

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

TOWNSHIP COMMITTEE MEETING MINUTES
May 5, 2020, 10:00 a.m.

Call to Order the May 5, 2020 Township Committee Meeting:

Provisions of the Open Public Meetings Law:

Pursuant to the requirements of the Open Public Meetings Law, adequate 48 hour Public Notice of this meeting has been given: by publication of the date, time and location in the official newspapers, and by posting on the Municipal website for public inspection.

Pledge of Allegiance:

Roll Call of Officials:

Committeeman Bille - Present
Committeeman Cirulli - Present
Committeewoman Kropf - Present
Deputy Mayor Pipi - Present
Mayor Novak - Present

Committee Reports: Kropf, Bille, Cirulli, Pipi

Linda Kropf- Gave a Water/Sewer report, along with hydrant flushing. Reiterated no to flush PPE down the toilet. Discussed self-management will be key to getting through this pandemic. Discussed Memorial Day and its significance.

Al Bille- Asked for a moment of silence to those lost to the pandemic. He gave thanks to the Chief for his update, and Marty Lisella for keeping the town running. Farmers Market will open, but location will be changed. Gave a concert up date and Fireworks, no decision has been made. Thanks to all who have donated to the food pantry, please send only checks no food at this time.

Al Cirulli- Gave thanks to all essential workers. Mention people within the township spreading false information, the Township will continue to be transparent ad keep the residents informed.

Pat Pipi- Gave a Code Enforcement Report, Commended Mike Ball and DPW constructing the fence behind town hall. Discussed the savings by doing this project in house.

Mayor's Report

John Novak- Gave a police department report. Discussed the ways the police department are staying strong during this pandemic. He mention his statements in a letter written to Editor that they are his thoughts and opinions only.

Public Session Comment:

If you wish to comment on the agenda or other matters or to have your comment read into the record of this meeting, please provide your comment to Clerk@barnegat.net before 8:00 a.m. Tuesday, May 5, 2020. Please include in the subject line: "Public Comment May 5, 2020"

Motion to Open Public Session: A. Cirulli

Second: L. Kropf

Charlie Cunliffe, 135 Rockrimmon Blvd.- The Barnegat Township Planning Board is using GotoMeeting for virtual Planning Board meetings.

When might the Township Committee be able to hold Virtual meetings in compliance with the DCA guidelines for real-time public input and questions for Public Meetings held during the Pandemic?

Thanks.

Chris Dasti- The committee is handling this completely appropriate and to standards. We are all trying to get through this in different ways and to standard.

J. Novak- He discussed how other towns have liked how we are handling the meetings and still be transparent. We will get back to regular meetings as quickly as we possibly can. We pride ourselves on being transparent. Stated Mr. Cunliffe's comments are good, but If you believe in the transparency he should announce the fact that he running for Township Committee.

Bill Neyenhouse, 9 Maple Ave.-

Dear Ms. Rivers,

I am confused about how we are to comment on today's meeting when the resolutions and ordinances listed on the agenda are not available for review. I left a message on the clerk's office phone yesterday afternoon requesting a copy of ordinance 2020-7 which I have not received. I cannot comment on something not available for review. Thanks

I also question why this meeting is being held as it's in violation of the Open Public Meetings Act. The **Local Operational Guidance- Covid-19:**

Guidance for Remote Public Meetings in New Jersey clearly stated that Local units must ensure that the public retains the ability to attend and provide comment at public meetings. Therefore, local units should provide instructions to the public regarding how to access a remote meeting and the procedures for commenting through whatever equipment or medium is utilized.

J. Novak- Commented about the building and asked Mr. Lisella to address this.

M. Lisella- Discussed his real-estate background and had our Tax Assessor make an assessment, due to the location and the condition of the building. This building went up twice and most of the public comments come from residents that want the town to invest in the building.

Chris Dasti- The Committee has met all the compliance to holding this meeting

Jamie Griffin, 100 Lower Shore Rd.-

Dear Township Committee,

My name is Jamie Griffin. I live at 100 Lower Shore Road and I miss the good old days when we could see each other and have a conversation :)

Ken Warfield and I have lived and worked in Barnegat for 36 years. We love this town and appreciate all that it and its residents have done for our family and our business, Living Landscapes for all these years.

We own the lot at the corner of Memorial Drive and Rt. 9 where Candiqueen's used to be and are the landlords seeking to rent our property to a microbrewery business.

We want to make sure that the towns' people know that we all loved Candiqueen's and were sorry to see them go, but respected that Gwyn and George decided to close the business, so they could spend more time together. After they left, we put the property up for rent again. When we were initially approached by the owners of Beer Naked Ladies Brewing Co. we've got to say we cringed at the name too!

