

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

**TOWNSHIP COMMITTEE MEETING MINUTES
February 6, 2018, 6:30 PM**

Call to Order the February 6, 2018 Township Committee Meeting

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 more than 48 hours in advance: By publication of the date, time and location of this meeting in the official newspapers, and by posting advance written notice on the official bulletin board, and in the office of the Municipal Clerk for the purpose of public inspection.

Roll Call of Officials:

Committeeman Novak - Present
Committeeman Bille - Present
Deputy Mayor Cirulli - Present
Mayor Caputo - Present

Pledge of Allegiance

Resolution 2018 - 64

Resolution appointing Joseph Lopes to Township Committee to fill Municipal Vacancy

Motion to Adopt Resolution: A. Cirulli

Roll Call: Committeeman Novak: Yes
Deputy Mayor Cirulli: Yes

Second: A. Bille

Committeeman Bille: Yes
Mayor Caputo: Yes

Swearing in of Joseph Lopes as Committeeman

Invocation by Mayor Caputo

Committee Reports: Lopes, Novak, Bille, Cirulli

J. Lopes- Gave thanks to the committee and the residents for the opportunity.

Novak- Gave salt statistics, and DPW update on trucks and over time that are involved. Discussed January 15th police call, and how a non-serious situation was escalated on social media.

Al Bille- Gave recognition to Joe Lopes, and welcomed him to the committee.

Al. Cirulli- Discussed the DART Youth coalition coming up. Neighborhood watch program has been a complete success. Talk about the new crosswalk by Headstart, and the OASIS Family Center.

Mayor's Report

The Barnegat/Waretown Chamber of Commerce to present donations to the following non profits: Barnegat Food Pantry, Barnegat Fire Co, Barnegat First Aid, Ocean County Fire Police, Barnegat Recreation

Mirage Women's Club is held their Go Red Fundraiser and raised \$13,000.

Congratulated Joseph Lopes and Chief Germain along with our new Fire Chief Bob Lilley.

Gave the police and fire statistics. Gave an explanation of the new committee meeting schedule. Discussed Exit 67 and how it is coming along.

Please feel free to speak to the Township Committee during public session. The Barnegat Township Committee appreciates and welcomes public comment, advice and suggestions, especially when it is intended to assist or help the Committee. Comments and discussion will be limited to a five (5) minute period per individual unless requested by the Mayor to continue on a point of clarification. In accordance with the Committee policy, each participant must be recognized by the Mayor and must preface their comments by a clear announcement of their name, address and, if appropriate, group affiliation. Your anticipated courtesy to the members of the public and the committee is appreciated.

Motion to Open Public Session: J. Novak

Second: A. Bille

Roll Call: Committeeman Lopes: Yes
Committeeman Bille: Yes
Deputy Mayor Cirulli: Yes

Committeeman Novak: yes
Mayor Caputo: Yes

Michelle Woodruff, 5 Ann Court- Is questioning Ordinance 2018-05, what preempted it?

Mayor- Gave explanation on the ordinance.

Al Bille- Getting an attorney to take the position was an issue, we also received negative feedback from an attorney.

AL Cirulli- The Committee wants to give you the support, but unfortunately we have no jurisdiction. As an organization you came together and came together and should be able to handle it.

Diane Grockenberger, 108 Redwood Dr. (Pinewood) Disagrees with the ordinance 2018-05. Discussed the close of the Fire House.

Ray Leszczak, 116 Redwood Dr. (Pinewood)- There is no excuse to remove Chapter 64 even if there is no attorney for the Rent Leveling Board.

J. Novak- Agrees with the point they are making. He would be willing to meet with the residents but decides against due, to any conflict with his position as a lawyer.

Al Cirulli- Agrees the committee should meet with the people, and made a motion to Table the ordinance.

Sean Kean- Gave explanation on how to handle the ordinance if they wanted to table it tonight.

Matt Robidoux, 108 Ravenwood Blvd.- Gave congrats to the Eagles for winning the Super Bowl. He stated that the people should not be yelling at the committee. He feels that John Novak should not be receiving all the negativity. Discussed Township Code 71-19, remove vehicles from the street during snow storm.

Mayor- Explained it's a police matter.

Elaine Taylor, 147 Spruce Circle N.- Discussed the possibility of no one being at the day meeting. Discussed how it is illegal to pile snow on a curb cut. Asked about Mrs. McCabe's contract and salary.

Al Cirulli- The idea was to get people here that can't attend during the night.

Mayor Caputo- Gave explanation and said he would follow up.

Al Cirulli- Gave some explanation on who handled labor issues.

Mayor Caputo, There is a \$10,000 savings by doing things this way.

Al Bille- Gave a breakdown on it will work now and the savings.

