

October 17, 2016

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, October 17, 2016, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Byrnes, Grosse, Gingrich, Noonan, Guadagno, Buscio and Council President Bacchione. Also present were Mayor Amato, Administrator Camera, CFO Ebenau, Chief DiMichele, Attorney Staiger, Engineer Peters and Planner Oris.

Township Deputy 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 Newspaper on January 8, 2016.

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

2016 Best Practices was discussed during the Caucus meeting.

ROLL CALL:

PRESENT: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

ABSENT: None

On motion by Councilwoman Noonan, seconded by Councilman Buscio, approval of the Official Minutes for **September 26, 2016 & October 3, 2016**

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

On motion by Councilwoman Noonan, seconded by Councilman Guadagno, approval of the Monthly Reports from: **Fire, Sanitation/Recycling, Streets & Roads, Code Enforcement & Tax Collector**

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

On motion by Councilwoman Noonan, seconded by Councilman Guadagno, approval of Resolution #16-414a-R re: Authorizing A Change Order To A Contract With Earle Asphalt Company For Improvements To Hyannis Street And Taj Mahal Court

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

On motion by Councilwoman Noonan, seconded by Councilman Guadagno, approval of Resolution #16-415-R re: Bills & Payroll

Bills \$8,189,626.01 Payroll \$1,406,148.97 Total \$9,595,774.33

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

Council President announced the time and place of a public hearing on **Ordinance #16-26-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER XXV, ENTITLED "MUNICIPAL GOLF COURSE REGULATIONS", SO AS TO AMEND VARIOUS SECTIONS**

Council President Bacchione 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 Councilman Buscio, to close the public hearing and adopt Ordinance **#16-26-OA** *(to be found in full at the end of the minutes.)*

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ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

On motion by Councilwoman Noonan, seconded by Councilman Buscio, approving the introduction of Ordinance #16-27 -OA re: **AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER VII, ENTITLED "TRAFFIC" (No Stopping or Standing Morrison Avenue)** *(to be found by title at the end of the minutes)*

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

On motion by Councilwoman Noonan, seconded by Councilman Buscio, approving the introduction of Ordinance #16-28-OA re: **AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, SO AS TO AMEND CHAPTER XXXV ENTITLED "LAND DEVELOPMENT" TO AMEND SECTION 35-95** (Grandfathering Ordinance extension to August 1, 2017) *(to be found by title at the end of the minutes)*

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

Council President Bacchione asked if any Council member wished to pull an item from the Consent agenda for an individual discussion.

Attorney Staiger reminded the Council that resolution #16-420-R is authorization to go out to bid for an ambulance and not authorization to purchase one.

On motion by Councilwoman Noonan, seconded by Councilman Grosse, approval of Resolution #16-416 -R re: Consent Agenda

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

ASTAIN: Byrnes on Item # 1

NAY: None

1. Resol. #16-417 -R re: AUCTION OF ABANDONED VEHICLES
2. Resol. #16-418 -R re: AUTHORIZING A REFUND OF ZONING PERMIT FEES FOR BLOCK: 20.30, LOT: 7, 169 ATTISON AVENUE, SOUTH TOMS RIVER
3. Resol. #16-419 -R re: APPROVAL FOR BOY SCOUT TROOP 76 TO USE VETERANS PARK PAVILION FOR THANKSGIVING CAMPOUT ON OCTOBER 28, 29 & 30, 2016
4. Resol. #16-420-R re: AUTHORIZING RECEIPT OF BIDS FOR A TYPE III MEDALLION 170, FORD E-450 AMBULANCE UNDER H-GAC CONTRACT # AM10-16 FOR AMBULANCE SERVICE FOR BERKELEY TOWNSHIP
5. Resol. #16-421 -R re: AUTHORIZING A REFUND OF MONIES TO NARIUM IPECKI FOR BLOCK: 1550, LOT: 27, 255 PINE DRIVE
6. Resol. #16-422-R re: AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES
7. Resol. #16-423-R re: APPOINTING MAUREEN COSGROVE AS TAX SEARCH OFFICER
8. Resol. #16-424-R re: AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE TOWNSHIP OF BERKELEY AND THE COUNTY OF OCEAN PROSECUTOR'S DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM
9. Resol. #16-425-R re: AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE TOWNSHIP OF BERKELEY AND THE COUNTY OF OCEAN DRUG RECOGNITION EXPERT CALLOUT PROGRAM
10. Resol. #16-426-R re: AUTHORIZING PARTICIPATION IN THE FY 2017-2019 OCEAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
11. Resol. #16-427-R re: AUTHORIZATION TO ADVERTISE FOR BIDS FOR NEW FLOORING AT VARIOUS TOWNSHIP LOCATIONS
12. Resol. #16-428-R re: UPDATING STATE CONTRACT CO-OP LIST
13. Resol. #16-429-R re: UPDATING COUNTY CONTRACT CO-OP LIST
14. Resol. #16-430-R re: AUTHORIZING A REFUND OF MONIES TO SAM CAMMARATO FOR BLOCK: 1560, LOT: 35

