

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

**REGULAR MEETING MINUTES
July 5, 2016, 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:

- By publication in the official newspapers of the date, time and location of this meeting more than 48 hours in advance, and
- By posting advance written notice on the official Bulletin Board in the Municipal Building, and in the office of the Township Clerk for the purpose of Public inspection.

3. Roll Call of Officials Present:

Committeeman Caputo – Present
Committeeman Cirulli - Present
Committeewoman McCabe – Present
Deputy Mayor Bille - Present
Mayor Novak – Present

4. Salute to the Flag

Invocation: Reverend Erik Hall, Barnegat Anew United Methodist Church

Swearing in of Lieutenant Jeffrey Ryan by Mayor Novak
Swearing in of Sergeant George Martin by Mayor Novak
Proclamation for Charlie Thomas read by Julie Peterson Aide to Tom MacArthur
-Charlie Thomas expressed his thanks.
Certificate of achievement given to the Barnegat Girls Softball League, detailed achievements by Coaches John Fratianni and Denise Pilovsky.

5. Committee Reports

F. Caputo- Congratulations to the Police and Charlie Thomas. Talked about negotiations with the PBA. Police department took 2502 calls last month. Fire Wise Communities are growing. Thank you to all the departments for making our Fourth of July a great experience. Congratulations to the Girls Softball Team.

A. Cirulli- Congratulations to Charlie Thomas and Sgt. Martin and Lt. Ryan. Still working with PBA and hoping to wrap it up by August. Public Works Department restructuring for make it more efficient. Township Auction rose over \$19, 0000 and has been a success. As well as, congratulations to the Girls Softball Team and their accomplishments.

A. Bille- Congrats to Sgt. Martin and Lt. Ryan and Charlie Thomas. Fire Works worked out well, due to the last minute decisions. Barnegat Rotary is adopting a park. Congratulations to the Girls Softball Team.

S. McCabe- Congratulations to the Girls Softball League, Charlie Thomas, and Sgt. Martin and Lt. Ryan. Thank you to Marty Lisella for dealing with all of us on figuring out how to save Fourth of July.

6. Mayor's Report

J. Novak- Congratulations to Charlie Thomas. After giving the D.O.C. all they need to help catch Arthur Buckle. Reimbursement has been denied, due to mutual aide. As far as the Gas tax, Barnegat Township stands against this.

Motion to open Public Comment: F. Caputo Second: A. Bille

Denise Pilovsky, 25 Aphrodite Dr.- This is a great opportunity for the Girls Softball.

Kristen Cierco, 49 Carriage Way- Thank you for the lights.

Motion to close Public comment: F. Caputo Second: S. McCabe

Pulled from consent agenda:

Resolution 2016-265

Resolution authorizing the purchase of Musco Lighting Structure for the Softball field lighting at the Lower Shore Road athletic fields through the NJPA Cooperative Pricing System in the amount of \$118,101.00

Motion to adopt resolution: A. Bille Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
 Bille: Yes Novak: Yes

7. Old Business

Ordinance 2016-15 (Second Reading)

An Ordinance amending and supplementing Chapter 74 of the Township General Code, revising the Irrigation Meter Fee for Mirage

Motion to open Public Comment: A. Bille Second: A. Cirulli

Motion to close Public comment: A. Bille Second: A. McCabe

Motion to adopt ordinance: A. Bille Second: A. Cirulli

Roll Call: Caputo: Abstain Cirulli: Yes McCabe: Yes
 Bille: Yes Novak: Yes

Ordinance 2016-16 (Second Reading)

An Ordinance amending and supplementing Section 55-327 of the Township Land Use Code, entitled, "Drainage Assessments"

Motion to open Public Comment: A. Cirulli

Second: A. Bille

Motion to close Public comment: A. Bille

Second: F. Caputo

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

Ordinance 2016-17 (Second Reading)

An Ordinance Amending and supplementing Chapter 36 of the Township General Code entitled "Obnoxious Growth"

Motion to open Public Comment: A. Bille

Second: A. Cirulli

Motion to close Public comment: A. Bille

Second: F. Caputo

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

Ordinance 2016-18 (Second Reading)

An Ordinance amending and supplementing Chapter 39 of the Township General Code entitled "Construction Codes, Uniform"

