

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

**REGULAR MEETING MINUTES
November 14, 2017, 6:30 PM**

1. Call to Order Township Committee Meeting of November 14, 2017

2. 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 in the official newspapers of the date, time and location of this meeting more than 48 hours in advance, and
- By posting advance written notice on the official bulletin board in the municipal building, and in the office of the Township Clerk for the purpose of public inspection.

3. Roll Call of Officials Present:

Committeeman Cirulli - Absent
Committeeman Novak - Present
Committeewoman McCabe - Present
Deputy Mayor Caputo - Present
Mayor Bille - Present

4. Salute to the Flag

Invocation: Rev. Dawn Corlew of Barnegat Anew United Methodist Church

5. Committee Reports: Novak, McCabe, Caputo

J. Novak- Gave police department statistics. Gave thanks to Ward and Whitcraft for running campaign.

S. McCabe- Gave congratulation to her fellow committee members. Extended happy holidays to all. Addressed a previous meeting regarding beach replenishment.

F. Caputo-Congratulated John Novak and Al Cirulli. Extended congratulations of the efforts of Mr. Whitcraft and Mr. Ward. Gave the Fire Department statistics. Discussed the Wildfire Safety Council meeting. Complimented the job done on the skate park. Happy holidays to all.

6. Mayor's Report:

As far as the skate park the kids are phenomenal. The new position of the payment box outside has been a success. Happy Thanksgiving to all.

Congratulations to all candidates. Addressed the Rent Leveling Board meeting, and talked about the unnecessary abuse Frank Pecci took.

Read at meeting: 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 or help 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. Public Comment at a special meeting of the Township Committee shall be related to the call of that meeting. In accordance with the Committee policy, 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 appreciated.

7. Motion to Open Public Comment: J. Novak Second: F. Caputo

Keith Germain- Made a statement in regards to the bonding. Gave examples of the needs for the police department.

J. Novak- Gave some information from the CALEA report, in regards to the negative issues in the police headquarters building.

Paul Whitcraft, 11 Wake Road- Commented on Ordinance 2017-27. Concerned about the debt, and is looking for detail. Would like to see if the public can get more detailed information on the ordinances before the meeting. Questioning if anyone on the committee have any conflict of interest with the building of the new town hall.

S. McCabe- Four plus years this has been discussed and it started with renovating the Edwards school.

Al Bille- Details are rough, just because we bond for 14 million doesn't mean we will use it. We would like to have the building on our property, and things we need to find out. This is only a first reading and nothing final tonight. Talked about the building issues, we need to have the money so we can move forward. The Edward School was in the debate, the school board is not looking to do that, and it was looking to cost like \$7 million. There are two readings; it's out to the public now.

J. Novak- Disagrees that conflicts of interest are ok. Contractors that maybe selected that he is affiliated with he will recuse himself from the process. As far as the site, there is not much. The Edwards school would be a great site; he stated he wishes he could get the school board to agree. Talked about the workshop meetings and transparency.

Peg Houle, 10 Rockland St. - Asked about the Town Hall timeline. Will the Recreation center be part of that process?

Al Bille- Yes the recreation center will be part of the process.

Marianne Clemente-, 565 East Bay Ave.-Discussed the workshop meetings and how they were handled years prior to Mr. Novak. Asked about the

Edwards school, why wouldn't we go after it. Questioned a previous bond issued for the public works building. Asked why October meeting wasn't on video.

Novak- I agree, Great question for the school board.

Al Bille- Agreed it's a good question for school board.

McCabe -We were potentially acquiring the Edwards school for a minimal cost. School board changed members and the committee members changed. Both groups pulled it back. After that we were not being invited to contemplate acquiring the building anymore. By definition it's the school boards building.

Jake Taylor 106 Newark Rd. - Discussed the beach replenishment along with the questioning the Bike Path.

F. Pecci, 11 Hemlock Dr. - Talked about the bond estimate and how that number was come up with. Stated he made a call to the state and the sand would be available if the town applied for it. Discussed past things that were to be done to the building along with bonds we already have.

Al Bille- Talked about the Recreation Open Space Inventory ("ROSI") and that we can't do anything with the property, the best bet is that we should try to build on this lot.

S. McCabe- Explained four years ago she thought this place was going to fall down in a windstorm, today it's that much worse. You reference Mike Ball and Public Works not keeping up with it. Mike Ball and Public Works is chasing, all the repairs, painting and the floor rotting away. We have reached our critical mass. This has been discussed for 20 years, we are out of space, the police department has no lockers, no running water, and we have prisoners walking out because we have no cages to hold them. What will it take, does it need to collapse on itself before you say it's time.

