

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

TOWNSHIP COMMITTEE MEETING MINUTES
June 6, 2019 at 10:00 AM

Call to Order the June 6, 2019 Township Committee Meeting:

Please silence all cell phones

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 official bulletin board, and in the office of the Municipal Clerk for public inspection.

Roll Call of Officials:

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

Invocation: by Monsignor Ken Tuzeneu

Pledge of Allegiance:

Oasis Family Success Center
Long Beach RV Resort & Campground
Edward B Forsythe Refuge- Mayor Cirulli Gave proclamation

Committee Reports: Kropf, Pipi, Bille, Novak

L. Kropf- attended Barnegat High School Scholarship night over 1 million dollars in scholarships have been awarded since this has been started. Gave a water and sewer report.

P. Pip- Gave a code enforcement report.

Al Bille- Discussed Foodstock 2019 and how they need to restock the food pantry for the kids now that they are home from school for the summer. Talked about the town growth. Explained how the town does not select what stores come to town, they are selected by the builders or developers. Friday night concerts are being sponsored by James Hankins and talked about recreation events that are coming up. The pedestrian light on Barnegat Blvd and the bike path needs to be used to cross.

J. Novak- Discussed the efficiency of the police department and statistics for the month.

Mayor's Report:

Al Cirulli- Discussed the police and code enforcer being on top of maintaining Barnegat. Neighborhood watch is doing well and looking into planning their picnic. He mentioned he met with the school about a project for Adopting a Street. This is a student initiative. He and Al Bille attend Fire Watch at Brighton at Barnegat. The Heritage Bay petition has been acknowledged.

PUBLIC SESSION COMMENT:

Please feel free to speak to the Township Committee during public session. Comments and discussion will be limited to a five (5) minute period per individual. Each speaker must be recognized by the Mayor and clearly announce their name, address and group affiliation. The Barnegat Township Committee appreciates and welcomes public comment, advice and suggestions intended to assist the Committee. Your anticipated courtesy to the members of the public and the committee is greatly appreciated.

Motion to Open Public Session: A. Bille

Second: L. Kropf

Maxine Blumenthal, 160 Brighton Rd. - Discussed her concerns about the November 2018 and June 2019 elections because of the re-districting. Election workers are under paid and there are not enough workers at the pole.

Mayor- Reiterated that the township had no control over this situation and they are aware of the issue.

Jed Davies, 101 Pine Oak Blvd.- Looking into getting permit to use the public dock, for a picnic, or a day on the bay event, with vendors and food. Looking to do something in the fall.

Al Bille- I don't recall allowing private events at the dock. Mention he could contact him and work with recreation. Write up a letter of proposal and bring it to the clerk's office.

Motion to Close Public Session: A. Bille

Second: J. Novak

Old Business:

Ordinance 2019 – 11 (Second Reading)

An Ordinance amending Chapter 68A entitled "Tobacco Products, Sale of" to update the age to twenty-one (21)

WHEREAS, N.J.S.A. 2A:170-51.4 prohibits the sale or distribution of electronic smoking devices to any individuals under the age of 21, in addition to more conventional tobacco and nicotine products; and

WHEREAS, Chapter 68A of the Township Code entitled "Sale of Tobacco Products" prohibits the sale of tobacco products to minors; and

WHEREAS, the Township of Barnegat has determined that it is in the best interests of the public health, safety, and welfare of the residents of the Township of Barnegat to prohibit the use, sale, and possession of electronic smoke devices by individuals under the age of twenty-one (21) in public places.

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

SECTION 1. Chapter 68A of the Township Code entitled Sale of Tobacco Products is hereby amended and supplemented as follows:

§68A-1. Prohibition of Tobacco sales to minors

A. It shall be unlawful to sell or otherwise provide an electronic smoking device, tobacco or tobacco products to a person under twenty-one (21) years of age, which person shall be considered a minor for purposes of this Chapter.

B. It shall be unlawful for any person to purchase an electronic smoking device, tobacco, or tobacco product (a) with funds furnished by a minor or (b) with the intent to sell such a product to a minor.

C. Sign requirement. The following six (6) inch by eight (8) inch sign shall be posted in a conspicuous place near such cash register in all retail establishments which sell tobacco products:

“SALE OF TOBACCO PRODUCTS OR ELECTRONIC SMOKING DEVICE TO MINORS UNDER THE AGE OF TWENTY-ONE OR USE OF SUCH PRODUCTS IN A PUBLIC PLACE BY MINORS IS PROHIBITED BY LAW. Legal proof of age must be shown. A person who sells or offers to sell a tobacco product or electronic smoking device to a person under twenty-one (21) years of age may be prosecuted in accordance with the state and Barnegat Township Ordinances.”

D. Cigarette-Free School Zones.

(1) The Drug-Free School Zone Map adopted and referenced in Chapter 42 of the Township Code entitled “Drug-Free School Zone” is hereby amended to include “Cigarette-Free School Zone” whereby it shall be unlawful for anyone to sell, give or permit to be sold or given to a person under twenty-one (21) years of age tobacco in any form or an electronic smoking device within the area on or within 1,000 feet of such school property.

(2) It shall also be unlawful for a person under twenty-one (21) years of age to smoke or use a tobacco product or to possess in open view an electronic smoking device, a cigarette or tobacco product, an opened cigarette pack, opened carton or other opened container (as evidenced by a broken seal) holding a tobacco product in and/or on school property as referenced in the Cigarette-Free/Drug-Free School Zone Map.

E. It shall be unlawful for a parent, legal guardian or other person acting in place of a parent or legal guardian or person who is responsible for the care and welfare of a minor under the age of 21 years to allow that minor to possess any electronic smoking device, cigarettes made of tobacco or of any other substance which can be smoked, any cigarette paper or tobacco in any form, including but not limited to smokeless tobacco.

SECTION 2. Chapter 68A-5 of the Township Code entitled “Definitions” is amended to include the new following definition:

ELECTRONIC SMOKING DEVICE – An electronic device that can be used to deliver nicotine, cannabis, or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Motion to adopt resolution:

Second:

Roll Call:

Committeeman Bille: Yes Committeewoman Kropf: Yes
Committeeman Pipi: Yes
Deputy Mayor Novak: Yes Mayor Cirulli: 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 individual items. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately.

Approval for Italian & American Social Club to hold on premise 50/50 at their meetings in 2019 and 2020

Approval for Heritage Point Bingo Club to hold Bingo and Raffle on 7/19, 8/16, 9/20, 10/18 11/15/2019

Approval for Turnkey Enterprises, LLC to place Charitable Clothing Bin at R.L. Horbelt School

Approval for the Barnegat Fire Department to hold 5K Stop, Drop & Run event at the Municipal Dock, and Bay Shore Drive August 31, 2019

Resolution 2019 – 201

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

Resolution 2019 – 202

Resolution authorizing the Tax Collector to apply Tax Overpayment on Block 195.03 Lot 12; 9 South Main Street

Resolution 2019 – 203

Resolution authorizing reimbursement for cancellation of recreation program classes

Resolution 2019 – 204

Resolution appointing temporary seasonal personnel to the Recreation Department

Resolution 2019 – 205

Resolution authorizing the Re-appointment of Registrar of Vital Statistics

Resolution 2019 – 206

Resolution authorizing the administrator to sign extension agreement with ADP for payroll services

Resolution 2019 – 207

Resolution authorizing application to the NJ Department of Community affairs for a Grant to enhance recreational programs for individuals with special needs

Resolution 2019 – 208

Resolution authorizing relief from Township Code Section 55-126.12(C) to D.R. Horton

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

Municipal Clerk