Motion to open Public Comment: A. Bille

Second: A. Cirulli

Motion to close Public comment: A. Bille

Second: A. Cirulli

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

Ordinance 2016-19 (Second Reading)

An Ordinance amending and supplementing Chapter 64 of the Township General Code entitled "Rent Leveling"

Motion to open Public Comment: A. Bille

Second: A. Cirulli

Motion to close Public comment: A. Bille

Second: A. Cirulli

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

8. New Business

Approval of the Committee Meeting Minutes for June 14, 2016

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

Ordinance 2016-21 (first reading)

An Ordinance amending and supplementing Chapter 74 of the Township Code entitled "Water/Sewer Utility"

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Abstain Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

9. Formal Action Agenda

Resolution 2016-252

Resolution authorizing payment of Bill List in the amount of \$4,126,529.10

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

Resolution 2016-253

Resolution requesting a Chapter 159 be added to the 2016 budget for Grant: Alcohol Education Rehabilitation and Enforcement Fund, in the amount of \$1,087.77

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: Yes

Resolution 2016-254

Resolution requesting a Chapter 159 be added to the 2016 budget for Grant: Cops in Shops Summer Shore Program, in the amount of \$2,400.00

Motion to adopt ordinance: F. Caputo

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
Bille: Yes Novak: 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 Robert Rawley as Volunteer Fire Fighter

Approval for Barnegat Fire Company to hold annual 5K event at Municipal Dock on Saturday, September 3rd 2016

Approval for Heritage Point Women's Group to hold on premise 50/50 on August 17, 2016

Approval of Fall Festival Social Affairs permit for the Barnegat Fire Company on September 24, 2016

Resolution 2016-255

Resolution authorizing a refund of premiums paid at tax sale on Block 114.37 Lot 21, 26 Georgetown Boulevard; Block 114.37 Lot 30, 5 Silversmith Court, Block 101 Lot 14, 71 Highland Drive; Block 114.61 Lot 16, 8 Flintlock Drive; Block 114.50 Lot 42, 2 Teakwood Lane, Block 116.23 Lot 11, 21 Spruce Circle South; Block 114.26 Lot 46, 24 Potomac Court; Block 249 Lot 4, 51 Birdsall Street; Block 115.01 Lot 9, 3 Ocean Avenue; Block 102 Lot 7, 10 Seventh Street; Block 114.26 Lot 60, 123 Lexington Boulevard

Resolution 2016-256

Accepting change order #1 (\$41,855.67 decrease) and authorizing payment #2, final to Earle Asphalt Company, for the NJDOT FY2014 Harpoon Drive Roadway Improvements Project in the amount of \$3,484.51

Resolution 2016-257

Resolution authorizing the Municipal Clerk to advertise for the receipt of bids for the Barnegat Boulevard Sanitary Sewer Replacement Project

Resolution 2016-258

Resolution authorizing a separation agreement between the Township of Barnegat and Patrolman Joseph T. Stanziano

Resolution 2016-259

Resolution approving the appointment of Michele Smallze as Municipal Court Administrator

Resolution 2016-260

Resolution appointing members to the Environmental Commission

Resolution 2016-261

Resolution appointing members to the Township Planning Board

Resolution 2016-262

Resolution opposing Atlantic City Electric Company's rate increase

Resolution 2016-263

Resolution opposing licensed casino's outside of Atlantic City

Resolution 2016-264

Authorizing refunds for cancellation of recreation program classes

Resolution 2016-265

Resolution authorizing the purchase of Musco Lighting Structure for the Softball field lighting at the Lower Shore Road athletic fields through the NJPA Cooperative Pricing System in the amount of \$118,101.00

Resolution 2016-266

Resolution authorizing maintenance contract with Gramco Business Communications for support of the Court recording system in the amount of \$1,270.00

Resolution 2016-267

Resolution awarding a two (2) year contract to Water Works Supply Co., Inc. for the procurement of water meters in the amount of \$32,935.50

Resolution 2016-268

Resolution authorizing a contract agreement with White Box Technologies Inc., for data conversion for the Police Department in the amount of \$41,800.00

Resolution 2016-269

Resolution authorizing a road opening moratorium for 28 Hillside Ave, Block 172 Lot 43 to convert to NJ Natural gas

Resolution 2016-270

Resolution authorizing a lien be placed on certain properties for obnoxious growth violations

Resolution 2016-270A

Resolution authorizing the Municipal Clerk to advertise for the position of Deputy Court Administrator

Resolution 2016-271

Resolution opposing the proposed increase of the Gas Tax

Added to agenda:

Resolution 2016-271A

Resolution directing the Ocean County Clerk to place non-binding referenda question on the ballot for the next general election in Barnegat. (Regarding July 4th Fireworks display.)