T. Lombarski- Discussed and explained bonding and budget. Discussed the favorable interest rate, and how it will be paid and structured. We don't pay the school debt, we are just a pass through. Part of the tax rate is the school board

J. Novak- They got a brand new school that is half empty.

Al Bille- They got a brand new concession stand worth \$600,000.

S. McCabe- They get brand new shiny schools and we have to sit in mold and let this trailer collapse on itself.

Laura Zinger, 14 Beacon Drive.- Coordinator for Settlers Landing Neighborhood Watch, wanted to thank Patrolman Purcell. Asked about Barnegat Blvd. S. being paved, discussed speeding in the development,

Recreation Center updates and social media workshops. Is there anything intended to for the Edward School.

J. Novak- Give the streets to Lt. Germain and the police will be sent there. We looked at other facilities to see what we like and don't like. Then we will shop for a building. There is a flow of business that needs to be accommodated.

Al Bille- Discussed how they will take suggestions for the recreation. Nothing intended for the Edwards school to our knowledge.

S. McCabe-Hopes the building finds an alternative function.

Phil Checcia, Windward Drive- Anymore discussions with school board and using our channel? Talked about MacArthur and his visit to Bayville. Discussed the town hall building, it needs to be completed sooner or later. It will cost more if we wait. As far as Edwards for school there is too much asbestos, that building will not accommodate town hall. He suggested other ideas for the Edwards building.

Michelle Woodruff, 5 Ann Ct.- Thanking for the Mayor for looking over the rent leveling meeting, along with Frank Pecci. Stated she is disappointed in the board and their counter proposal was not discussed.

Vince Green, 89 Sandpiper Rd.- Didn't know how bad the Police Department building was. He stated he is in favor of a new building but prefers if it was stand alone. Feels the stand alone is better so the public is not there when they are going through with prisoners.

Al Bille- agrees and appreciates his suggestions.

Matt Robidoux, 108 Ravenwood Blvd.- Who is the alternate to public works? Wanted to ask about the new Public Works yard, will be along with salt yard and plows be stored. Made a complaint about County Dispatch.

Al Bille- No decision on where the building will go.

J. Novak- We will have Mr. Cirulli get back to you on the salt information. In regards to dispatch we are constantly tweaking complaints and issues.

Kim Potter, 175 Gunning River Rd.- Oasis Family Success Center, we offer free services, community and neighborhood gathering. Oasis is a state funding facility.

Diane Schlagle, 32 Kimberly Drive- Asked about Edwards school.

Al Bille- The Edwards school has been an empty building for years. As far as building there are ideas and still in the early stages. We need to watch the budget, so we don't over spend. Our first thought is to build on this piece of property. Like Susan said the Edwards school was one of the options, but it

fell flat, we would have love to take one of the other schools, but that won't happen. Our first thought is to do it on this piece of property.

Bill Cox, 12 Herkimer Ct.-did agree the PD is a mess, agrees that the police station should stand alone. Discussed how Barnegat always talks about keeping the debt down. Could we consider a referendum? Brought up the fact that Police Captain position has been reinstated, and the price tag that comes with it.

Al Bille- We don't know what we are spending, the money is in the bank and we pay nothing until we start to use it.

Keith Germain- Gave a response to Mr. Cox on statistics along with comments from the DCJ. The committee did try to not have a Captain position, but the stats were given to them to justify the reasons why we should be staffed a certain way.

S. McCabe- Does this show that every shift has a supervisory shift working on the job?

J. Novak- with our officers working with minimal supervision is a testament to our department.

Chris Linton, 6 Crystal Ct. - He is looking for a response from the CFO about past bonds and debt.

Tom Lombarski- Gave explanation on the current debt and existing bonds.

J. Novak- Gave a more detailed explanation for Mr. Linton, with ratables and interest rates.

S. McCabe- Explained the funding and the process. The number is an arbitrary mark in the sand

Al Bille- Gave explanation how we are paying off our debt at phenomenal rate. Stated the condition that the building and parking lot are in.

Angie Sheedy, 339 S. Main St. - Life time member of First Aid Squad, asking about anything being done for the volunteers. Discussed speeding on Rt. 9 and W. Bay Ave, questioned speeding ticket revenue and court fees, asked about the other expenses in the budget.

