

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

**REGULAR MEETING AGENDA MINUTES
March 7, 2017, 6:30 PM**

1. Call to Order Township Committee Meeting of March 7, 2017

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

Invocation: Reverend Erik C. Hall, Pastor of Barnegat Anew United Methodist Church

4. Salute to the Flag

5. Committee Reports: Cirulli, Novak, McCabe, Caputo

Al Cirulli – Public works is ready for the impending storm, all parks, beach and dock facilities are secured.

J. Novak – Explained in detail the new Bail Reform and asked that the Township submit a Resolution opposing the new bail reform.
Police calls were down from February of 2016 by 53%.
Explained what changes will be made to the Police uniform. External Ballistic Gear is rifle resistant from front and back.

S. McCabe - Happy to announce that we will be constructing a new Skate Park, already bonded for. Paving of the Municipal Dock should be complete by fall of 2017.

F. Caputo – No report at this time.

6. Mayor's Report

Expressed the great job that the Fire, Police and First Aid did during the fire of February 27th on Bengal Blvd. Happy to report no injuries occurred.

Motion to Open Public Comment: J. Novak

Second: A. Cirulli

Dave Moore - 70 Rose Hill Road – Spoke about the property known as Barnegat Glenn, 21 acre preserve. Explained that Ocean County is willing to purchase this site for Open Space and asked for Resolution to preserve this site. Also was not happy that the Open Space committee has not met in 3 years. Township must have meetings because it is collecting a percentage of taxes for the Trust fund.

Jerry Harper - 181 Bayshore Drive – Also wanted the Committee to vote yes to have the County purchase Barnegat Glenn for Open Space.

Charlene Costaris - 23 Ridgeway St – Spoke of the increase in taxes from when she moved here in 1974 until now, up approximately 32%.

Jake Taylor – 106 Newark Road – Spoke in length about the history of the Barnegat Glenn property. Wants this committee to 100% support the County's purchase of this property. Also upset about the Open Space Committee not meeting for 3 years, something the Mayor must control.

Frank Pecci – 11 Hemlock Drive – Also wants Committee to agree to have County purchase Barnegat Glenn property.

Bill Dluzniewski – 6 Mystic Cove Terrace – Open Space meetings should be every month.

Daniel Day – 200 Edison Road – Our town has too much debt.

Rafael Adorno – 1 Memorial Drive, Waretown – Talked about the Board of Education's Health benefits and how the Township pays roughly \$10,000 more per person than the Schools. The fact that the PBA still has no contract is fiscally irresponsible of the Town.

Tom Lombarski explained that the amount he was speaking of was before the contribution per person. Bottom line, the Township's cost for health insurance is only about \$700.00 more per person than the Schools health insurance.

Matthew Robidoux – 108 Ravenwood Blvd – Liked hearing John Novak on the radio. Asked how much salt we had for the upcoming storm? Talked about the Fire Wise Communities.

Al Cirulli told him 275 tons and also prepared with Brine.

Frank Caputo told him that the next Fire Wise meeting will be May 4th.

Anthony Robidoux – 108 Ravenwood Blvd – Asked if there are laws on Comp Time.

John Novak explained that each town dictates their own Comp time policies.

Michelle Woodruff – 5 Ann Court – Asked about the electronic sign and if it was replacing the sign in front of Town Hall? The answer was no, Resolution 2017-125 is for the Police department. She asked if Brighton can have our current sign when it gets replaced with a new one.

Steve Bauer – 22 Bridgewaters Passage – Asked why we recycle? Also supported having Open Space meetings.

Diane Schlagle – Brighton at Barnegat – Questioned the Transfer Station on 72? Was happy to hear the answer was No.

Motion to Close Public Comment: F. Caputo

Second: A. Cirulli

7. Old Business:

Ordinance 2017-01 (Second Reading)

Ordinance establishing salaries of officers and employees of the Township of Barnegat, and repealing any and all other ordinances inconsistent herewith

Motion to Open Public Comment: J. Novak

Second: A. Cirulli

Motion to Close Public Comment: F. Caputo

Second: A. Cirulli

Motion to adopt ordinance: J. Novak

Second: A. Cirulli

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes

Committeewoman McCabe: Yes

Deputy Mayor Caputo: Yes

Mayor Bille: Yes

Ordinance 2017-02 (Second Reading)

Ordinance to exceed the municipal budget appropriation limits and to establish a cap bank in accordance with N.J.S.A 40A:4-45.14