Motion to adopt ordinance: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
 Bille: Yes Novak: Yes

Resolution 2016-272

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

Motion to adopt resolution: A. Bille

Second: A. Cirulli

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes

Bille: Yes

Novak: Yes

Motion to Re-open Public Comment: F. Caputo Second: A. Bille

John Murrin, 38 Pierhead, Feels that the amount of what the cost of fireworks is should be included on the referendum.

Jake Taylor, 106 Newark Rd.- Questioning why the tape was stopped on the TV Channel. Stated the he forwarded a letter to the DCA in regards to 97 Lexington and improper spending of Barnegat Township money.

Frank Pecci, 11 Hemlock- 2016-260, who is qualified to be on the Environmental Commission? Asked in regards to PBA negotiations, funding the police for their education and the new promotions. Asked if their salaries would be increased and will there be retro? Why do we need 15,000 meters?

S. McCabe- We cannot talk about the negotiations and believes the town wants to invest in education for their police officers to be on top of the new things that are happening.

A Cirulli- Explained that the bid states a larger amount of meters to be able to secure a lower cost.

Marianne Clemente, 565 E. Bay Ave.- Questioning why we do not have every week recycling, and if the calendar is correct.

M. Lisella- It ended in December, and was printed in the current calendar.

J. Novak- We asked others in the field and that have the services, it worked out to be a savings.

William Cox, 4 Herkimer Ct.- Questioning the Atlantic Heights purchase. LLC's have been purchasing a lot of homes in Barnegat. It seems like most of the LLC's are overlapping.

J. Novak- AJH is the buyer; they paid a large price for it. Condition of properties is taken care of by Code Enforcement. A lot of these companies buy up property to rent and make revenue.

Al Cirulli- We will go after the owners of the home if they are not being maintained.

Al Bille- Wanted to thank Bill with giving us the help to be able to set up the cameras at project Playground after the renovations.

S. Mccabe- Barnegat does not have control over who buys what property. As long as they follow the law.

Corinna Cox, 4 Herkimer Ct.- States that she has researched properties, the properties are rented, not maintained, then there are liens due to unpaid water

bills. We are allowing this to happen. Companies are changing hands but they are the same people. Discussed social media, and how it prompted all this.

M. Lisella- We have started giving shut off notices due to this problem.

J. Novak- We don't hold the liens because we sell them at a public auction, and collect the money, while the third party collects the interest.

J. Dasti- We sent out thousands of letters on delinquent taxes and sewer and water liens. In regards to the 1966 tax lien, a tax lien only has legality for 20 years. It was probably paid but inadvertently not discharged through the County Clerk's Office. Taxes are not dischargeable, and get paid at a high interest rate.

Rich Haas, 113 Mirage Blvd.- Asking about Barnegat Crossing and how long it is taking to complete.

J. Novak- Was informed that by September there should be steel construction started. Property was subject to a zoning issue, which also involved Pine Lands.

Daniel Day, 200 Edison Road- Could you define luxury restricted income means on housing. What are these people that are purchasing these homes getting and are we subsidizing it? Are they paying a school tax? Questioning irrigation meters. Asking if Atlantic Heights, can be re assessed to collect taxes, and if Churches are zoned or can they go anywhere?

J. Novak- Gave explanation of luxurious houses, but not familiar with what luxury restricted or income restricted is. It's part of Fair share housing obligation. You would need to go in front of the zoning board based on the area in which you put a church.

J. Dasti- Explains the development is age restricted and these are 100% affordable housing with restrictions of age and income. They pay a pilot tax. Atlantic Heights can be re- assessed next year.

Motion to close Public comment: A. Bille

Second: F. Caputo

Motion to Adjourn: A. Bille
All are in favor

Second: F. Caputo

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

Township Clerk