

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

TOWNSHIP COMMITTEE MEETING MINUTES
July 9, 2020, 10:00 A.M.

Call to Order the July 9, 2020 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: 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

L. Kropf- Gave a water sewer report, she discussed the water conservation which is effect until September 30th. Talked about her support for the Veterans clinic and the unfreezing of the homestead rebate and tax funds. Wished all the senior graduates good luck.

Al. Bille- Discussed the new location of the farmers Market and how well it's during, along with the drive in movie. Pirates Day is still up in the air. Downtown business working group will be set up by himself and Mr. Cirulli. The committee has no control over the business that come to town. He talked about the new business coming to Exit 67. He mention the audit and how well the town did.

Al Cirulli- Followed up on how well the finances have been followed up on, he mention all the support from all departments. He talked about how the town has grown and how well it is staying on top of things. Discussed the lockdown, and how NJ has the highest taxes, and how the senior citizens have suffered due to the executive orders of the governor.

P. Pipi- Gave a code enforcement report for June, discussed how DPW has risen to the occasion to carry the load since Mike Ball's accident. He sends his best to Mike Ball and wishes him a speedy recovery.

Mayor's Report

J. Novak- Discussed fireworks and how rapid its been. The police have been out on several accidents with fireworks. CRU units has been busy and successful. He states how proud he

is of Barnegat Township and discussed the audit. He gave kudos to Mr. Lombarski. He mentioned the new firetruck and how the town will be able to pay cash for it.

Public Session Comment as advertised:

If you wish to comment on this 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. Thursday, July 9, 2020. Please include in the subject line: "Public Comment July 9, 2020", include name and address for the record.

Donna Manno, Deputy Clerk, wanted to recognize Christian Babbage for donating a 3x5 flag to the township.

Motion to Open Public Session: A. Bille

Second: P. Pipi

Geralynn Dalton, 30 Pond View Circle:

Hi--

New to the area-

3 Questions

#1 --The rendering showing the new Municipal Building needs to be more conducive to our town.

Who picked this look and what were or are the other options? Seems we never hear about things until after they are approved.

#2--Whatever happened to the business that was interested in the Candiequeen building?

#3--Who approves the businesses coming into town? Property keeps being sold and all we get are the same or similar businesses we already have. There has to be better for this community.

Thank you,

J. Novak- Discussed the design of the new building and how the town needed to be cost effective and meet certain standards along with state requirements. As far as new business they are approved by the zoning officer, if there are alterations you may need to go to the Planning Board or Zoning Board. No one selects these businesses, the private sector studies and reviews best locations for businesses.

C. Dasti- Clarified some legalities with the Planning Board in regards to the new town hall.

Christina Spangler, 20 Bayside Ave:

I reside at 20 bayside. Corner of coral ave (the pit) . Over the years , I have called to complain about people throwing garbage , brush , logs and all sorts of debris there in front and over the fence as well . I am now fed up ! My husband has to constantly clean up the mess. I have asked for a no dumping sign , of which you obliged , but today 6/25/20, I had to call again and got to witness the public works dump truck picking everything up and dumping it right over the fence . I am asking for a 6 foot fence to replace the old chain link that's there so that no one can dump there any longer. This is a health violation and needs to be addressed ASAP. I suffer from asthma due to mold, which has accumulated over the years from rotting debris . The piling of brush is also a breeding ground for mosquitoes, other bugs and animals! I would like you to know that if this matter is not addressed ASAP , I will be hiring an attorney !

J. Novak- Stated if she feels she needs and attorney then she should. As far as dumping it is a police and code issue. There is an eternal investigation in regards to the public works dumping that may or may not have occurred on May 5th. We are considering various options to solve this issue.

George Fedorczyk (Fed-door-sick) Jr., 131 Rockrimmon Boulevard:

Good Morning Mr. Mayor and Township Committee Members,

My concern is being read to you today by someone other than myself because you still choose to not conduct virtual meetings. I am curious as to why this continues since both the zoning and planning boards provide this option. Virtual meetings have also been conducted by the school board for their board and various committee meetings with much success. As it stands now, the 10am meetings every other month realistically only provide a select group of the community the opportunity to attend in person. This is something I brought up at the February 2018 meeting, to then Mayor Caputo.