Al Bille- Explained why it couldn't be done near the election, and will make a note of it to see if there is something that can be done for the volunteers.

J. Novak- Gave an explanation on what revenue the town receives with tickets and court fees.

T. Lombarski- You can get a detailed report of the other expenses.

Daniel Day, 200 Edison Rd. - Discussed Committee member health benefits.

Al Bille-January 1st no member of the board gets hospitalization.

George Fedorczyk, 131 Rockrimmon- Discussed the condition of the Police Department. Cautioning the committee about the Edwards school and it might not be practical.

Al Bille- Commented on the Neighborhood watch, and feels it did well.

Motion to Close Public Comment: J. Novak Second: F. Caputo

8. New Business

Approval of the Township Committee Meeting Minutes of October 3, 2017

Motion to approve minutes: F. Caputo Second: J. Novak
Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017 -27 (First Reading)

An Ordinance of the Township of Barnegat, providing for the acquisition and improvement of property, facilities and buildings, and the construction of a new town hall and new public works building in and for the Township of Barnegat, and appropriating \$15,000,000.00 therefor, and providing for the issuance of \$14,250,000.00 in bonds or notes of the Township of Barnegat to finance the same

Motion to introduce ordinance: F. Caputo Second: S. McCabe
Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017 -28 (First Reading)

An Ordinance amending and supplementing Chapter 38B of the Township Code entitled "Letters of Non-Interest for Resale of Units".

Motion to introduce ordinance: S. McCabe Second: J. Novak
Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017 -29 (First Reading)

An Ordinance amending and supplementing Chapter 63B of the Township General Code entitled "Rental Properties".

Motion to introduce ordinance: F. Caputo Second: S. McCabe

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017 -30 (First Reading)

An Ordinance establishing 2018 salaries of officers and employees of the Township of Barnegat, and repealing any and all other ordinances inconsistent therewith

Motion to introduce ordinance: S. McCabe Second: F. Caputo

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Ordinance 2017 -31 (First Reading)

An Ordinance amending and supplementing Chapter 10, Section 20 of the Township General Code entitled "Award of Public Contracts"

Motion to introduce ordinance: F. Caputo Second: J. Novak

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

9. Formal Action Agenda

Resolution 2017 – 347

Resolution authorizing payment of Bill List in the amount of \$8,783,848.16

Motion to adopt resolution: F. Caputo Second: S. McCabe

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes,
Abstain, Ultra Supply Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017 - 348

Resolution authorizing transfers within the 2017 Municipal Budget; Current Fund

Motion to adopt resolution: F. Caputo Second: S. McCabe

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes Mayor Bille: Yes

Resolution 2017 - 349

A Resolution cancelling Trust Fund Reserve balances

Motion to adopt resolution: F. Caputo

Second: J. Novak

Roll Call: Committeeman Cirulli: Absent
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes

Committeeman Novak: Yes
Mayor Bille: Yes

Resolutions 2017 – 349A

Resolution approving a Temporary Capital Budget to include projects listed in the Bond Ordinance

Motion to adopt resolution: F. Caputo

Second: S. McCabe

Roll Call: Committeeman Cirulli: Absent
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes

Committeeman Novak: Yes
Mayor Bille: Yes

Resolution 2017 - 350

Resolution requesting a Chapter 159 be added to the 2017 budget for *NJOEM FY18 966 Grant* in the amount of \$8,035.75

Motion to adopt resolution: J. Novak

Second: F. Caputo

Roll Call: Committeeman Cirulli: Absent
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes

Committeeman Novak: Yes
Mayor Bille: Yes

Resolution 2017 - 351

Resolution requesting a Chapter 159 be added to the 2017 budget for *State Body Armor replacement Fund Program* in the amount of \$4,195.87

Motion to adopt resolution: J. Novak

Second: S. McCabe

Roll Call: Committeeman Cirulli: Absent
Committeewoman McCabe: Yes
Deputy Mayor Caputo: Yes

Committeeman Novak: Yes
Mayor Bille: Yes

10. 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 a discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Approval for the American Legion Post #299 to hold Bingo on Mondays for the year 2018

Approval for the American Legion Post #299 to hold Pull-Tab instant raffle for the year 2018

Approval for the Donahue School PTA to hold gift auction on December 14, 2017, and February 14, 2018

Approval for the Donahue School PTA to hold on premise 50/50 on the following dates: December 14, 2017, February 14, 2018 and March 8, 2018

Approval for the Horizon's at Barnegat Women's Club to hold on premise 50/50 on December 11, 2017

