

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

**TOWNSHIP COMMITTEE MEETING MINUTES  
July 3, 2018, 10:00 A.M.**

**Call to Order the July 3, 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 two 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.

**Invocation: by Reverend Glenn Swank, Barnegat Bay Assembly of God**

**Pledge of Allegiance:**

**Roll Call of Officials:**

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

**Committee Reports:**

Al Bille- Condolences to the Cowie Family and the Taylor Family. Gave thanks to T&E Marina for donating the barge and saving the town \$10,000 a year. Prices of homes jumped 20% from last year to this year. First street basketball courts, blacktop is in and still waiting for poles and nets. July 29<sup>th</sup> there will be a Polka and German music band, and still looking for a vendor to sell ethnic foods at the dock. Discussed the food pantry and how many kids, now that its summer, won't get breakfast and lunch. The pantry is looking for donations for breakfast and lunch items.

J. Novak- Talked about attending the physical exam for potential new hires for the police department. Gave condolences to the Cowie and Taylor families.

Al Cirulli- Gave condolences to the Cowie and Taylor families. Discussed neighborhood watch question and answer at Settlers. Great job at the high school graduation. John Novak and I attended Pebble Beach HOA meeting and discussed the dredging with them. Discussed ordinances, and that residents need to maintain their properties, the landlords are held accountable. Gave thanks to all involved with the new Town Hall. Talked about the town audit and that it came back good.

Mayor's Report:

F. Caputo- Discussed the fireworks and well job done by the police. Gave condolences to Jake Taylors family and mention his work at the VFW.. Talked about John Cowie and his accomplishments in the community and gave condolences to his family. Gave police and fire statistics and discussed how many applicants the police had and the physical exam. Gave a reminder that the Fire Safety Council meeting will be held at the Mirage August 9<sup>th</sup> at 1pm. Brought up Exit 67 opening by end of year and the new Town Hall may break ground in early spring. DPW will be moved to the location of the recycling center. Barnegat Boulevard paving should take place this month. Mentioned the Day on the Bay event for special needs.

**PUBLIC SESSION COMMENT:**

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 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. Each participant must be recognized by the Mayor and must preface their comments by a clear announcement of their name, address and, group affiliation if appropriate. Your anticipated courtesy to the members of the public and the committee is greatly appreciated.

**Motion to Open Public Session: J. Novak**

**Second: A. Bille**

Ray Leszczak, 116 Redwood Drive,- Asked for clarification on ordinance 2018-24.

Al Cirulli- Explained that it's just being introduced and he has spoken to Michele Woodruff.

Paul Whitcraft- Asked about the Township Shirts. Asked about the April Consent Agenda Resolution 2018-151 Off Shore Drilling. It was removed and has never been discussed. Asked Al Cirulli to explain why he wanted it removed.

Michelle Rivers- Gave explanation on how support resolutions are handled.

Al Cirulli -explained that our own state and assembly people haven't commented yet and he wanted to wait.

Daniel Day, 200 Edison Road- Is the new DPW include in the 15 Million that has been bonded for? Asked about the Red Cross Building. Questioned Bay Head assessments.

F. Caputo- Gave explanation that it is all being done with the bond, and explained the usage of the car.

T. Lombarski- Tried to explain how assessment works.

J. Novak- You can't compare Barnegat to Bay Head. They don't have the services and demands that Barnegat has, due to them not being year round homes.

John Paredes, 6 Whitecaps Terrace- Asked about Town Hall and the new DPW. Asked about Ordinance 2018-151. Asked about separation agreements and if they involve tax payer money.

F. Caputo- Explained what is happening, the process and where the buildings are going. As far as separation agreements, this is for employees leaving.

Al Cirulli- Explained the ordinance and how the owners will be responsible for their homes.

