

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

**REGULAR MEETING MINUTES
August 2, 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: Pastor Joe Faraldi, Bayside Chapel

Walt Fernandez- Talked about the success of Day on the Bay.

Presentation by Chamber of Commerce to: Walt Fernandez for The Day on the Bay event.

5. Committee Reports

F. Caputo- Extended thanks to Chamber of Commerce in recognizing Walt Fernandez. Stated they are still working with the PBA with their contract. Also, gave reports that there were 1,959 police calls for the month. Fire safety council will be attending a special grant program meeting in Waretown.

Al Bille- Gave thanks to Walt Fernandez for Day on the Bay and the Chamber of Commerce for the help they have given to the town. Bond rating has been decreased. Will be working with Public Works in recreation.

Al Cirulli- Expressed thanks to Walt Fernandez and Chamber of Commerce for all they do in the community. Stated PBA and Public Works are moving along.

S. McCabe- Gave thanks to Walt Fernandez and Chamber of Commerce. Public Works has been doing a great job along with Water and Sewer.

6. Mayor's Report

J. Novak- Discussed the Bond rate being lowered due to the bid that went out. Expressed the Committee will not be making any comments on the situation with the Chief. Expressed they will be sticking to the five minute rule with the public comments.

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

Second: A. Cirulli

Phil Checchia, 12 Windward Dr. - Questioned added years to the refinance of the loan. Gave suggestion to the weed issue at the parks. Discussed presidential speech.

J. Novak- Informed Mr. Checchia how the town has retired debt ahead of schedule.

Fred Rubenstein, - Gave clear proof on how well the police do their jobs. He commends the Committee.

Matt Robidoux, 108 Ravenwood Blvd. - Asking about the re-organizing of Public Works. Made complaint about County Dispatch.

Al Cirulli- Explained that re-organizing Public Works will break down the way things will be done.

J. Novak- Informed Mr. Robidoux that his concerns are taken under advisement. Explained how engaged everyone is with what is going on with dispatch.

Ray Leszczak, 116 Redwood Dr. - Asking about the letters in regards to garbage charge? Stated the Wilde Life Refuge had a litter issue.

M. Lisella- Explained the charges were already determined and executed in August.

J. Novak- Gave information on who to contact in regards to the Wild Life Refuge.

Jake Taylor, 106 Newark Rd. - Resolution 2016-276. Asking about the recommendations of how to stop illegal spending by the Committee and 77 Lexington charges. Talked about tipping fees, sanitation payments and reimbursements to Laurel Oaks. He also questioned the payments being made to Dave Breeden.

J. Novak- In regards to Dave Breeden it's an active litigation, so we cannot comment. As far as 77 Lexington, I need to discuss with the police before an answer is given.

M. Lisella- By contract Dave Breeden is being paid till the end of August. In regards to Waste Management some complexes get reimbursed since they don't use the town for trash pickup.

Frank Pecci, 11 Hemlock Dr. - Questioned Ordinance 2016-23 mixed use. Asked about the per unit fee. Expressed concern on us paying more than what we should. Discussed attorney fees and that we have surpassed our budget. Feels Committee should look into what we pay an attorney. Also, questioned the water meters and why so much money is going into the budget for the meters.

J. Novak- Gave explanation on attorney fees and how it is broken down.

Rafael Adorno, 1 memorial Drive, Waretown- Asked about who the attorneys are for Township, Water Sewer and Conflict. Also asked who handled Labor issues. Questioned how a conflict would be handled with School Board attorney. Asked who the firm was that handled the audit for the town, and made a complaint about County Dispatch.

J. Novak- Gave explanations on who the attorneys are, what they are responsible for and how they are paid. Stated once the Audit is completed and voted on it will be released to the public. As far as dispatch things are still being worked out.

