

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

**TOWNSHIP COMMITTEE MEETING MINUTES**

**September 4, 2018, 10:00 A.M.**

**Call to Order the September 4, 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, Pastor of Barnegat Bay Assembly of God**

**Pledge of Allegiance:**

**Roll Call of Officials:**

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

**Presentation by Manahawkin Ram Trucks**

**The below listed Resolutions 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.**

**Resolution 2018 – 275**

Resolution appointing Richard Boyle as Certified Patrolman to the Barnegat Police Department

**Resolution 2018 – 276**

Resolution appointing Kristopher Burke as Non-Certified Patrolman to the Barnegat Police Department

**Resolution 2018 – 277**

Resolution appointing John Halliday as Certified Patrolman to the Barnegat Police Department

**Resolution 2018 – 278**

Resolution appointing Kevin Mason as Certified Patrolman to the Barnegat Police Department

**Motion to Adopt Consent Agenda: J. Novak                      Second: A. Cirulli**

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

Mayor to swear in Police Officers; Richard Boyle, Kristopher Burke, John Halliday & Kevin Mason

**Committee Reports:**

Al Bille- Discussed the Neighborhood Watch event at Georgetown Park. Laura Zinger deserves much recognition. Clarified a comment in the paper in regards to Susan McCabe. Rent Leveling board will be kept with the 5<sup>th</sup> member, so tonight’s ordinance will be tabled.

J. Lopes- Gave a Code Enforcement report with the statistics.

J. Novak- Talked about Emergency Management and frequencies. Discussed the Emergency Management drill and how successful it was. Gave an update about DPW.

Al Cirulli- Discussed the Neighborhood Watch and its success. Discussed the police, and how Chief Germain keeps the committee informed at all times. As far as the nuisance ordinance, we made sure the victims would not be charged with the fines. The main objective is to target the criminals. Talked about the Rent Leveling Ordinance.

**Mayor’s Report:**

**Proclamation for Constitution Week**

F. Caputo- Gave congratulations to the police. Gave the statistics for police and fire. Talked about the progress with Barnegat 67, and the new Public Works Building. Special thanks to all involved in the Neighborhood Watch event. Reminded the public about Pirates Day and the reopening of Barnegat schools this week.

**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, when it is intended to assist the Committee. Comments and discussion will be limited to a five (5) minute period per individual. 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: J. Lopes**

Diane Grockenberger, 108 Redwood Dr. - Discussed September 16<sup>th</sup> Fire Wise meeting at Pinewood Estates. Asked about a traffic study in regards to 532 and Route 72.

Frank Caputo- Clarified that these are County and State roads.

Sean Kean- Suggested for the committee to reach out to the DOT.

Jane Ollila 34 Rocky Brook- Questioned the Nuisance Ordinance.

Sean Kean- Gave an explanation.

William Murray, 17 Casey Court- Gave thanks to the committee for holding their decorum with the lawyer that threaten the committee in regards to the Rent Leveling Board.

Frank Pecci, 11 Hemlock Dr. – Discussed Ordinance 2018-28 and 2018-29. Asked about an Agency Compliance Officer.

Sean Kean- A requirement by the law to dedicate a position in regards to the humane society.

Tom Lombarski- Gave an explanation where the funds where coming from.

John Murrin, 38 Pierhead Dr. - Asked about Ordinance 2018-289 and 2018-290.

Frank Caputo- Gave explanation how both hires are replacements in the police department.

Linda Kropf, 38 Bridgewater Passage- Talked about one of the key components is communications and community outreach. Never have we had a Police Chief and Police Department that has reached out to the community.

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

**Second: J. Lopes**

**Old Business:**

**Ordinance 2018 – 24 (Second Reading) \*Tabled**

An Ordinance amending Chapter 64 of the Township Code regarding Rent Leveling Board

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

**Second: J. Lopes**

**Roll Call:** Committeeman Lopes: Yes  
Committeeman Bille: Yes

Committeeman Novak: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes:

**Ordinance 2018 – 25 (Second Reading) \*Tabled**

An Ordinance creating new Chapter 60A to establish regulations and prescribe penalties for excessive consumption of municipal services

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

**Second: J. Novak**

**Roll Call:** Committeeman Lopes: Yes

Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Ordinance 2018 – 26 (Second Reading)**

An Ordinance of the Township amending and supplementing Chapter 12C, entitled “Officers and Employees” to amend Section 12C-7 entitled “Township Committee”

**ORDINANCE 2018 - 26**

**AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 12C ENTITLED, “OFFICERS AND EMPLOYEES” TO AMEND SECTION 12C-7 ENTITLED, “TOWNSHIP COMMITTEE”**

**BE IT ORDAINED BY** the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") as follows:

**SECTION 1.** Section 12C-7 of the Township Code entitled, “Township Committee” is hereby amended and supplemented to read as follows:

- 2.) No member of the Township Committee or Mayor shall receive payment or compensation (i.e. stipend) for any official Township duties or positions, other than the salary of Mayor or Committee person, to which they are elected or are serving an unexpired term.
- 3.) The Mayor and all Members of the Township Committee shall be ineligible for employment within the Township within two (2) years after serving in the capacity of Mayor or Township Committee person.