M. Lisella- Any money spent is what they are entitled to contractually.

**Motion to Close Public Session: A. Bille**

**Second: J. Novak**

**Old Business:**

**Ordinance 2018 – 20 (Second Reading)**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 36 OF THE TOWNSHIP CODE ENTITLED "BRUSH, WEEDS, OBNOXIOUS GROWTH"**

NOW, THEREFORE, BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Committee believes that it is necessary and appropriate to amend Chapter 36 of the Township Code in order to address issues throughout the Township involving property maintenance.

SECTION 2. Section 36-4, "Failure to comply" is hereby amended and supplemented to include the following:

36-4. Failure to comply.

A. In the event that the landowner shall fail to remedy the violation and remove the matter described in this chapter after the determination and notice of such by township officials, the matter shall be caused to be removed by the Township of Barnegat.

C. If the Township removes the matter from the land in violation, costs for the removal shall be determined by the Administrator and shall include, but not be limited to labor, equipment charges, fuel, or depreciation. If the cost of removal is by outside contractor, the cost of the contract plus administrative fee shall be assessed.

All structures and land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety. [Amended 7-5-16 by Ord. No. 2016-17]

(1) Charges to be incurred to property owner: [Added 11-19-01 by Ord. No. 2001-38; 9-18-12 by Ord. No. 2012-20]

Foreman	\$ 60.00 per hour
Laborer/driver	\$ 40.00 per hour
Push lawn mower	\$ 15.00 per hour
Riding lawn mower	\$ 40.00 per hour
Weed Wacker	\$ 15.00 per hour
Trailer	\$ 15.00 per hour
Pick up truck	\$ 30.00 per hour
Chain saw	\$ 15.00 per hour
Blower	\$ 15.00 per hour
Administrative Fee	\$ 250.00
Lawn grass/weed cutting 1 <sup>st</sup> offense	\$ 200.00
Lawn grass/weed cutting 2 <sup>nd</sup> offense	\$300.00
Lawn grass/weed cutting 3 <sup>rd</sup> offense	\$500.00

(2) Rates defined in this chapter may be amended by Resolution of the Governing Body as deemed necessary.

D. Notice shall be made by personal service on the landowner or by certified mail to the last known address of the landowner.

SECTION 3. The Township Committee authorizes the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

SECTION 4. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 5. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

**Motion to Open Public Session: A. Bille**

**Second: J. Novak**

**Motion to Close Public Session: A. Cirulli**

**Second: J. Novak**

**Motion to adopt ordinance: A. Cirulli**

**Second: J. Novak**

**Roll Call:** Committeeman Lopes: Absent      Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Ordinance 2018 – 21 (Second Reading)**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 71, ARTICLE VII “PARKING RESTRICTIONS” SECTION 29, ENTITLED “HANDICAP PARKING AREAS”**

NOW, THEREFORE, BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township hereby modifies and supplements Chapter 71, Article VII, entitled “Parking Restrictions” more specifically Section 29 entitled “Handicap Parking Area” of the Township Code as follows:

71.29 Handicap Parking areas

71.29 (B) is hereby deleted in its entirety

SECTION 2. The Township Committee authorizes the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

SECTION 3. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

**Motion to Open Public Session: A. Cirulli**

**Second: A. Bille**

**Motion to Close Public Session: J. Novak**

**Second: A. Cirulli**

**Motion to adopt ordinance: A. Cirulli**

**Second: A. Bille**

**Roll Call:** Committeeman Lopes: Absent      Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Ordinance 2018 – 22 (Second Reading)**

**AN ORDINANCE OF THE TOWNSHIP DONATING PROPERTY TO THE OCEAN COUNTY NATURAL LANDS TRUST FUND, FOR OPEN SPACE PRESERVATION**

WHEREAS, the County of Ocean created the Ocean County Natural Lands Trust Fund to provide for the acquisition and preservation of natural lands, open spaces, and farmlands; and,