Resolution 2017 - 352

Resolution authorizing a refund of premiums paid at tax sale on various Blocks and Lots of the Township

Resolution 2017 - 353

Resolution authorizing the Tax Collector to refund overpayment of property taxes paid due to totally disabled veteran's property tax exemption, Block 95.47 Lot 14; 42 Hidden Lake Circle

Resolution 2017 - 354

Resolution authorizing the Tax Collector to refund overpayment of property taxes paid due to totally disabled veteran's property tax exemption, Block 111.05 Lot 1; 1 Herkimer Court

Resolution 2017 - 355

Resolution authorizing the Tax Collector to refund Homestead benefit due to totally disabled veteran tax exemption Block 95.20 Lot 16; 77 Mirage Boulevard

Resolution 2017 - 356

Resolution authorizing the Tax Collector to refund overpayment of property taxes paid due to totally disabled veteran property tax exemption, Block 116.05 Lot 25; 2 Quartz Terrace

Resolution 2017 - 357

Resolution authorizing a correction to a lien placed on property Block 208 Lot 19; 424 E. Bay Avenue

Resolution 2017 - 358

Resolution authorizing a Lien be placed on properties for failure to comply with chapter 36 violations

Resolution 2017 - 359

Resolution authorizing the reimbursement for cancellation of recreation program classes

Resolution 2017 - 360

Resolution authorizing an extension to a medical leave of absence to Patricia Farrell

Resolution 2017 - 361

Resolution authorizing and approving the execution of an amendment to the employment agreement with the Township Administrator effective January 1, 2018

Resolution 2017 - 362

Resolution appointing a temporary part time Clerk/Typist to the Tax Collector's Office at an hourly rate of \$15.00/no benefits

Resolution 2017 - 363

Resolution appointing Alternate Crossing Guards to Non-Union positions, at an hourly rate of \$12.00

Resolution 2017 - 364

Resolution authorizing a personnel rate of pay adjustment for a Detective First Grade to be in line with the existing Collective Bargaining Agreement

Resolution 2017 - 365

Resolution authorizing the promotion of Patrolman Andrew Parsley to the Rank of Sergeant effective January 1, 2018, salary in accordance with the current Superior Officers Collective Bargaining Agreement

Resolution 2017 - 366

Resolution authorizing the promotion of Sergeant Jason Carroll to the Rank of Lieutenant effective January 1, 2018, salary in accordance with the current Superior Officers Collective Bargaining Agreement

Resolution 2017 - 367

Resolution authorizing the promotion of Lieutenant Ryan Dugan to the Rank of Captain effective January 1, 2018, salary in accordance with the current Superior Officers Collective Bargaining Agreement

Resolution 2017 - 368

Resolution authorizing the promotion of Lieutenant Keith Germain to the Rank of Chief of Police effective February 1, 2018

Resolution 2017 - 369

Resolution authorizing the adjustment to the Township's Bid Threshold pursuant to the Local Public Contracts Law

Resolution 2017 - 370

Resolution awarding three (3) year contract to Environmental Systems Research Institute, Inc. (ESRI) for Small Utility Term Enterprise License in the per year amount of \$10,000.00, term amount not exceed \$30,000.00

Resolution 2017 - 371

Resolution authorizing execution of a contract to Hertich Fleet Services, Inc. under NJ State Contract #A88729 for two (2) police cars in an amount not to exceed \$54,088.20

Resolution 2017 - 372

Resolution authorizing the purchase of Motorola Radio System c/o Allcom Technologies under NJ State Contract #83909 for the Police Department in an amount not to exceed \$107,441.80

Resolution 2017 - 373

Resolution authorizing the use of OEM 966 Grant funds to purchase one (1) Motorola Radio at a cost not to exceed \$8,035.75

Resolution 2017 - 374

Resolution authorizing the execution of a Shared Service Agreement with the County of Ocean for the Prosecutor's Program known as Ocean County Gang, Gun and Narcotics Task Force ("SOG")

Resolution 2017 - 375

Resolution awarding a contract to Bonk's Trucking & Grading, for the resurfacing of the First Street Basketball Court, in an amount not to exceed \$33,875.00

Resolution 2017 - 376

Resolution authorizing the reimbursement to the Barnegat Little League for improvements made to the Barnegat Little League Dugouts, in an amount not to exceed \$30,400.00

Resolution 2017 - 377

Resolution rejecting all bids for the FY2014 Bike Path Extension Project

Resolution 2017 - 378

Resolution authorizing the renewal of Inactive Liquor License "Pocket Status" for Frank Koutsogiannis