Motion to close Public comment: F. Caputo Second: A. Bille
All are in favor, motion carried

7. Old Business

Ordinance 2016-21 (second reading)

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

Motion to open Public Comment: A. Bille Second: F. Caputo
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 May 31, July 5 and July 22, 2016

Motion to approve minutes: A. Cirulli Second: A. Bille
Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
 Bille: Yes Novak: Yes

Approval of Closed Session Minutes of July 15, 2016, as amended by the mayor, subject to the conditions of the Mayor redacting the identity of the police officers

as mentioned and the release of the minutes subject to review by Township Attorney.

J. Novak- Suggested two amendments and to redact the identity of the police officers, because they were assured they could speak candidly and confidentially.

S. McCabe- Expressed her legal concerns about redaction of the minutes.

A. Cirulli- Asked Senator Connors is he is aware of the situation which involved the minutes.

F. Caputo- Feels they should be released as is.

A. Bille- Agrees that they should be released as is.

Motion to approve redacted minutes, authorize attorney review on opinion of attorney release un-redacted: Motion: F. Caputo Second: A. Cirulli

Roll Call: Caputo: No Cirulli: Yes McCabe: No
Bille: No Novak: Yes

Ordinance 2016- 22 (First Reading)

An Ordinance authorizing the acquisition of vacant land known and designated as Block 258, Lot 37; 613 East Bay Avenue, for no consideration

Motion to introduce Ordinance: F. Caputo Second: A. Bille

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

Ordinance 2016- 23 (First Reading)

An Ordinance adopting the Shoreline Sand and Gravel, and Compass Point Redevelopment Plan.

(Block 92, Lots 15, 16, 18, 18.01, 20, 21, 23, 23.03 and 23.04; Block 92.103, Lots 1 through 4; Block 92.104, Lots 1 through 16; Block 92.015 Lots 1 through 23; Block 92.106, Lots 1 through 24; Block 92.107, Lots 7 & 8; Block 92.108, Lots 15 through 24; Block 92.109, Lots 14 & 15; Block 92.113, Lots 42 through 45; Inclusive of any and all streets "Paper" Streets, Private Drives, and Rights-of-Way)

Motion to introduce Ordinance: F. Caputo Second: A. Bille

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

9. Formal Action Agenda

Resolution 2016-275

Resolution authorizing payment of Bill List in the amount of \$7,511,194.93

Motion to adopt resolution: A. Bille

Second: A. Cirulli

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

Resolution 2016-276

Resolution certifying the governing body has reviewed the general comments and recommendations of the 2015 audit

Motion to adopt resolution: A. Bille

Second: A. Cirulli

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

Resolution 2016-277

Resolution submitting a Corrective Action Plan of the audit to the Township Committee

Motion to adopt resolution: A. Bille

Second: F. Caputo

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 Barnegat Volunteer Fire Company's Ladies Auxiliary to hold on premise 50/50 raffle on September 24, 2016

Approval for Italian & American Social Club of Heritage Point to hold on premise 50/50 raffle September 23rd & October 28, 2016

Approval for Block Party, Chance Drive, 3pm – 10pm, Saturday September 3, 2016

Approval for Block Party, 34 – 45 Deer Run Drive North, 11am – midnight on September 3, 2016

Approval for Block Party, Powderhorn Drive, 1pm – 10pm, August 13, 2016, rain date of August 20, 2016

Resolution 2016-278

Resolution extending the grace period to pay third quarter taxes to August 15, 2016

Resolution 2016-279

Resolution authorizing the Tax Collector to refund overpayment erroneously paid on Block 114.60 Lot 10; 110 Freedom Hills Drive

Resolution 2016-280

Resolution canceling taxes and authorizing a refund due to Totally Disabled Veteran Property Tax Exemption Block 95.20 Lot 16; 77 Mirage Boulevard

Resolution 2016-281

Resolution canceling taxes and authorizing a refund due to Totally Disabled Veteran Property Tax Exemption Block 116.05 Lot 25; 2 Quartz Terrace

Resolution 2016-282

Resolution canceling taxes and authorizing a refund due to Totally Disabled Veteran Property Tax Exemption Block 90.42 Lot 16; 42 Twilight Drive