WHEREAS, the Ocean County Natural Lands Trust Fund Advisory Committee was established by the Board of Chosen Freeholders to review nominations to the program and forward recommendations for acquisition to the Board of Chosen Freeholders; and,

WHEREAS, the County of Ocean desires to acquire municipally-owned properties known as Block 95, Lots 1.01, 1.02, and 3 (hereinafter, collectively, "Properties") for Open Space Preservation; and,

WHEREAS, the Township Committee has determined that, in the best interest of the Township, such Properties shall be preserved; and,

WHEREAS, it is the desire of the Township Committee to donate such Properties to the County of Ocean, as it is necessary for the preservation of natural resources within the County; and,

NOW, BE IT ORDAINED by the Township Committee of the Township of Barnegat, in the County of Ocean, in the State of New Jersey.

**Motion to Open Public Session: A. Cirulli**

**Second: J. Novak**

**Motion to Close Public Session: A. Cirulli**

**Second: J. Novak**

**Motion to adopt ordinance: A. Cirulli**

**Second: A. Bille**





**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 Barnegat Sports Boosters, Inc. to hold Pocketbook Bingo, On Premise 50/50 and Gift Auction on September 28, 2018

Approval for Hearts of Mercy to hold Community Family Day events at Bilge Ave Park on 6/30, 7/14, 7/28, 8/11, 8/25, 2018

Approval for residents of Farragut Ave to hold Block Party on August 25, 2018

Approval for Barnegat Fire Department to hold 5K race at the Municipal Dock on September 1, 2018

**Resolution 2018 – 227**

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

**Resolution 2018 – 228**

Resolution authorizing reimbursement for cancellation of recreation program classes

**Resolution 2018 – 229**

Resolution appointing Lifeguards and Instructional staff to the Recreation Department

**Resolution 2018 – 230**

Resolution authorizing a separation agreement with Municipal Court Administrator Michele Smallze

**Resolution 2018 – 231**

Resolution authorizing a separation agreement with Deputy Tax Collector Nancy Elsasser

**Resolution 2018 – 232**

Resolution authorizing a medical leave of absence to Dona Demola

**Resolution 2018 – 233**

Resolution authorizing a medical leave of absence to Brandon Farrell

**Resolution 2018 – 234**

Resolution authorizing a medical leave of absence to Louis Fischer

**Resolution 2018 – 235**

Resolution authorizing an extension to a medical leave of absence to Joseph Pistone



**Resolution 2018 – 236**

Resolution authorizing the administrator to sign a lease contract for phone system to Liberty Technology Solutions in an amount not to exceed \$2,900.00

**Resolution 2018 – 237**

Resolution awarding contract to Kline Construction for the West Bay Avenue Bike Path project in and amount not to exceed \$191,224.50

**Resolution 2018 – 238**

Resolution certifying the governing body has reviewed, at a minimum, the general comments and recommendations of the 2017 audit

**Resolution 2018 – 239**

Resolution approving the request for the release of water system facilities performance guarantee for Whispering Hills, Phase 1

**Resolution 2018 – 240**

Resolution authorizing a lien be placed on various properties for failure to comply with Chapter 36 violations of obnoxious growth

**Resolution 2018 – 241**

Resolution authorizing the Mayor to sign shared service agreement with Central Regional School District for energy/grant writing specialist support in the amount of \$15,000.00

**Resolution 2018 – 242**

Resolution authorizing the Tax Collector to prepare and mail estimated tax bills in the event that the State of NJ does not pass a 2018 budget in a timely manner

**Resolution 2018 – 243**

Resolution denying the request for release of Performance Guarantee for Site Improvements, Wawa, Inc.

**Resolution 2018 - 244**

Resolution authorizing release of Reforestation Bond to Barnegat Lighthouse, LLC

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

**Second: J. Novak**

**Roll Call:** Committeeman Lopes: Absent      Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Items of discussion by the Township Committee Members:**

- A. Cirulli discussed ocean contamination and possible banning of plastics
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