Resolution 2017 - 379

Resolution approving the supplemental agreement to the April 20, 2017 settlement agreement with Fair Share Housing Center, 1111 W. Bay and Nautilus, LLC and Compass Point thereby resolving litigation venued in the NJ Superior Court Docket OCN-L-1865-15

Resolution 2017 - 380

Resolution authorizing the closing of Escrow Accounts with a zero balance

Resolution 2017 - 381

Resolution authorizing the refund of unused escrow deposits; Barnegat Village Square, LLC, The Walters Group, PB 97-15

Resolution 2017 - 382

Resolution authorizing the refund of unused escrow deposits; The Commons at Hampton Ridge, Hampton Ridge, LLC, PB 02-54

Resolution 2017 - 383

Resolution authorizing the refund of unused escrow deposits; The Commons at Hampton Ridge, Hampton Ridge, LLC, ZB 17-02

Resolution 2017 – 384

Resolution denying the release of Site Improvement Maintenance Bond for Tedesco Homes, Inc. Gunning Hill Estates

Resolution 2017 – 385

Resolution denying the request for release of Performance Guarantee for Right-of-way improvements for Block 92.111 Lot 42.08, Lighthouse Drive

Resolution 2017 – 386

Resolution authorizing a reduction of the Performance Guarantee for Walters Development Co., Pennsylvania Avenue Major Subdivision Site Improvements

Resolution 2017 – 387

Resolution authorizing a reduction of the Performance Guarantee for Whispering Hills, Phase 3, Water System Facilities

Resolution 2017 – 388

Resolution authorizing a reduction of the Performance Guarantee for Whispering Hills, Phase 3, Sanitary Sewer System Facilities

Resolution 2017 – 389

Resolution authorizing that the Township Committee reviewed the 2017 Best Practices Inventory Questionnaire as required by the Division of Local Government Services

Resolution 2017 – 390

Resolution authorizing a release of performance Guarantee, Mignatti Companies, Heritage Point North Section 6B

Resolution 2017 – 390A

Resolution authorizing a release of Performance Guarantee, Mignatti Companies, Heritage Point North Section 7A

Resolution 2017 – 391

Resolution approving application for Final Water System Facilities, Review #1, 750 Lighthouse Drive, Cardinale & Barnegat Crossing Associates II, LLC

Resolution 2017 – 392

Resolution approving application for Final Sanitary Sewer Facilities, Review #1, 750 Lighthouse Drive, Cardinale & Barnegat Crossing Associates II, LLC

Resolution 2017 – 393

Resolution appointing member to the ADA Advisory Board

Resolution 2017 – 394

Resolution appointing member to the Municipal Wildfire Safety Council

Resolution 2017 – 395

Resolution recognizing November as “National Family Caregiver Month”

Resolution 2017 - 396

Resolution opposing the Elimination of State and Local Taxes, (SALT)

Resolution 2017 - 397

Resolution recognizing the National Flood Insurance Program's (NFIP) and Community Rating System Incentive Program (CRS)

Resolution 2017 - 398

Resolution urging the Governor and the State Legislature to approve Legislation to permanently extend the 2% Cap on Interest Arbitration Awards

Motion to Adopt Consent Agenda:

Second:

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Abstain from American Legion Raffles.
 Mayor Bille: Yes

11. Items of discussion that may be brought up by the Township Committee:

- **Best Practices Inventory, as reviewed by the Township Committee, and certified by the Chief Financial Officer-**
CFO - This is a requirement to be discussed, for state aide payment.
- **Ground Mount Solar Panels-**
Zoning Officer has seen influx in this. Residents want these in a residential zone. Is the township interested in issuing an ordinance with this? Attorney will look into model Ordinance.
- **Farm Animal Ordinance-**
Discussed issues in small parts of town residents raising farm animals. Al Bille suggested keeping ordinance in place all agree.

Resolution 2017 - 399

Resolution authorizing the Township Committee to retire into closed session for the purpose of discussing personnel, contractual or litigation matters

Motion to adopt resolution: F. Caputo

Second: S. McCabe

Roll Call: Committeeman Cirulli: Absent Committeeman Novak: Yes
 Committeewoman McCabe: Yes
 Deputy Mayor Caputo: Yes Mayor Bille: Yes

12. Motion to Adjourn: F. Caputo
All in Favor

Second: S. McCabe

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

Municipal Clerk