M. Lisella- Discussed the base savings and lack of conflict that cost \$43,000 last year.

Bill Cox, 12 Herkimer Court- Brought up the professional contracts and was still looking for clarification on the savings. Questioned Mrs. McCabe contract, and how our former Business Administrator handled it.

M. Lisella- Gave a breakdown on each attorney. Explained how he handles labor issues on a daily basis, but the town needs legal representative.

Phil Checcia, 11 Windward Dr.- Discussed benefits that were given to committee members and the laws. Wants the committee members to payback the money. Questioned Mrs. McCabe position.

Mayor Caputo- All the positions are through a bidding process. The committee makes the decisions and on whom the best candidates will be.

S. Kean- Explained OPMA, and how professional appointments are discussed in closed session.

Robert Martucci 15 Hatteras Way- Discussed contracts and if they can exceed the amount. Discussed Barnegat crime rate and how good it is.

M. Lisella- Gave an explanation about the flat rate contract, and they need to send in a report to the CFO for hours worked.

J. Novak- Mentioned again how people fabricate incidents.

Jake Taylor, 106 Newark Road,- Gave congratulations to Mayor Caputo and Joseph Lopes. Brought up there is no authorization to give benefits to committee members. He is also not in favor of giving Mrs. McCabe the Labor position.

Laura Zinger, 14 Beacon Drive- Gave congratulations to Chief Germain, along with thanks to Barnegat police and neighborhood watch. Discussed the neighborhood watch meetings on Fridays in the courtroom. She also suggested that retired residents help out at the Oasis Family Center. Revisited using social media for township meetings. Encouraged that the senior communities reach out to be a part of the neighborhood watch.

Al. Bille- Asked about any interaction with senior communities, Pinewood Estates and Brighton at Barnegat.

Mayor Caputo- Gave thanks and compliments to Mrs. Zinger for her good work in the community.

Frank Pecci, 11 Hemlock Dr.- Thanks to Al Bille in regards to the remarks about the Rent Leveling Board. Doesn't agree with Resolution 2018-80, feasibility study. Feels his budget questions should be able to be answered. Asked about a company and invoice from TBS.

Tom Lombarski- Asked for a copy of what he is looking for. The document is referring to something in 2012.

Jake- Mentioned its TBS and there is no invoice for this bill. It was all approved by Mr. Breeden.

Mayor Caputo- Stated he will follow up on Mr. Pecci's and Mr. Checchia's concerns and get back to him.

S. Kean- Reiterated that it wouldn't be appropriate if the decisions for RFP's were discussed in public.

George Fedorzyk, 131 Rockrimmon Blvd.- Congratulations to Chief Germain. Asked Mayor Caputo about an email he sent him in reference e to snow plow procedure. He didn't receive any communication back. Asked about the committee meeting times, he thinks the committee should reconsider the times. Recognized Mr. Lopes, and asked him how the committee seat gets filled.

Mayor Caputo- Gave explanation on the open seat and how a municipal vacancy is filled.

Marianne Clemente, 565 E. Bay Ave.- Discussed her concern with the meeting change. Disagrees with Mrs. McCabe's appointment. Wanted to bring up the Presidential issues of offshore drilling, and how she is against it. She has requested to adopt an anti-offshore drilling resolution.

Mayor Caputo- Mention that the committee is considering it and will be discussing it more.

Ann Coles, 105 Freedom Hills Dr.- Wanted to discuss the small companies that are buying up properties and not maintaining them. Asked if there are any ordinances in place.

Mayor Caputo- Explained how we have Code enforcement, and it is the responsibility of the homeowner.

M. Lisella- Explained he gets a monthly reports from code enforcement in regards to tickets and follow up.

Rafael Adorno, 1 Memorial Dr. (Waretown)- Gave congratulations. Questioned Mrs. McCabe's appointment, and her duties. Stated he is happy with Marty's performance, the fact that PBA contract has been settled. Asked about medical benefits being part of a shared service with Waretown. Discussed snow plowing and what the procedures are.

Bill Neyenhouse, 9 Maple Ave.- Wanted to mention as a former committeeman and Mayor, he is not for the change of the meeting times. He feels it's obvious that they want to cut down on the input.

Mayor Caputo- Explained that the meeting could be reverted back to the previous times if it's not productive.

Jake Taylor, 106 Newark Rd.- Discussed how the open committee seat is filled.

Brooke Briganti, 11 Tedesco Way- As a working mom in Barnegat, she asks the committee reconsider changing the meeting back to night for moms like herself can attend the meeting.

Michelle Woodruff, 5 Ann Court- Discussed rent leveling issues and complaints especially in regards to snow removal.

