering fees for. Our Township had to go down and put a drain in the street. The grant is misleading as to what it costs us in fees.

Linda Aiello – 25 Aphrodite Drive: Moved to Barnegat 38 years ago; is it normal procedure to grant a builder permission with out having all things tested? Engineer: An environmental impact study was done by an environmentalist hired by the developer. If the Pit was not capped properly would that create more of a drainage issue for the surrounding land? How safe is this going to be for the people buying this property. Can a moratorium be placed on this builder until this is resolved?

Attorney: we can not issue a moratorium but this committee will do all that is possible to have this property properly capped. The area has to be cleaned up properly before it can be redeveloped. The owner will be required to install outlying monitoring wells, and that may answer your question about the surrounding properties being contaminated. It is our hope that we can get the DEP to order the owner to clean up and find if it has migrated or not off the property causing offsite property.

Engineer: there is no documentation that contamination exists there at the Pit, and it would not come from surface runoff it would seep into the ground to the water table, these residents are served with township water, as will the new development. An inspection report will probably come back that a violation exists to properly close the site. And then we will address situations as they come.

Joe Aiello – 25 Aphrodite Drive: Health Officer from Atlantic County, piece of advice: you have a wonderful advocate at your disposal, and it is not the DEP, it is your County health department.

Susan Conway – 24 Carriage Way: what is being done to curb the criminal element on Lexington Blvd from spreading onto other areas of neighborhood?

Mayor: The police are on it, and monitoring what is going on.

SC: the Cox House; what kinds of funds are dedicated to fixing it up?

Admin: we have insurance money coming from summer storm damage to roof, and public works personnel are working on the carpentry portions of the work.

Karen Kostick – 12 Hannah Lee Road: There is a document at the DEP that there were no developments or wells within a certain area. I was not told about it when I bought 13 years ago. Asked for the Master Plan budget did not get the information.

Mike Howard – 22 Birdsall Street: When will the 9/11 memorial be finished? And how much money has been spent? The bus shelter on Route 9 has not been replaced since it was destroyed by accident.

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

Second: A. Bille

8. New Business:

Approval of Minutes for the Regular Township Committee Meeting of August 20, 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 2012-25 (Second Reading)

An Ordinance authorizing conveyance of vacant property known as Block 193, Lots 3, 4, 13 and 17 for a total purchase price of \$9,500.00

Motion to Open public comment: J. Melchiondo **Second: L. Morano**
All are in favor

Motion to Close public comment: A. Bille **Second: M. Lisella**
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**

Ordinance 2012-26 (Second Reading)

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

Motion to Open public comment: A. Bille **Second: M. Lisella**
All are in favor

Motion to Close public comment: A. Bille **Second: M. Lisella**
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**

10. Formal Action Agenda

Resolution 2012-485

Resolution authorizing payment of Bill List in the amount of \$343,769.99

Motion to adopt resolution: M. Lisella **Second: J. Melchiondo**

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 Calendar Raffle for St. Mary's Church to be held on the first Wednesday of every month from January through December, 2013

Approval of an Off-Premise 50/50 Raffle for Family Promise of Southern Ocean County on December 12, 2012

Resolution 2012-486

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.15, Lot 25, also known as 10 Admiral Court

Resolution 2012-487

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.02, Lot 14, also known as 10 Bayside Avenue

Resolution 2012-488

Resolution authorizing a refund of premium paid at Tax Sale on Block 116.29, Lot 6, also known as 5 Birch Court

Resolution 2012-489

Resolution authorizing a refund of premium paid at Tax Sale on Block 114.13, Lot 4, also known as 81 Bowline Street

Resolution 2012-490

Resolution authorizing a refund of premium paid at Tax Sale on Block 256, Lot 3, also known as 673 East Bay Avenue

Resolution 2012-491

Resolution authorizing a refund of premium paid at Tax Sale on Block 95.44, Lot 87, also known as 10 Edgewater Path

Resolution 2012-492

Resolution canceling taxes and authorizing a refund pursuant to N.J.S.A. 54:4-3.32 on Block 114.41, Lot 3 also known as 5 Musket Avenue

Resolution 2012-493