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15. Resol. #16-431-R re: AUTHORIZING ENTRY INTO AN AGREEMENT WITH THE BERKELEY TOWNSHIP SEWERAGE AUTHORITY FOR THE USE OF A STREET SWEEPER
16. Resol. #16-432-R re: AUTHORIZING PURCHASE OF 2006 FORD F250 PICKUP FROM OCEAN COUNTY VEHICLE SERVICES FOR MANITOU PARK FIRE COMPANY
17. Resol. #16-433-R re: REMOVED
18. Resol. #16-434-R re: SUPPORTING S258 ENSURING THAT ALL VETERANS ARE ELIGIBLE TO RECEIVE THE BENEFITS
19. Resol. #16-435-R re: AUTHORIZING A CHANGE ORDER TO A CONTRACT WITH C.J. HESSE, INC. FOR THE RESURFACING OF JAMAICA BOULEVARD AND BISCAYNE STREET
20. Resol. #16-436-R re: AUTHORIZATION TO REJECT BIDS AND RE-ADVERTISE FOR BIDS FOR "SHORELINE PROTECTION AT BUTLER BOULEVARD"
21. Resol. #16-437-R re: AWARD OF CONTRACT FOR "ROAD RECONSTRUCTION AT PELICAN POINT, 23RD AVENUE AND 24TH AVENUE
22. Resol. #16-438-R re: AUTHORIZATION TO ADVERTISE FOR BIDS FOR ROSEWOOD DRIVE ROAD IMPROVEMENTS
23. Resol. #16-439-R re: AUTHORIZATION TO ADVERTISE FOR BIDS FOR STORM WATER CHECK VALVES AT VARIOUS LOCATIONS
24. Resol. #16-440-R re: AUTHORIZING THE RELEASE OF ROADWAY TRUST FUND MONIES POSTED FOR 315 WOODHAVEN BOULEVARD (BLOCK 283, LOTS 13 & 14)
25. Resol. #16-441-R re: CONTRACT CHANGE ORDER FOR EARLE ASPHALT COMPANY 2014 & 2015 ROAD IMPROVEMENT PROGRAM
26. Resol 16-442-R **REMOVED**
27. Resol. #16-443-R re: CONTRACT CHANGE ORDER FOR EARLE ASPHALT COMPANY KORMAN ROAD RECONSTRUCTION
28. Resol. #16-444-R re: CONTRACT CHANGE ORDER FOR C.J. HESSE MILLBROOK DRIVE IMPROVEMENTS
29. Resol. #16-445-R re: AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE POSTED BY C.J. HESSE, INC. FOR THE RESURFACING OF JAMAICA BOULEVARD AND BISCAYNE STREET CONDITIONED UPON THE POSTING OF A MAINTENANCE GUARANTEE

On motion by Councilwoman Noonan, seconded by Councilman Grosse, approval of Resolution #16-446-R re: AUTHORIZING THE WAIVER OF CONSTRUCTION DEPARTMENT FEES FOR THE BAYVILLE VOLUNTEER FIRE COMPANY

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

On motion by Councilwoman Noonan, seconded by Councilman Grosse, approval of Resolution #16-447-R re: AUTHORIZING THE TOWNSHIP ATTORNEY TO NEGOTIATE A SETTLEMENT AGREEMENT WITH VS ENTERPRISES

ROLL CALL:

AYE: Byrnes, Gingrich, Grosse, Bacchione, Guadagno, Buscio, Noonan

NAY: None

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

A voice vote was taken with no **NAYS** heard.

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

Karen Stallings
Township Deputy Clerk

John Bacchione
Council President