Motion to Open Public Comment: A. Cirulli Second: S. McCabe
Motion to Close Public Comment: A. Cirulli Second: S. McCabe

Motion to adopt ordinance: A. Cirulli Second: J. Novak
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-03 (Second Reading)

An Ordinance extending a Lease Agreement for rental space to accommodate a billboard on Block 196, Lot 1 to Interstate Outdoor Advertising

Motion to Open Public Comment: F. Caputo Second: A. Cirulli
Motion to Close Public Comment: F. Caputo Second: A. Cirulli

Motion to adopt ordinance: S. McCabe Second: A. Cirulli
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-04 **TABLED******

An Ordinance amending and supplementing Section 55-57C of the Township Land Use Code to allow condominium development in the C-N Zone west of the Parkway

Motion to Open Public Comment: A. Cirulli Second: J. Novak

Jerry Dasti gave explanation why Ordinance is tabled.

Jake Taylor – Against Condo’s, no “loose” ordinances!

Matt Robidoux- 108 Ravenwood Blvd; What are they clearing off of Lighthouse Drive. It was explained that Lennar Development is constructing 260, 55+ homes.

Motion to Close Public Comment: F. Caputo Second: S. McCabe

Motion to TABLE ordinance: A. Cirulli Second: F. Caputo
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-05 (Second Reading)

An Ordinance adopting the updated and amended Redevelopment Plan for Shoreline Sand & Gravel, Compass Point, Inclusive of the following Blocks and Lots:

(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 92.105 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 Open Public Comment: J. Novak Second: S. McCabe

Jake Taylor – 105 Newark Road - Make sure it is only Shore Line development.

Frank Pecci – 11 Hemlock – Has a problem with the wording "Inclusive".

Matt Robidoux – 108 Ravenwood Blvd - Is there a "Hazmat" problem on this site?

Motion to Close Public Comment: F. Caputo Second: J. Novak

Motion to adopt ordinance: J. Novak Second: J. Novak

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

8. New Business

Approval of the Township Committee Meeting Minutes of February 7, 2017

Motion to approve minutes: F. Caputo Second: S. McCabe

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-06 (First Reading)

An Ordinance authorizing acquisition of real property known and designated as Block 92.64 Lot 19, 13 Freeboard Avenue, for no consideration

Motion to introduce ordinance: F. Caputo Second: J. Novak
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-07 (First Reading)

An Ordinance authorizing acquisition of real property known and designated as Block 92.41 Lot 11, 21 Spyglass Lane, for no consideration

Motion to introduce ordinance: J. Novak Second: F. Caputo
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-08 (First Reading)

An Ordinance cancelling certain funded appropriation balances heretofore provided for various general capital projects totaling \$560,000.00 and reappropriating such funded appropriation balances for various general capital improvements and to reappropriate the sum of \$560,000.00 to pay the cost thereof

Motion to introduce ordinance: J. Novak Second: S. McCabe
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-09 (First Reading)

An Ordinance offering for sale at public auction real property owned by the Township known and designated as Block 210.01 Lot 11, 50 Bayview Boulevard

Motion to introduce ordinance: F. Caputo Second: J. Novak
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-10 (First Reading)

An Ordinance amending and supplementing Chapter 44 entitled "Dogs" of the Township General Code

Motion to introduce ordinance: J. Novak Second: A. Cirulli
Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-11 (First Reading)

An Ordinance amending and supplementing Chapter 38A entitled "Cats" of the Township General Code

Motion to introduce ordinance: A. Cirulli Second: S. McCabe

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-12 (First Reading)

An ordinance amending and supplementing section 55-57C of the Township Land Use Ordinance to allow condominium development in the CN Zone, west of the New Jersey Garden State Parkway

Motion to introduce ordinance: J. Novak Second: F. Caputo

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017-13 (First Reading)

An ordinance revoking and rescinding in part a portion of Ordinance 1980-17 entitled "An Ordinance authorizing the Township of Barnegat to lease lands not needed for public use, known as Block 144 Lot 4 on the Township Tax Map to the Barnegat Youth League, Inc., and the Barnegat Soccer League, Inc.