Motion to Close Public Session: A. Bille	Second: A. Bille
Roll Call: Committeeman Lopes: Yes	Committeeman Novak: yes
Committeeman Bille: Yes	
Deputy Mayor Cirulli: Yes	Mayor Caputo: Yes

New Business:

Approval of the minutes from the January 1, 2018 meeting

Motion to adopt minutes: A. Bille	Second: A. Cirulli
Roll Call: Committeeman Lopes: Abstain	Committeeman Novak: Abstain
Committeeman Bille: Yes	
Deputy Mayor Cirulli: Yes	Mayor Caputo: Yes

Ordinance 2018 – 01 (First Reading)

An 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 introduce ordinance: A. Bille	Second: A. Cirulli
Roll Call: Committeeman Lopes: Abstain	Committeeman Novak: yes
Committeeman Bille: Yes	
Deputy Mayor Cirulli: Yes	Mayor Caputo: Yes

Ordinance 2018 – 02 (First Reading)

An Ordinance authorizing and directing a change of street name Chatham Lane in Horizons Development to Toad Hollow Lane

Motion to introduce ordinance: A. Cirulli	Second: J. Novak
Roll Call: Committeeman Lopes: Abstain	Committeeman Novak: yes
Committeeman Bille: Yes	
Deputy Mayor Cirulli: Yes	Mayor Caputo: Yes

Ordinance 2018 – 03 (First Reading)

An Ordinance authorizing conveyance of real property known and designated as Block 184 Lot 1, 99 Picasso Avenue to R. Stone & Company, Inc.

Motion to introduce ordinance: J. Novak Second: A. Cirulli

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes
Committeeman Bille: Yes
Deputy Mayor Cirulli: Yes Mayor Caputo: Yes

Ordinance 2018 – 04 (First Reading)

An Ordinance amending and supplementing the Township Code in order to remove and repeal Chapter 14 entitled “Cox Museum and Library Management Committee”

Motion to introduce ordinance: A. Cirulli Second: J. Novak

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes
Committeeman Bille: Yes
Deputy Mayor Cirulli: Yes Mayor Caputo: Yes

Ordinance 2018 – 05 (First Reading) *Tabled*****

An Ordinance amending and supplementing the Township Code deleting Chapter 64 entitled “Rent Leveling”

Ordinance 2018 – 06 (First Reading)

An Ordinance creating New Chapter 61 of the Township Code banning the sale of puppies and kittens

Motion to introduce ordinance: A. Cirulli Second: J. Novak

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes
Committeeman Bille: Yes
Deputy Mayor Cirulli: Yes Mayor Caputo: Yes

Ordinance 2018 – 07 (First Reading)

An Ordinance authorizing the sale of whatever interest is owned by the Township in Block 174.03 Lot 38.02 to the adjoining property owner

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

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes
Committeeman Bille: Yes
Deputy Mayor Cirulli: Yes Mayor Caputo: Yes

Formal Action:

Resolution 2018 – 65

Resolution authorizing payment of Bill List in the amount of \$12,663,056.93

Motion to adopt resolution: A. Cirulli

Second: A. Bille

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes
 Committeeman Bille: Yes
 Deputy Mayor Cirulli: Yes Mayor Caputo: Yes

Resolution 2018 – 66

Resolution authorizing transfers within the 2017 Municipal Budget; Current Fund Budget Appropriation Reserves

Motion to adopt resolution: A. Cirulli

Second: J. Novak

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes
 Committeeman Bille: Yes
 Deputy Mayor Cirulli: Yes Mayor Caputo: Yes

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, the item will be removed from the Consent Agenda and will be considered separately.

Approval for the use of Municipal Dock for a Community Easter Sunrise Service on April 1, 2018 at 6:30a.m., all are welcome to attend

Approval for the American Legion Post #232 to hold off premise 50/50 on July 4, 2018

Approval for charitable clothing bin placed at Lillian M. Dunfee School, 128 Barnegat Boulevard by Turnkey Enterprises, LLC, with proceeds to benefit the school

Approval for charitable clothing bin placed at Robert L. Horbelt School, 104 Burr Street by Turnkey Enterprises, LLC, with proceeds to benefit the school

Approval for the Barnegat Rotary Club to hold Casino Night and on premise 50/50 on April 28, 2018

Approval for Heritage Bay HOA to hold Senior Bingo for benefit of members only for 2018

Resolution 2018 – 67

Resolution authorizing a refund of premiums paid at Tax Sale, various properties

Resolution 2018 – 68

Resolution authorizing the Tax Collector to refund overpayment for totally disabled veteran, Block 114.32 Lot 8, 119 Windward Drive