Resolution 2016-283

Resolution authorizing the Tax Collector to refund Homestead Benefit due to Totally Disabled Veteran Property Tax Exemption Block 116.05 Lot 25; 2 Quartz Terrace

Resolution 2016-284

Resolution authorizing the Tax Collector to reimburse lien holder for Certificate erroneously sold at Tax Sale with legal interest Block 161.08 Lot 9.15; Open Space Jon Drive

Resolution 2016-285

Resolution authorizing the Tax Collector to reimburse lien holder for Certificate erroneously sold at Tax Sale with legal interest Block 142.03 Lot 9.01; Open Space Pennsylvania Avenue

Resolution 2016-286

Resolution authorizing the Tax Collector to reimburse lien holder for Certificate erroneously sold at Tax Sale with legal interest Block 144.03 Lot 30; Open Space Vivas Drive

Resolution 2016-287

Resolution authorizing a refund of premiums paid at tax sale on various Blocks and Lots

Resolution 2016-288

Resolution authorizing a lien be placed on certain properties for failure to comply with Obnoxious Growth violations

Resolution 2016-289

Resolution authorizing reimbursement for cancelled recreation program classes

Resolution 2016-290

Resolution denying the release of Performance Guarantee for Right-of-way Improvements for Wawa, Inc.

Resolution 2016-291
Resolution denying the release of a 10-year Inspection Guarantee for On-Site Stormwater Management System for Wawa Inc.

Resolution 2016-292
Resolution denying the release of a 10-year Inspection Guarantee for Off-Tract Stormwater Management System for Wawa Inc.

Resolution 2016-293
Resolution approving the release of a 4-year Maintenance Guarantee of Off-Tract Stormwater Management System for Wawa Inc.

Resolution 2016-294
Resolution approving the release for of a Performance Guarantee for Heritage Point North, Section 3C, Site Improvements

Resolution 2016-295
Resolution approving the release of a Maintenance Bond for Heritage Point North, Section 3B, Site Improvements

Resolution 2016-296
Resolution authorizing the release of a Maintenance Bond for the Dry Sanitary Sewer System for Block 92.112 Lot 42.11, D & F Barnegat Developments, LLC, Lighthouse Crossing project

Resolution 2016-297
Resolution authorizing the release of a Maintenance Bond for the Dry Water Sewer System for Block 92.112 Lot 42.11, D & F Barnegat Developments, LLC, Lighthouse Crossing project

Resolution 2016-298
Resolution appointing Michele Smallze as Municipal Court Security/On Call Personnel

Resolution 2016-299
Resolution authorizing an amendment to the per unit charge for solid waste collection for July 1 through September 30, 2016

Resolution 2016-300
Resolution calling for sensible rules on the publication of public notices

Resolution 2016-301
Resolution renewing Inactive Liquor Licenses for the 2016/2017 Term

Resolution 2016-302
Resolution authorizing the listing of 97 Lexington Boulevard, and 12 Highland Drive with a Real Estate Agent

Resolution 2016-303

Resolution authorizing the Municipal Clerk to advertise for the receipt of Request for Proposal (RFP) for Rent Leveling Attorney for 2016

Resolution 2016-304

Resolution in support of our Police Officers and recognizing the efforts of the Barnegat Police Department, and all police departments throughout the nation

Added to agenda:

Resolution 2016-304A

Resolution appointing James J. Gluck, Esq. to serve as hearing officer with regard to certain employment matters

Motion to Adopt Consent Agenda: A. Bille **Second: A. Cirulli**

Roll Call: Caputo: Yes Cirulli: Yes McCabe: Yes
 Bille: Yes Abstain 2016-294/2016-295 Novak: Yes

Resolution 2016-305

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

Motion to adopt resolution: F. Caputo **Second: A. Bille**

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

Motion to Adjourn: A. Cirulli

Second: F. Caputo

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

Township Clerk