We had worked with the family of the applicants for years however, and knew them to be from a local, hardworking family of builders and real estate agents on Long Beach Island.

Avery Hodgson, who is the applicant here, was raised in Surf City by a family who believes in local service to their town. She was a state champion basketball player for Southern and makes a living as a coach at OCC today. Her mother Ursula Hodgson owns Forest Edge Farm a stable in Little Egg Harbor that provides riding lessons and economic support to children who want to become equestrians. This business does not bring a windfall to the family, it is a labor of volunteerism and love.

This is how Avery was raised.

Since we already knew the family and knew Avery to be steeped in a spirit of community service, we took a second look at the microbrewery idea, in spite of the name Beer Naked Ladies Brewing.

We found that the microbrewery business is booming in this country. We found that it is more about history, culture and region than it is about drinking. Each microbrewery has its own identity, ingredients and recipes. It's considered more of a craft or an art than a means to become inebriated. It's about quality not quantity. We found that the emphasis is on tasting a new brew and then buying it and taking it home rather than sitting and drinking at the establishment.

Every town around us has a microbrewery: Stafford, Long Beach Island, Little Egg, Waretown and Forked River all have microbreweries already and have no complaints about them. They rarely have more than 5 or 6 cars at a time and if they do it's because they are hosting a community event, a family game night, or a fundraiser which microbreweries are known for.

The best part about microbreweries is that people who already enjoy the microbrewery in their own town are still interested in visiting the microbrewery in another town, because the brews vary from town to town and region to region. The brewers themselves also support each other's efforts knowing that as they grow individually, they grow together as an industry as well.

What this means for Barnegat is that even if someone frequents a microbrewery in Little Egg or Forked River, they will still be interested to visit the one in Barnegat. It's like visiting the studios of different artists. In the same vein, the craft brew enthusiasts who visit the shore, will be interested to visit our shore microbreweries as well, even if they already frequent one at home.

What this could mean for Barnegat is an increase in the number of people who come to visit, year round. Ken and I know from having been in business along Rt. 9 in Barnegat for the past 36 years, that this area struggles from a lack of people and traffic. It seems to us that a business that can draw people not only

to Barnegat, but to this particular part of Barnegat would be a plus for an area that has consistently seen traffic dwindle over the past few decades.

When a few people on the Planning Board reacted negatively to the idea of Beer Naked Ladies Brewing last week, Avery's initial reaction was to withdraw the application, because far from wanting to upset people, they are looking for a home for their business. They are looking for a town that will allow them to create a place where sports teams can fund raise, families can have a movie night, the Antique Car clubs can congregate and we can fund raise for people in need.

Our understanding from engineer acquaintances is that the difference in the zoning for a brewpub (as the ordinance currently reads) and a microbrewery would likely be a de minimis exception. I'm not a lawyer, but in my understanding, that means that the distinction between the two is too minor to even merit consideration. What's more, a microbrewery is primarily a place to taste and to purchase craft beer to be enjoyed at home unlike a brewpub which is actually selling their beer for consumption on the premises. In other words, a microbrewery is less intrusive.

Ken and I hate to see the applicants give up so quickly as we have talked to many people individually and found them to be in support of having a microbrewery in town. Neither do we want to ignore the concerns of people who have a right to their opinion and live here as well. We just ask, that we not dismiss the idea summarily just because we object to the name, but really give both the idea and these particular people a chance, because they are exactly the type of people that we might want to consider welcoming into our business community.

PS: The name Beer Naked Ladies Brewing is not just a reference to the 90's band Bare Naked Ladies, but is a historical reference as well to Twickenham Fine Ales, a brewery in England that is credited with the whole craft beer revival. They came up with a brew called Naked Ladies Beer that was so successful that it went national in England. This brew was named after a beloved public park called Twickenham Green that is known for it's mermaid sculptures and fountains affectionately referred to by locals as the "Naked Ladies." This company was also one of the first to begin using American Hops. The name Beer Naked Ladies Brewing then is not about shock value, as much as it is a name that will actually have meaning to craft beer enthusiasts as well as being easy to remember for those who recall the band. Food for thought.

Thank you for your time!

J. Novak- Not appropriate for the Committee to comment on this due to it being a Planning Board applicant.

Chris Dasti- Agreed with Mr. Novak.