Resolution 2018 - 69

Resolution authorizing the Tax Collector to refund payment erroneously paid due to totally disabled veteran exemption, Block 92.120 Lot 31, 2 Montauk Place

Resolution 2018 – 70

Resolution authorizing the Tax Collector to refund payment erroneously paid due to totally disabled veteran exemption, Block 92.55 Lot 4, 5 Adrift Avenue

Resolution 2018 – 71

Resolution authorizing the change of custodian of the Petty Cash fund for the Police Department

Resolution 2018 – 72

Resolution authorizing a refund for cancelled recreation program classes

Resolution 2018 – 73

Resolution authorizing reimbursement for mailbox damage

Resolution 2018 – 74

Resolution appointing a Hearing Officer with regard to employment matters

Resolution 2018 – 75

Resolution appointing Recreation Summer Camp Coordinators, \$3,500.00 annual stipend

Resolution 2018 – 76

Resolution authorizing an extension to medical leave for Patricia Farrell

Resolution 2018 – 77

Resolution authorizing a medical leave for Joseph Pistone

Resolution 2018 – 78

Resolution amending resolution 2018-21, appointing Professionals Legal Counsel for Affordable Housing

Resolution 2018 – 79

Resolution awarding contract for Lime supply and delivery to reed & Perrine, in an amount not to exceed \$26,928.00

Resolution 2018 – 80

Resolution retaining professional services of the Goldstein Partnership to perform a Feasibility Study in connection with the proposed construction of a new municipal building in an amount not to exceed \$29,500.00

Resolution 2018 – 81

Resolution authorizing the retention of Developer Escrow Interest

Resolution 2018 – 82

Resolution authorizing the refund of Escrow Deposits, PB-03-31, Tedesco Homes, Gunning Hill Estates

Resolution 2018 – 83

Resolution authorizing the refund of Escrow Deposits, PB12-15, 323 South Main Street, LLC

Resolution 2018 – 84

Resolution approving the request for release of Maintenance Bond for Site Improvements for Tedesco Homes, Gunning Hill Estates project

Resolution 2018 – 85

Resolution granting Final Water System Facilities approval for 59 South Main Street, The Edge at Barnegat project

Resolution 2018 – 86

Resolution granting Final Sanitary Sewer System Facilities approval for 59 South Main Street, The Edge at Barnegat project

Resolution 2018 – 87

Resolution granting preliminary and final Water System Facilities approval for Block 162.01 Lot 1.02, Barnegat Terrace project

Resolution 2018 – 88

Resolution granting preliminary and final Sanitary Sewer System Facilities approval for Block 162.01 Lot 1.02, Barnegat Terrace project

Resolution 2018 – 89

Resolution authorizing a reduction of the Performance Guarantee estimates for the Site Improvements, Preliminary and Final Major Subdivision approval, Paramount Escapes, Ocean Breeze, Section 3B

Resolution 2018 – 90

Resolution authorizing a reduction of the Performance Guarantee estimates for the Water System Facilities, Preliminary and Final Major Subdivision approval, Paramount Escapes, Ocean Breeze, Section 3B

Resolution 2018 – 91

Resolution authorizing a reduction of the Performance Guarantee estimates for the Sanitary Sewer System Facilities, Preliminary and Final Major Subdivision approval, Paramount Escapes, Ocean Breeze, Section 3B

Resolution 2018 – 92

Resolution authorizing the renewal of Inactive Liquor License 1533-33-013-003, Barnegat Brew & Spirits

Resolution 2018 – 93

Resolution approving waiver request for road opening permit for Block 114.11 Lot 10, 5 Buoy Court

Resolution 2018 – 94

Resolution appointing member to the Zoning Board of Adjustment

Resolution 2018 – 95

Resolution supporting the sponsorship of S2461 and A4209, to establish a task force to reduce or eliminate telemarketing harassment and intimidation

Resolution 2018 – 96

Resolution donating one (1) Summer Camp Registration to Robert L. Horbelt fundraiser

Resolution 2018 – 97

Resolution amending Resolution 2017-262 which authorized the Township to accept as public streets all interior streets within the Sea Crest Pine development, to set payment requirements for offsite drainage assessment fees

Motion to Adopt Consent Agenda: A. Cirulli

Second: J. Novak

Roll Call: Committeeman Lopes: Abstain Committeeman Novak: yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

Items of discussion by the Township Committee Members:

- None

Resolution 2018 - 98

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

Motion to adopt resolution: A. Cirulli

Second: J. Novak

Roll Call: Committeeman Lopes: Yes

Committeeman Novak: yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

Motion to Adjourn: A. Cirulli

Second: A. Bille

All are in favor, meeting adjourned

**Next scheduled meeting
March 6, 2018 at 10:00AM**

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

Municipal Clerk