**SECTION 2.** 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 3.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 4.** 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: J. Lopes**

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

**Second: J. Novak**

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

**Second: J. Novak**

**Roll Call:** Committeeman Lopes: Yes

Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Ordinance 2018 – 27 (Second Reading)**

An Ordinance of the Township amending and supplementing Chapter 15, entitled “Police Department” to amend Section 15-9 “Rules & Regulations”

**ORDINANCE NO. 2018 – 27**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY DELETING CHAPTER 6 OF THE BARNEGAT TOWNSHIP POLICE DEPARTMENT RULES AND REGULATIONS AS CODIFIED UNDER CHAPTER 15 OF THE BARNEGAT TOWNSHIP MUNICIPAL CODE**

**WHEREAS**, the Township of Barnegat, through adoption of Barnegat Municipal Code Chapter 15-9 established a series of municipal regulations which govern the operation of the Barnegat Township Police Department; and,

**WHEREAS**, the Township of Barnegat Municipal Code Chapter 15-9 refers to a document entitled “Barnegat Township Police Department Rules and Regulations” a copy of which shall be kept on file in the office of the Township Clerk; and,

**WHEREAS**, the Township of Barnegat desires to delete in its entirety Chapter 6 of the “Barnegat Township Police Department Rules and Regulations” which address Promotional Requirements for the Barnegat Township Police Department; 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, as follows:

**Section 1.** Chapter 6: Promotional Requirements of the “Barnegat Township Police Department Rules and Regulations” is deleted in its entirety. This includes Chapter 6:1 through 6:1.14.

**Section 2.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

**Section 3.** This ordinance may be renumbered for codification purposes.

**Section 4.** In the event that any section, part or provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

**Section 5.** This ordinance shall take effect upon final passage and publication as provided by law.

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

**Second: A. Cirulli**

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

**Second: A. Cirulli**

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

**Second: A. Cirulli**

**Roll Call:** Committeeman Lopes: Yes

Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Formal Action:**

**Resolution 2018 – 279**

Resolution authorizing payment of Bill List in the amount of \$6,277,958.25

**Motion to adopt resolution: A. Bille**

**Second: A. Cirulli**

**Roll Call:** Committeeman Lopes: Yes

**Committeeman Novak: Yes**

Committeeman Bille: Yes

**Abstain: 00118 02400 00148**

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Resolution 2018 – 280**

Resolution cancelling old outstanding checks of the municipality

**Motion to adopt resolution: J. Lopes**

**Second: A. Cirulli**

**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 August 7, 2018 meeting**

**Motion to adopt minutes: A. Bille**

**Second: A. Cirulli**

**Roll Call:** Committeeman Lopes: Yes

Committeeman Novak: Yes

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

**Ordinance 2018 – 28 (First Reading)**

*Introduction and first reading of Ordinance 2018-20, which was read by title only, as follows:*

AN ORDINANCE RE-APPROPRIATING \$750,000 OF PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FUNDING FOR A PORTION OF THE COST OF THE NEW PUBLIC WORKS BUILDING FOR THE TOWNSHIP

*Was introduced and passed on first reading and will be further considered for final passage, after public hearing to be held on October 2, 2018 or as soon thereafter the matter may be reached*

**Motion to introduce ordinance: A. Bille**

**Second: A. Cirulli**

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

**Ordinance 2018 – 29 (First Reading)**

*Introduction and first reading of Ordinance 2018-20, which was read by title only, as follows:*

AN ORDINANCE PROVIDING FUNDING FOR A PORTION OF THE COST OF THE CONSTRUCTION OF A NEW PUBLIC WORKS BUILDING FOR THE TOWNSHIP AND APPROPRIATING \$500,000 THEREFORE FROM THE TOWNSHIP'S CAPITAL IMPROVEMENT FUND

*Was introduced and passed on first reading and will be further considered for final passage, after public hearing to be held on October 2, 2018 or as soon thereafter the matter may be reached*

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

**Second: J. Lopes**

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

**Ordinance 2018 – 30 (First Reading)**

*Introduction and first reading of Ordinance 2018-20, which was read by title only, as follows:*

AN ORDINANCE AMENDING CHAPTER 64 OF THE TOWNSHIP CODE REGARDING RENT LEVELING BOARD

*Was introduced and passed on first reading and will be further considered for final passage, after public hearing to be held on October 2, 2018 or as soon thereafter the matter may be reached*

**Motion to introduce ordinance: A. Bille**

**Second: J. Novak**

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

**Ordinance 2018 – 31 (First Reading)**

*Introduction and first reading of Ordinance 2018-20, which was read by title only, as follows:*