Motion to introduce ordinance: F. Caputo Second: A. Cirulli

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

9. Formal Action Agenda

Resolution 2017-100

Resolution authorizing payment of Bill List in the amount of \$7,413,200.87

Motion to adopt resolution: F. Caputo Second: S. McCabe

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017-101

Resolution authorizing transfers within the 2016 Municipal Budget, Current Fund Reserves

Motion to adopt resolution: A. Cirulli

Second: S. McCabe

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017-102

Resolution authorizing emergency temporary appropriations for the Current Fund and Water & Sewer Utility Fund

Motion to adopt resolution: F. Caputo

Second: A. Cirulli

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017-103

Resolution Introducing the 2017 Municipal Budget

Motion to adopt resolution: F. Caputo

Second: A. Cirulli

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017-104

Resolution determining the form and other details of not exceeding \$450,000 General Obligation Bonds, Series 2017, of the Township and providing for their sale to the NJ Environmental Infrastructure Trust (NJEIT), and the State of New Jersey pursuant to the NJEIT Financing Program

Motion to adopt resolution: F. Caputo

Second: A. Cirulli

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017-105

Resolution authorizing the execution and delivery of loan agreements to be executed by the Township, the NJ Environmental Infrastructure Trust (NJEIT) and the NJ Department of Environmental Protection and further authorizing the execution and delivery of an escrow agreement, all pursuant to the NJEIT Financing Program

Motion to adopt resolution: F. Caputo

Second: A. Cirulli

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes

Committeewoman McCabe: Yes

Deputy Mayor Caputo: Yes

Mayor Bille: 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 for the Barnegat Bay Assembly of God to use the Municipal Dock for sunrise mass on Easter Sunday, April 16, 2017

Approval for the Barnegat VFW Post #10092 to have use of the Gazebo Park for the Memorial Day Ceremony on Monday, May 29, 2017, and Veteran's Day Ceremony on Saturday November 11, 2017. The use of the Municipal Dock on Thursday, December 7, 2017 for Pearl Harbor Day ceremony

Approval for membership of Bonnie Melina to the Barnegat First Aid Squad

Approval for membership of Michael C. Baker to the Barnegat Fire Company

Approval for membership of Craig Lindstrom, Jr. and Nicholas Slater as Junior Firefighters to the Barnegat Fire Company

Approval for Jersey Outlaws Racing Association to hold boat races at the Municipal Dock on the following Sundays: June 18, July 16, July 30, August 27 & September 10, 2017

Approval for the PTA Lillian Dunfee School to hold the following: on premise 50/50 on March 9, March 23, & April 2, 2017, on premise draw raffle and gift auction on April 28, 2017

Approval for the Barnegat Fire Company to hold Stop, Drop & Run event at the Municipal Dock Saturday September 2, 2017

Resolution 2017-106

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

Resolution 2017-107

Resolution authorizing the Tax Collector to refund based on a successful county board judgement tax appeal, Block 200 Lot 1.04, 275 Bayshore Drive

Resolution 2017-108

Resolution authorizing the Tax Collector to refund payment erroneously paid due to Totally Disabled Veteran status on Block 95.20 Lot 7, 14 Jumping Brook Lane

Resolution 2017-109

Resolution authorizing the Tax Collector to refund payment erroneously paid due to Totally Disabled Veteran status on Block 114.36 Lot 9, 151 Schooner Avenue

Resolution 2017-110

Resolution authorizing the Tax Collector to refund payment erroneously paid due to Totally Disabled Veteran status on Block 95.43 Lot 22, 15 Stillwaters Court

Resolution 2017-111

Resolution authorizing the Tax Collector to refund payment erroneously paid on Block 114.53 Lot 9, 74 Lexington Boulevard

Resolution 2017-112

Resolution authorizing the Tax Collector to refund payment erroneously paid on Block 90.20 Lot 5, 3 Salem Court

Resolution 2017-113

Resolution authorizing the Tax Collector to refund payment erroneously paid on Block 114.14 Lot 49, 12 Spar Court

Resolution 2017-114

Resolution authorizing a Lien be placed on properties for failure to comply with chapter 36 violations

Resolution 2017-115

Resolution approving waiver request for a road opening permit submitted by Matt Zanni, 24 Mast Drive

Resolution 2017-116

Resolution approving waiver request for a road opening permit submitted by David Chapman, 13 Mast Drive

Resolution 2017-117

Resolution appointing Philip M. Miller as Municipal Court Judge for the period April 1, 2017 through March 31, 2020

Resolution 2017-118

Resolution appointing Michael Ball as Dockmaster

Resolution 2017-119

Resolution promoting Richard Dugan from Acting Chief of Police to Chief of Police