I understand Mr. Dasti has recently stated at previous meetings that the township is in compliance with the Open Public Meetings Act but I wonder why in a time of such uncertainty and constant rule changes by our Governor, which in my opinion tend to contradict themselves, the committee isn't doing more to reach out to our community. On June 22, 2020, Governor Murphy signed Executive Order 156 which allows for indoor gatherings at "25% of the capacity of the room in which it takes place, but regardless of the capacity of the room, such limit shall never be larger than 100 persons or smaller than 10 persons." Our neighboring town, Township of Ocean, has followed this order and will hold an in-person committee meeting on July 9th. The Barnegat Township School Board held an in-person meeting on June 23, 2020. Is there a plan in place to begin in-person meetings that the residents can attend? If not, when do you expect to have a plan in place? You are our community's governing body and we deserve to be heard in our own voice, not relegated to having someone other than ourselves read our concerns to you in hopes that our point is clearly made.

Thank you for your time.

J. Novak- Stated is must be the political season, we open up town hall and abided by the governors changing laws. There have been multiple issue with virtual meetings, it doesn't lend itself to a professional atmosphere. We are rated number one in Ocean County transparency. We need to protect the public, and our staff. We don't have that many people in the offices, if someone gets sick we can't afford to close a department. We are trying to abide by what the governor says, everything we do here is open and honest.

Motion to Close Public Session: A. Bille

Second: L. Kropf

Old Business:

Ordinance 2020 – 8 (Second Reading)

See attachment "A" of these minutes for ordinance in full

Amending and supplementing Chapter 36 of the Township General code entitled "Brush, Weeds, Obnoxious Growth" specifically Section 36.5 entitled "Penalty"

Motion to open Public Comment: A. Bille

Second: A. Cirulli

Motion to close Public Comment: A. Cirulli

Second: P. Pipi

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

Ordinance 2020 – 9 (Second Reading)
See Attachment “B” of these minutes for ordinance in full
Amending and supplementing Chapter 39 of the Township General Code entitled
“Construction Codes Uniform” specifically Section 39.9 entitled “Violations and Penalties”

Motion to open Public Comment: P. Pipi Second: A. Cirulli
Motion to close Public Comment: A. Bille Second: A. Cirulli

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

Formal Action:

Resolution 2020 – 215
Resolution authorizing payment of Bill List in the amount of \$5,001,800.49

Motion to adopt resolution: L. Kropf Second: P. Pipi
Roll Call: Committeeman Bille: Yes Committeeman Cirulli: Yes
Committeewoman Kropf: Yes
Deputy Mayor Pipi: Yes Mayor Novak: Yes, see abstention list

Resolution 2020 – 216
Authorizing insertion of a Chapter 159 into the 2020 Municipal Budget in the amount of
\$1,750.43, for the *Alcohol Education Rehabilitation and Enforcement Fund*

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

Resolution 2020 – 217
Authorizing insertion of a Chapter 159 into the 2020 Municipal Budget in the amount of
\$45,844.02, for the *FY20 Clean Communities Grant*

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

Resolution 2020 – 222 Not used

Resolution 2020 – 223

Authorizing an increase to the Township bid threshold pursuant to the Local Public Contracts Law N.J.S.A. 40A11-3(c)

Resolution 2020 – 224

Authorizing rate of pay increase for Seasonal Dock Helpers

Resolution 2020 – 225

Authorizing advertisement for one (1) Full Time Laborer for the Water & Sewer Department

Resolution 2020 – 226

Authorizing the refund of water reimbursement fee to the Barnegat United Methodist Church

Resolution 2020 – 227

Urging the Federal Government to move forward with a new Veterans clinic in Ocean County

Resolution 2020 – 228

Petitioning NJDOT consider widening improvements to Ocean County Route 9 corridor

Resolution 2020 – 229

Urging Governor Murphy to restore funding for the Homestead benefit program and Senior Freeze program

Motion to adopt Consent Agenda: A. Cirulli

Second: A. Bille

Roll Call:

