

**December 27, 2011**

A Regular Meeting of the Township Council of the Township of Berkeley was held on Tuesday, December 27, 2011, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Wolff, Mustardo, Siddons, Noonan, Amato, Abbe, and Council President Davis. Also present were Administrator Roeber and Attorney Sheehan. Mayor Varano left during the Caucus Meeting.

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 11, 2011.

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

ROLL CALL

PRESENT: Wolff, Mustardo, Siddons, Noonan, Amato, Abbe  
ABSENT: Davis

On motion by Councilman Mustardo, seconded by Councilwoman Noonan, approval of the Official Minutes for **November 29 & December 13, 2011**.

Council Vice President Amato asked if there were any additions, questions or deletions. There being none.

ROLL CALL

AYE: Wolff, Mustardo, Siddons, Noonan, Abbe, Amato  
NAY: None  
ABSENT: Davis  
ABSTAIN: Abbe (November 29<sup>th</sup>)

On motion by Councilman Abbe, seconded by Councilwoman Noonan, approval of the Monthly Reports for **November** and ordered filed.

Council Vice President Amato inquired if there were any questions. There being none.

ROLL CALL

AYE: Wolff, Mustardo, Siddons, Noonan, Abbe, Amato  
NAY: None  
ABSENT: Davis

On motion by, seconded by, approval of Resol. #11-404-R re: Bills & Payroll  
Bills **\$ 733,463.05** Payroll **\$ 689,495.87** Total **\$ 1,422,958.92**.

Council Vice President Amato inquired if there were any questions. There being none.

ROLL CALL

AYE: Wolff, Mustardo, Siddons, Noonan, Abbe, Amato  
NAY: None  
ABSENT: Davis  
ABSTAIN: Amato

Council Vice President Amato announced the time and place of a public hearing on **Ordinance #11-34-OA re: AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES IN THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY.** (Township Clerk)

Council Vice President Amato 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 Abbe, to close the public hearing and adopt Ordinance **#11-34-OA** (to be found in full at the end of the minutes.)

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ROLL CALL

AYE: Wolff, Mustardo, Siddons, Noonan, Abbe, Amato

NAY: None

ABSENT: Davis

Council Vice President Amato announced the time and place of a public hearing on **Ordinance #11-35-OA re: AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY AMENDING CHAPTER 5-26 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BERKELEY ENTITLED "AMUSEMENT LICENSES."**

Council Vice President Amato 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.

*Bill Gumper, Holiday City @ Berkeley, asked for an explanation of the ordinance.*

*Attorney Sheehan advised that there is a \$100.00 increase in the application fee for up to 35 games and a \$ 50.00 fee for any additional games in excess of 35.*

On motion by Councilwoman Noonan, seconded by Councilman Abbe, to close the public hearing and adopt Ordinance **#11-35-OA** (to be found in full at the end of the minutes.)

ROLL CALL

AYE: Wolff, Mustardo, Siddons, Noonan, Abbe, Amato

NAY: None

ABSENT: Davis

On motion by Councilman Abbe, seconded by Councilwoman Noonan, approval of Resol. #11-405-R re: Consent Agenda.

**Council Vice President Amato asked if any Council member wished to pull an item from the Consent agenda for an individual vote.**

Council Vice President Amato noted that Item #19 – Appointment to the Zoning Board of Adjustment would be Gerard Reuter.