Resolution 2017-120

Resolution certifying the Recycling Tax amount

Resolution 2017-121

Resolution authorizing the Recycling Coordinator to apply for an NJDEP tonnage grant

Resolution 2017-122

Resolution authorizing an agreement with the Ocean County Prosecutor's Office for Police services, traffic safety program (F.A.S.T Program)

Resolution 2017-123

Resolution awarding a contract for the supply and delivery of Lime to Reed & Perrine Sales, Inc. in an amount not to exceed \$26,424.00

Resolution 2017-124

Resolution authorizing the purchase of traffic cones under State Contract #A82543 for the police department in an amount of \$1,351.00

Resolution 2017-125

Resolution authorizing the purchase of electronic message sign for the Police Department in the amount of \$17,450.00 (funds from 2016 OEM 966 Grant will cover \$17,000.00 of this cost)

Resolution 2017-126

Resolution authorizing the purchase of two (2) trucks under State Contract #A88828 for the Public Works Department in an amount not to exceed \$113,270.00

Resolution 2017-127

Resolution authorizing the purchase of playground equipment from Liberty Parks & Playgrounds, Inc. through the N.J.P.A contract #022113-LTS for various playground improvements in an amount not to exceed quote #94170011 of \$146,958.28

Resolution 2017-128

Resolution awarding a contract to USA Bluebook for Pump Station odor and degreasing control for the Water & Sewer Department in the amount of \$8,470.50

Resolution 2017-129

Resolution awarding a contract to Del Vel Chemical for grease traps, Total System Solution (PEAT) for the Water & Sewer Department in the amount of \$7,500.00

Resolution 2017-130

Resolution awarding a contract to Kroff Chemical Co. for odor control for the 4th Street Pump Station for the Water & Sewer Department in the amount of \$6,435.00

Resolution 2017-131

Resolution authorizing the Administrator to sign maintenance contract with Impact Technology Solutions, LLC for the Municipal Court

Resolution 2017-132

Resolution authorizing the donation of a summer camp registration for a PTA fundraiser

Resolution 2017-133

Resolution recognizing the month of May as "Paint the Town Pink" month, BarnePINKgat

Resolution 2017-134

Resolution supporting the representation of Ocean County on the NJ Turnpike Authority Board of Commission

Resolution 2017-135

Resolution supporting the filing of a complaint by the NJ Association of Counties with the NJ Council on Local Mandates that the Criminal Justice Reform Act constitutes an unfunded state mandate in violation of Article VIII, Section II, Paragraph 5 of the NJ Constitution

Resolution 2017-136

Resolution approving the 2017 Safety Contract with the Ocean County Joint Insurance Fund (OCJIF)

Resolution 2017-137

Resolution granting Cellco Partnership dba Verizon Wireless to use poles erected within the public right-of-ways by parties that have the lawful right to maintain such poles (Wireless Network Nodes)

Resolution 2017-138

Resolution authorizing the execution of an Interlocal government agreement with the Township of Stafford for sharing Public Works equipment, supplies and personnel

Resolution 2017-139 Not used

Resolution 2017-140

Resolution denying the release of the Site Improvements Performance Guarantee posted for the Barnegat Senior Apartments (The Cornerstone)

Resolution 2017-141

Resolution authorizing a release of the Water System Performance Guarantee posted for the Barnegat Senior Apartments (The Cornerstone)

Resolution 2017-142

Resolution authorizing a release of the Sanitary Sewer System Performance Guarantee posted for the Barnegat Senior Apartments (The Cornerstone)

Resolution 2017-143

Resolution approving the release of the Reforestation Bond for the Barnegat Senior Apartments (The Cornerstone)

Resolution 2017-144

Resolution accepting resignation of employment from Carol Geene

Motion to adopt Consent Agenda: F. Caputo Second: J. Novak

Roll Call: Committeeman Cirulli: Yes
 Committeeman Novak: Yes, Abstain 02400
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

John Novak- Made statement about Resolution 2017-117, Judge Miller has been with our Township for 21 years and continues to do a great job.

Frank Caputo- Congratulations to Chief Dugan, happy to say the town will not be back filling the position of Captain.

11. Discussion items by the Township Committee:

NONE

Resolution 2017-145

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

Motion to adopt resolution: F. Caputo

Second: J. Novak

Roll Call: Committeeman Cirulli: Yes Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

12. Motion to Adjourn: F. Caputo

Second: S. McCabe

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

Municipal Clerk