Committeeman Bille: Yes Committeeman Cirulli: Yes

Committeewoman Kropf: Yes, see abstention list

Deputy Mayor Pipi: Yes, see abstention list

Mayor Novak: Yes

Resolution 2020 – 230

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

Motion to adopt resolution: A. Bille

Second: L. Kropf

All in favor: Aye Opposed: No

Motion to Adjourn: L. Kropf

Second: A. Bille

All in favor: Aye Opposed: None

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

Abstention List July 9, 2020 Township Committee Meeting

The following Barnegat Township Committee members have abstained from the noted items on this agenda

Mayor Novak: 2020-215: Bill list Vendors #00118, 00148, 00513, 02400

Deputy Mayor Pipi: Mirage Raffle approval

Committeeman Bille:

Committeeman Cirulli:

Committeewoman Kropf: Mirage Raffle approval

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

Municipal Clerk

Attachment
"A"

ORDINANCE NO. 2020-8

AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 36 OF THE TOWNSHIP CODE ENTITLED "BRUSH, WEEDS, OBNOXIOUS GROWTH" AND SPECIFICALLY SECTION 36-5 ENTITLED "PENALTY".

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

SECTION 1. Chapter 36 of the Township Code entitled "Brush, Weeds, Obnoxious Growth" and specifically Section 36-5 thereof entitled "Penalty" is amended to read as follows:

In the event that any person, individual, firm, partnership, entity or corporation is found to be in violation of this chapter, he shall be subject to fines and penalties as follows:

- A. First offense a fine of five hundred dollars (\$500.00).
- B. Second Offense a fine not to exceed one thousand dollars (\$1,000.00).
- C. A Third or subsequent offense the fine shall be two thousand dollars (\$2,000.00) or ninety (90) days in the Ocean County Jail.
- D. Each day of violation shall be a separate offense and subject the violator to a separate penalty.
- E. Any person charged with two or more offenses shall require a mandatory court appearance.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of

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Forked River, N.J. 08753

competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 4th day of June, 2020, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 9th day of July, 2020, at 10:00 A.M. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

MICHELE RIVERS, RMC, Clerk
Township of Barnegat

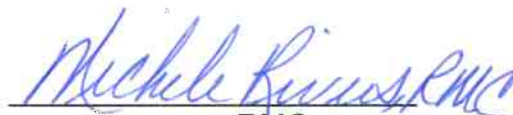
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CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing **Ordinance 2020-08** was introduced and passed at a meeting of the Township Committee on the 4th day of June, 2020, and finally adopted after Public Hearing at a meeting held on the 9th day of July, 2020 in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ

A handwritten signature in blue ink that reads "Michele Rivers, RMC". The signature is written in a cursive style and is positioned above a horizontal line.

Michele Rivers, RMC
Municipal Clerk

Attachment
"B"

ORDINANCE NO. 2020-9

AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 39 OF THE TOWNSHIP CODE ENTITLED "CONSTRUCTION CODES, UNIFORM" AND SPECIFICALLY SECTION 39-9 ENTITLED "VIOLATIONS AND PENALTIES".

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

SECTION 1. Chapter 39 of the Township Code entitled "Construction Codes, Uniform" and specifically Section 39-9 thereof entitled "Violations and Penalties" is amended to read as follows:

Any person who violates any one or more sections of this chapter shall be subject to the following fines and penalties:

- A. First Offense a fine of five hundred dollars (\$500.00).
- B. Second or subsequent offense a fine of one thousand dollars (\$1,000.00) for each offense or ninety (90) days of confinement in the Ocean County Jail.
- C. Each violation shall be a separate offense and subject the violator to a separate penalty.
- D. Any person charged with two or more offenses shall require a mandatory court appearance.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

DASTI & ASSOCIATES

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SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

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MICHELE RIVERS, RMC, Clerk
Township of Barnegat

DASTI & ASSOCIATES

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CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing **Ordinance 2020-09** was introduced and passed at a meeting of the Township Committee on the 4th day of June, 2020, and finally adopted after Public Hearing at a meeting held on the 9th day of July, 2020 in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ

A handwritten signature in blue ink that reads "Michele Rivers, RMC". The signature is written in a cursive style and is positioned above a horizontal line.

Michele Rivers, RMC
Municipal Clerk