

**December 22, 2014**

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, December 22, 2014, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Gingrich, Noonan, Bacchione, Guadagno, and Council President Byrnes. Also present were Mayor Amato, Administrator Reid, CFO Ebenau, Attorney Wyatt, Engineer Dittenhofer and Planner Oris. Councilman Ray and Councilman Grosse were absent.

Township Clerk read the following Open Public Meetings Statement:

Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Law, adequate notice of this meeting has been given. This meeting is posted on the Bulletin board located in the corridor of this building and published in the **Asbury Park Press** on January 9, 2014 and **Press of Atlantic City** January 10, 2014.

Councilwoman Noonan offered a prayer and Councilman Guadagno led in the Pledge of Allegiance at the Caucus Meeting prior to this meeting.

**ROLL CALL:**

PRESENT: Gingrich, Noonan, Bacchione, Guadagno, Byrnes  
ABSENT: Ray, Grosse

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, approval of the Official Minutes for **December 8, 2014**

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes  
NAY: None  
ABSENT: Ray, Grosse

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, approval of the Monthly Reports for Construction, Streets & Roads, & Golf Course and ordered filed.

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes  
NAY: None  
ABSENT: Ray, Grosse

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, approval of Resol. #14-457a-R re: Budget Transfer.

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes  
NAY: None  
ABSENT: Ray, Grosse

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, approval of Resol. #14-458-R re: Bills & Payroll

Bills **\$ 2,348,955.68** Payroll **\$684,142.42** Total **\$ 3,033,098.10**

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes  
NAY: None  
ABSENT: Ray, Grosse

Council President announced the time and place of a public hearing on **Ordinance #14-33-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF A PORTION OF CENTRAL AVENUE ABUTTING BLOCK 1692, LOT 1 & BLOCK 1722, LOT 3.** Council President Byrnes read the Ordinance by title, as copies had been made available to the public upon request; it had been posted on the Bulletin Board in Town Hall and published in the newspaper as required by law. Attorney advised that the applicant has requested to carry the ordinance as they are continuing to research the deed documents.

On motion by Councilwoman Noonan, seconded by Councilman Guadagno, to close reconsider the Ordinance at a future date.

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes

NAY: None

ABSENT: Ray, Grosse

Council President announced the time and place of a public hearing on **Ordinance #14-35-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO CREATE 20-5, ENTITLED "REFUSE CONTAINERS AND DUMPSTERS"**

Council President Byrnes read the Ordinance by title, as copies had been made available to the public upon request; it had been posted on the Bulletin Board in Town Hall and published in the newspaper as required by law.

Council President invited anyone in the public who wished to speak for or against the adoption of the Ordinance to be heard. *There being none.*

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, to close the public hearing and adopt Ordinance **#14-35-OA** (*to be found in full at the end of the minutes.*)

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes

NAY: None

ABSENT: Ray, Grosse

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, approval of Resol. #14-459-R re: Consent Agenda.

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes

NAY: None

ABSENT: Ray, Grosse

1. Resol. #14-460-R re: Authorizing a Change Order to a Contract with Johnson Baran Corp. for Gravel Roadway Improvements, Phase VII
2. Resol. #14-461-R re: Authorizing the Release of Site Improvement Performance Guarantee Posted by Johnson Baran Corp. for Gravel Roadway Improvements, Phase VII Conditioned Upon the Posting of a Maintenance Guarantee
3. Resol. #14-462-R re: Providing for the Insertion of Any Special Item of Revenue in the 2014 Budget Pursuant Of N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) from the State of New Jersey – Division of Highway Traffic Safety – 2014 Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown Grant
4. Resol. #14-463-R re: Providing for the Insertion of Any Special Item of Revenue in the 2014 Budget Pursuant Of N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) from the Bureau of Justice Assistance – Bulletproof Vest Partnership Program Grant
5. Resol. #14-464-R re: Providing for the Insertion of Any Special Item of Revenue in the 2014 Budget Pursuant Of N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) FY 14 Homeland Security Grant
6. Resol. #14-465-R re: Appointing Danielle C. Peacock as Tax Collector 4-yr. term - January 1, 2015 – December 31, 2018
7. Resol. #14-466-R re: Authorizing a Shared Services Agreement Between the Township of Berkeley and the County of Ocean Prosecutor's Program (F.A.S.T.)
8. Resol. #14-467-R re: Appointing T & M Associates Acting Zoning Officer Effective Immediately Expiring December 31, 2014
9. Resol. #14-468-R re: Approval to Submit a Grant Application and Execute a Grant Agreement with the NJDEP for the Bayfront Wave Energy Dissipation Structure Project
10. Resol. #14-469-R re: Approval to Submit a Grant Application and Execute a Grant Agreement with the NJDEP for the Shoreline Protection Structure at Butler Boulevard Project
11. Resol. #14-470-R re: Approval to Submit a Grant Application and Execute a Grant Agreement with the NJDEP for the Elevation of Roadway at Evergreen Drive Project

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12. Resol. #14-471-R re: Awarding a Contract to Earle Asphalt Company for Edinburgh Drive Roadway Improvements
13. Resol. #14-472-R re: Opposing Military Salary Cuts
14. Resol. #14-473-R re: Changing the Reorganization Meeting to Friday, January 2, 2015 at 5:00 PM
15. Resol. #14-474-R re: Urging Housing and Urban Development to Dispense the Round III "Super Storm Sandy" Funds Swiftly

On motion by Councilwoman Noonan, seconded by Councilwoman Gingrich, to adjourn the meeting.

**ROLL CALL:**

AYE: Gingrich, Noonan, Bacchione, Guadagno, Byrnes

NAY: None

ABSENT: Ray, Grosse

Following are the Ordinances and Resolutions adopted by the Township Council and made a part of this meeting.

Beverly M. Carle  
Township Clerk

James J. Byrnes  
Council President