

December 14, 2015

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, December 14, 2015, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Grosse, Gingrich, Bacchione, Guadagno, DePaola and Council President Noonan. Also present were Mayor Amato, Administrator Camera, CFO Ebenau, Lieutenant Santucci, Attorney Staiger, Engineer Peters and Planner Dickerson. Councilman Byrnes was absent due to his granddaughter's Cheerleading Competition in Florida.

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 and Press of Atlantic City on January 7, 2015.

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

ROLL CALL:

PRESENT: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

ABSENT: Byrnes

On motion by Councilwoman Gingrich, seconded by Councilman Grosse, approval of the Official Minutes for **November 16, 2015**

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

On motion by Councilman DePaola, seconded by Councilman Bacchione, approval of the Monthly Reports from: **Construction, Court, Police, Sanitation/Recycling, Clerk** and ordered filed.

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

On motion by Councilwoman Gingrich, seconded by Councilman Bacchione, approval of Resol. #15-475-R re: Bills & Payroll. Bills **\$ 7,525,421.90** Payroll **\$ 1,364,749.22** Total **\$ 8,890,171.12**

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **Ordinance #15-31-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF A PORTION OF VIRGINIA AVENUE ABUTTING BLOCK: 524 LOTS: 1, 2, & 5 AND BLOCK: 525, LOTS: 15, 17 & 19.** Council President Noonan 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 Councilman Bacchione, seconded by Councilman Grosse, to close the public hearing and adopt Ordinance **#15-31-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **#15-32-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 487, LOTS 1 & 5 ON THE MUNICIPAL TAX MAP TO JEFFREY R. JERMAN IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2**. Council President Noonan 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 Councilman Grosse, seconded by Councilman Guadagno, to close the public hearing and adopt Ordinance **#15-32-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **Ordinance #15-33-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" (Stop Intersections Arlington Avenue and Jamaica Boulevard)**. Council President Noonan 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 Gingrich, seconded by Councilman Grosse, to close the public hearing and adopt Ordinance **#15-33-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **Ordinance #15-34-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" (Stop Intersections Innsbruck Drive)**. Council President Noonan 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 Councilman Grosse, seconded by Councilman Bacchione, to close the public hearing and adopt Ordinance **#15-34-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **#15-35-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", AMENDING SECTION 7-6, ENTITLED "RESIDENTIAL PERMIT PARKING" (Third Avenue, Manitou Park)**. Council President Noonan 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 Councilman Grosse, seconded by Councilwoman Gingrich, to close the public hearing and adopt Ordinance **#15-35-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **#15-36-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 V, ENTITLED "GENERAL LICENSING AND BUSINESS REGULATIONS", AMENDING AND CREATING VARIOUS SECTIONS**. Council President Noonan 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 Councilman Grosse, seconded by Councilwoman Gingrich, to close the public hearing and adopt Ordinance **#15-36-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **Ordinance #15-37-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 II, ENTITLED "ADMINISTRATION."** Council President Noonan 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 Councilman Grosse, seconded by Councilman Bacchione, to close the public hearing and adopt Ordinance **#15-37-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **#15-38-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY FOR THE CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES RESULTING FROM THE LAYOFF OR RETIREMENT OF TOWNSHIP EMPLOYEES IN ACCORDANCE WITH N.J.S.A. 40A:4-53.** Council President Noonan 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 Councilman Bacchione, seconded by Councilwoman Gingrich, to close the public hearing and adopt Ordinance **#15-38-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **Ordinance #15-39-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE OF THE TOWNSHIP OF BERKELEY SO AS TO AMEND CHAPTER VI ENTITLED "ALCOHOLIC BEVERAGES."** Council President Noonan 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 Councilman Grosse, seconded by Councilman Bacchione, to close the public hearing and adopt Ordinance **#15-39-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

Council President announced the time and place of a public hearing on **Ordinance #15-40-OA re: AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES, AND ESTABLISHING THE METHOD OF SUCH COMPENSATION.** Council President Noonan 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 Gingrich, seconded by Councilman Guadagno, to close the public hearing and adopt Ordinance **#15-40-OA** *(to be found in full at the end of the minutes.)*

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

On motion by Councilman Bacchione, seconded by Councilman Grosse, approval of Resol. #15-476-R re: Consent Agenda

ROLL CALL:

AYE: Gingrich, Grosse, Bacchione, Guadagno, DePaola, Noonan

NAY: None

ABSENT: Byrnes

1. Resol. #15-477-R re: Supporting H.R. 1604 - Allowing Veterans Access for Mental Health Care at Facilities Reimbursed by Centers for Medical and Medicaid
2. Resol. #15-478-R re: Authorizing a Change Order to a Contract With George Koustas Painting & Contracting for the Alterations of Front Entry Canopy and Rear Roof Replacement of Town Hall
3. Resol. #15-479-R re: Amending Resolution #15-473-R Appointing Jesse Faasen as Tax Collector for the Unexpired Term
4. Resol. #15-480-R re: Authorizing Certain Budgetary Transfers
5. Resol. #15-481-R re: Authorizing the Treasurer/Chief Financial Officer to Cancel Stale Dated Checks
6. Resol. #15-482-R re: Providing for the Insertion of Any Special Item of Revenue in the 2015 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 – 2015 Drive Sober Or Get Pulled Over Grant Year End Holiday Grant
7. Resol. #15-483-R re: Appointing Jesse Faasen as Tax Search Officer
8. Resol. #15-484-R re: Request for Surplus Funds from Municipal Utilities Authority
9. Resol. #15-485-R re: Tax Cancellation for 100% Disabled Veteran William Balt - B: 1108.12, L: 43
10. Resol. #15-486-R re: Tax Cancellation for 100% Disabled Veteran Daniel Dab - B: 882.14, L: 77.17
11. Resol. #15-487-R re: Tax Cancellation for 100% Disabled Veteran Pierre Lamereaux - B: 4.198, L: 13
12. Resol. #15-488-R re: Tax Cancellation for 100% Disabled Veteran Robert Lynch - B: 695, L: 22
13. Resol. #15-489-R re: Tax Cancellation for 100% Disabled Veteran Kenneth J. Morgan - B: 4.239, L: 8
14. Resol. #15-490-R re: Tax Cancellation for 100% Disabled Veteran Albert Petro - B; 4.168, L: 45
15. Resol. #15-491-R re: Authorizing Request for Proposals for Physician & Psychiatrist
16. Resol. #15-492-R re: Authorizing Request for Proposals for Affordable Housing Administrative Agent
17. Resol. #15-493-R re: Request for Surplus Funds from Sewerage Authority
18. Resol. #15-494-R re: Award of Contract for Signage Materials to Osburn Associates, Inc., Garden State Highway Products and Custom Products Corporation
19. Resol. #15-495-R re: Rejecting Bids and Authorizing Requests for Proposals for EMS Medical Billing
20. Resol. #15-496-R re: Authorizing Township Signatures for Banking Purposes
21. Resol. #15-497-R re: Cancellation of Grant Receivable Balances in the General Capital Fund
22. Resol. #15-498 -R re: Authorization to Advertise and Receive Bids for Muirhead Street Reconstruction
23. Resol. #15-499 -R re: Authorization to Advertise and Receive Bids for Morris Boulevard Drainage Improvements
24. Resol. #15-500-R re: Approving ABC License #1505-32-005-009 Place-to-Place Expansion of Premise Transfer for Berkeley Retail, LLC
25. Resol. #15-501-R re: Providing for the Insertion of Any Special Item of Revenue in the 2015 Budget Pursuant Of N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) from the State of New Jersey – Office of Homeland Security and Preparedness – FY 15 Homeland Security Grant
26. Resol. #15-501a-R re: Authorizing an Agreement with the County of Ocean for a FY2015 Homeland Security Grant
27. Resol. #15-502-R re: Approving Amusement Games for Buchanan Foods

DBA CB Huntingtons Block: 837, Lots: 1, 3, 8, 9 & 11

28. Resol. #15-503-R re: Authorizing Overtime Pay For Emergency Medical Technicians
29. Resol. #15-504-R re: Requesting DOT Place a Pedestrian Crossing Light at the Intersection of Route 9 and Frederick Drive, as well as Other Safety Measures
30. Resol. #15-505-R re: Requesting DOT Place a Pedestrian Crossing Light at the Intersection of Route 9 and JFK Boulevard, as well as Other Safety Measures

On motion by Councilman Grosse, seconded by Councilman Guadagno, 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.

Beverly M. Carle
Township Clerk

Judith Noonan
Council President