AN ORDINANCE CREATING NEW CHAPTER 60A TO ESTABLISH REGULATIONS AND PRESCRIBE PENALTIES FOR EXCESSIVE CONSUMPTION OF MUNICIPAL SERVICES

*Was introduced and passed on first reading and will be further considered for final passage, after public hearing to be held on October 2, 2018 or as soon thereafter the matter may be reached*

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

**Second: A. Bille**

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

**Ordinance 2018 – 32 (First Reading)**

*Introduction and first reading of Ordinance 2018-20, which was read by title only, as follows:*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55, LAND USE CODE, ZONE COMMERCIAL CORE-COMMERCIAL PLANNED HIGHWAY DEVELOPMENT (CC-CPHD)**

*Was introduced and passed on first reading and will be further considered for final passage, after public hearing to be held on October 2, 2018 or as soon thereafter the matter may be reached*

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

**Second: J. Lopes**

**Roll Call:** Committeeman Lopes: Yes

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 Motorcycle Competition Incorporated to hold off-highway motorcycle competition event, November 11, 2018

Approval for Pine Barrens Adventure Camp LLC to hold Pine Barrens motorcycle touring event October 26 – 28, 2018

Approval for Courage From Kyle, Inc. to hold gift auction, and on premise 50/50 November 17, 2018

Approval for Heritage Point Women’s Group to hold on premise 50/50 October 12, 2018

Approval for Women’s Club of Mirage to hold on premise 50/50 10/8, 10/25, 11/19/18, 4/8, 5/4, 5/13 & 6/13/19

**Resolution 2018 – 281**

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

**Resolution 2018 – 282**

Resolution authorizing the Tax Collector to refund overpayment for Totally Disabled Veteran tax exemption Block 92.55 Lot 4; 5 Adrift Avenue

**Resolution 2018 – 283**

Resolution authorizing the Tax Collector to refund overpayment of property tax Block 206 Lot 18; 21 Creek View Road



**Resolution 2018 – 284**

Resolution authorizing the Tax Collector to refund overpayment of property tax Block 116.17 Lot 21; 98 Ravenwood Blvd

**Resolution 2018 – 285**

Resolution authorizing the Tax Collector to refund overpayment of property tax Block 94.01 Lot 93; 140 Pine Oak Blvd

**Resolution 2018 – 286**

Resolution authorizing the Tax Collector to hold Electronic Tax Sale

**Resolution 2018 – 287**

Resolution authorizing payment for damage to mailbox

**Resolution 2018 – 288**

Resolution authorizing reimbursement for cancelled Recreation event

**Resolution 2018 – 289**

Resolution appointing Charles C. Ellis as Confidential Aide to the Chief of Police

**Resolution 2018 – 290**

Resolution appointing Amy V. Young as Confidential Aide to the Chief of Police

**Resolution 2018 – 291**

Resolution appointing Ocean Township Shared Service employee Lori Konescny-Miceli as Plumbing Sub-Code Official

**Resolution 2018 – 292**

Resolution authorizing an extension to medical leave of absence to Dona Demola

**Resolution 2018 – 293**

Resolution authorizing an extension to medical leave of absence to Brandon Farrell

**Resolution 2018 – 294**

Resolution authorizing the Municipal Clerk to advertise for RFP for Professional Services 2019

**Resolution 2018 – 295**

Resolution authorizing the Municipal Clerk to advertise for bids for General Contract for New Public Works Building

**Resolution 2018 – 296**

Resolution authorizing the Municipal Clerk to advertise for proposals for Basic Life Support/Emergency Medical Service Response and Transportation (EMS Services)

**Resolution 2018 – 297**

Resolution awarding contract to E. H. Wachs for purchase of Valve Maintenance Trailer in an amount not to exceed \$65,068.58

**Resolution 2018 – 298**

Resolution authorizing the refund of escrow deposits Walters Development, Planning Board Review Escrow

**Resolution 2018 – 299**

Resolution approving the request for release of Reforestation Bond for Paramount Homes, Paramount Escapes Ocean Breeze, Section 3B

**Resolution 2018 – 300**

Resolution approving the request for release of Road Opening Bond for Martin Salaj, 22 3<sup>rd</sup> Street

**Resolution 2018 – 301**

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

**Resolution 2018 – 302**

Resolution appointing member to the Municipal Wildfire Safety Council to fill an unexpired term

**Resolution 2018 – 303**

Resolution authorizing the repeal of mid-block crosswalk on Route US 9 MM 75.26

**Resolution 2018 – 304**

Resolution accepting daily operation of the Pump Station at the Four Seasons at Sea Crest Pines development

**Resolution 2018 – 305**

Resolution authorizing an extension to lease agreement for EMS Services

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

**Second: J. Novak**

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

Committeeman Bille: Yes

Deputy Mayor Cirulli: Yes

Mayor Caputo: Yes

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

- None

**Resolution 2018 – 306**

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: J. Lopes**

**Next scheduled meeting  
October 2, 2018 at 6:30 p.m.**

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

\_\_\_\_\_  
Municipal Clerk