Motion to Close Public Session: A. Cirulli
All are in favor, motion carried

Second: L. Kropf

Motion to carry ordinance 2020-5 and 22020-7 to Special Meeting on Friday, May 8, 2020, 10:00am

Motion to carry Ordinance 2020-5 and 2020-7: Al Bille **Second: P. Pipi**

Roll Call: Committeeman Bille: Yes Committeeman Cirulli: Yes

Committeewoman Kropf: Yes

Deputy Mayor Pipi: Yes Mayor Novak: Yes

Old Business:

Ordinance 2020 – 5 (Second Reading) (Carry 5-8-20)

An Ordinance amending and supplementing Chapter 55.57 of the Land Use Code entitled “C-N Neighborhood Commercial Zone”

Motion to open Public Comment: Second:
Motion to close Public Comment: Second:

Motion to adopt ordinance: Second:
Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeewoman Kropf:
Deputy Mayor Pipi: Mayor Novak:

Formal Action:

Resolution 2020 – 167

Resolution authorizing payment of Bill List in the amount of \$9,592,627.04

Motion to adopt resolution: Al Bille Second: Al Cirulli
Roll Call: Committeeman Bille: Yes Committeeman Cirulli: Yes
Committeewoman Kropf: Yes
Deputy Mayor Pipi: Yes
Mayor Novak: Yes Abstain 2400, 00513,00118, 00148

New Business:

Approval of the minutes from the April 7, 2020 meeting

Motion to adopt minutes: A. Bille Second: A. Cirulli
Roll Call: Committeeman Bille: Yes Committeeman Cirulli: Yes
Committeewoman Kropf: Yes
Deputy Mayor Pipi: Yes Mayor Novak: Yes

Ordinance 2020 – 7 (Carry 5-8-20)

An Ordinance authorizing the public sale of township property known a Block 250 Lot 23, 686 E. Bay Avenue

Motion to introduce ordinance: Second:
Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeewoman Kropf:
Deputy Mayor Pipi: Mayor Novak:

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 individual items. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately.

Resolution 2020 – 168

Authorizing Tax Collector to process estimated Tax Bills due August 1, 2020

Resolution 2020 – 169

Authorizing disposal of miscellaneous surplus property by govdeals.com online auction

Resolution 2020 – 170

Authorizing employment separation with Public Works personnel Shawn Mulrooney

Resolution 2020 – 171

Authorizing employment separation with Tax Assessor Personnel Debra Tansley

Resolution 2020 – 172

Amending Resolution 2019-210, purchase of public works vehicle

Resolution 2020 – 173

Authorizing for 48 month copy machine lease contract to Kyocera Document Solutions/Duplitron for the Clerk's Office in an amount not to exceed \$19,900.00

Resolution 2020 – 174

Authorizing refund of duplicate payment for zoning application to NJNG

Resolution 2020 – 175

Authorizing submittal of grant application and execution of grant contract with NJDOT for FY2021 improvements to Pine Oak Boulevard Phase 2 project

Resolution 2020 – 176

Authorizing the Township Housing Planner, CME Associates, to prepare the required Mid-Point Compliance Report in an amount not to exceed \$8,500.00

Resolution 2020 – 177

Authorizing the release of Performance Guarantee for Water System Facilities to D.R. Horton for Seacrest Pines, Phase 1 upon the posting of a 2-year maintenance bond and required documents

Resolution 2020 – 178

Authorizing the release of Performance Guarantee for Sanitary Sewer System Facilities to D.R. Horton for Seacrest Pines, Phase 1 upon the posting of a 2-year maintenance bond and required documents

Resolution 2020 – 179

Asking reconsideration of any plan that increases tolls on the Garden State Parkway and the New Jersey Turnpike

Resolution 2020 – 180

Authorizing purchase of one (1) Ford F350 for the Water Sewer Department from Cherry Hill Winner Ford in an amount not to exceed \$44,368.00

Motion to adopt Consent Agenda: Al Cirulli Second: Al Bille

Roll Call: Committeeman Bille: Yes Committeeman Cirulli: Yes
 Committeewoman Kropf: Yes
 Deputy Mayor Pipi: Yes Mayor Novak: Yes

Resolution 2020 – 181

Authorizing the Township Committee to retire into closed session for the purpose of discussing contractual matters

Motion to adopt resolution: Al Cirulli Second: Al Bille

Roll Call: Committeeman Bille: Yes Committeeman Cirulli: Yes
 Committeewoman Kropf: Yes
 Deputy Mayor Pipi: Yes Mayor Novak: Yes

Motion to Adjourn: J. Novak Second:
All in Favor, motion carried

**Next scheduled meeting
June 4, 2020 at 10:00 A.M.**

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

_____ Municipal Clerk