ROLL CALL

AYE: Wolff, Mustardo, Siddons, Noonan, Abbe, Amato

NAY: None

ABSENT: Davis

1. Resol. #11-406-R re: Sponsoring American Cancer Society's 2012 Relay for Life Veterans Park May 19 & 20, 2012
2. Resol. #11-407-R re: Authorizing Refund of Permit Fee to Alternative Charge Electric, LLC, for Property Located at 180 Amsterdam Avenue, Block 911, Lots 5, 6, 7 & 10 Permit #2011-535 for \$947.00
3. Resol. #11-408-R re: Authorizing Refund of Permit Fees to Care Temp Heating & Air Conditioning, LLC, for Property Located at 6 Inverell Drive Permit #2011-1661 for \$28.00
4. Resol. #11-409-R re: Authorizing Refund of Permit Fees to Rachael and Gerald Barry with Regard to 636 Springfield Avenue, Block 33, Lot 34.01, Borough Of Pine Beach Permit #2011-1161 for \$120.00
5. Resol. #11-410-R re: Cancellation of Taxes 100% Disabled Ann Vett
6. Resol. #11-411-R re: Cancellation of Taxes 100% Disabled Thomas G. McGovern
7. Resol. #11-412-R re: Cancellation of Taxes 100% Disabled Robert A. Trotta
8. Resol. #11-413-R re: Cancellation of Taxes 100% Disabled William Gfroehrer
9. Resol. #11-414-R re: Cancellation of Taxes 100% Disabled Gerald Robichaud
10. Resol. #11-415-R re: Cancellation of Taxes 100% Disabled Phillip A. Dourand
11. Resol. #11-416-R re: Cancellation of Taxes 100% Disabled Donald Dwyer
12. Resol. #11-417-R re: Cancellation of Taxes 100% Disabled Albert Rosamilia
13. Resol. #11-418-R re: Cancellation of Taxes 100% Disabled

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- Robert Gdyk
14. Resol. #11-419-R re: Cancellation of Taxes 100% Disabled  
Bernard Kijewski
  15. Resol. #11-420-R re: Cancellation of Taxes 100% Disabled  
James P. Kerrigan
  16. Resol. #11-421-R re: Final Contract Change Order 2009 Road  
Improvement Program
  17. Resol. #11-422-R re: Awarding Contracts for 2011/2013 Signage  
Materials
  18. Resol. #11-423-R re: 2% Salary Increase for Clerk
  19. Resol. #11-424-R re: Zoning Board of Adjustment Appointment  
Mbr. #1 to fulfill the unexpired 4-yr. term expiring 12/31/2012
  20. Resol. #11-425-R re: Designating a Redeveloper for the Phase 1 Town  
Center Redevelopment Project in Block 824, Lots 1 and 1.01 and Block  
822, Lot 1
  21. Resol. #11-426-R re: Final Contract Change Order – Forte Builders  
Contract 1 – The Landings Phase I Improvements
  22. Resol. #11-427-R re: Final Contract Change Order – Forte Builders  
Contract 2 – The Landings Phase I Improvements
  23. Resol. #11-428-R re: Final Contract Change Order #2– Trinity  
Construction Police Department Repairs
  24. Resol. #11-429-R re: Opposing Senate Bill S-818 Revising Requirements  
for Emergency Medical Services Delivery
  25. Resol. #11-430-R re: Awarding a Proprietary Contract for the Purchase  
of Software
  26. Resol. #11-431-R re: Providing For The Insertion of a Special Item of  
Revenue in the 2011 Budget Pursuant to N.J.S.A. 40A:4-87 (Chapter 159,  
P.L. 1948) from the State of New Jersey – 2011 Body Armor Replacement  
Fund Program
  27. Resol. #11-432-R re: Acknowledging Previous Environmental  
Remediation Work at Bayview Park, Block 1437, Lots 14-17
  - 27a. Resol. #11-432a-R re: Emergency Appropriation
  28. Resol. #11-433-R re: Budgetary Transfers
  29. Resol. #11-434-R re: Establishing the Amount of Deferred School Taxes  
for the Local District School
  30. Resol. #11-435-R re: Establishing the Amount of Deferred School Taxes  
for the Central Regional District School

Council President announced that the meeting is now open for public comments.

**Bill Gumper, Holiday City @ Berkeley**

*Suggested that the new Council President adopt a new way to handle the public speaking portion by having the public raise their hand and be called to the microphone. He also suggested a Tennis Tournament at Veterans Park.*

**Amanda Lotto, AmeriCorps NJ Watershed Ambassador**

*Advised of a presentation to the 5<sup>th</sup> Graders and is proposing a Nature Loop adjacent to the BTES for an outdoor learning experience.*

On motion by Councilwoman Noonan, seconded by Councilman Abbe, to close the public comments portion and 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

Carmen Amato  
Council Vice President