June 27, 2022

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, June 27, 2022, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Bacchione, Gingrich, Byrnes, Signorile, Buscio, Grosse and Council President Gingrich. Also present were Mayor Amato, Administrator Camera, Captain Dohn, Attorney Staiger, Engineer Peters and Planner Oris.

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 7, 2022 and **Press of Atlantic City** on January 10, 2022.

Councilman led in the Pledge of Allegiance at the Caucus Meeting prior to this meeting.

ROLL CALL:
PRESENT: Bacchione, Byrnes, Signorile, Buscio, Gingrich
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Byrnes, approval of the Monthly Reports from *Assessor, Code, Collector, Construction, Court, Fire, Public Works O/T, Sanitation & Recycling, Streets & Roads* and ordered filed.

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Byrnes, approval of Resol. #22-256-R re: Bills & Payroll

BILLS: $6,702,531.01 PAYROLL: $ 1,646,677.45 TOTAL: $8,349,208.46

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

Council President announced the time and place of a public hearing on **#22-19-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"**

Council President Gingrich 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 Buscio, to close the public hearing and adopt Ordinance ***#22-19-OAB*** *(to be found in full at the end of the minutes*.)

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

Council President announced the time and place of a public hearing on **Ordinance #22-20-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE DONATION OF BLOCK: 38, LOT: 134 AND BLOCK 46, LOT 110 TO HABITAT FOR HUMANITY IN ACCORDANCE WITH N.J.S.A. 40A:12-21**

Council President Gingrich 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 Buscio, seconded by Councilman Bacchione, to close the public hearing and adopt Ordinance ***#22-20 -OAB*** *(to be found in full at the end of the minutes*.)

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

Council President announced the time and place of a public hearing on **Ordinance #22-21-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER V, ENTITLED "GENERAL LICENSING AND BUSINESS REGULATIONS" SO AS TO AMEND SECTION 5-1.9**

Council President Gingrich 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 Byrnes, seconded by Councilman Buscio, to close the public hearing and adopt Ordinance ***#22-21-OAB*** *(to be found in full at the end of the minutes*.)

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Byrnes, seconded by Councilman Buscio, approving the introduction of Ordinance ***#22-22- OA*** **AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF TAYLOR STREET (BETWEEN MANHATTAN AVENUE & VIRGINIA AVENUE) ABUTTING BLOCK 392, LOTS 6 & 7 AND BLOCK 381, LOT 6.01** *(to be found by title at the end of the minutes)*

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Buscio, approving the introduction of Ordinance **#22-23-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 XIV, ENTITLED "ESTABLISHMENT OF THE POLICE DEPARTMENT AND VOLUNTEER FIRE DEPARTMENT"** *(to be found by title at the end of the minutes)*

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Byrnes, seconded by Councilman Bacchione, approving the introduction of Ordinance **#22-24-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 1183, LOT 4131, FROM THE BERKELEY TOWNSHIP SEWERAGE AUTHORITY, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)** *(to be found by title at the end of the minutes)*

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Byrnes, seconded by Councilman Buscio, approving the introduction of Ordinance **re: #22-25-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 1183, LOT 4141, FROM DOMENICO P. LETTINI, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)** *(to be found by title at the end of the minutes)*

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None

ABSENT: Guadagno, Grosse

On motion by Councilman Buscio, seconded by Councilman Signorile , approval of Resol. #22-257-R re: Consent Agenda.

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

1. Resol. #22-258-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK: 9.23 LOT: 32 FOR A TOTALLY DISABLED VETERAN
2. Resol. #22-259-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK: 1218.02 LOT: 2 FOR A TOTALLY DISABLED VETERAN
3. Resol. #22-260-R re: APPROVING REQUEST FROM PINEWALD PIONEER VOLUNTEER FIRE COMPANY #1 TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK PAVILION USE AUGUST 6, 2022
4. Resol. #22-261-R re: APPROVING REQUEST FROM TRACY ZUCCARO TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK PAVILION USE FOR SPECIAL NEEDS PICNIC AUGUST 21, 2022
5. Resol. #22-262-R re: AUTHORIZING THE USE OF VETERANS PARK STAGE AREA AND FOUR (4) GOLF CARTS FOR THE RELAY FOR LIFE EVENT JUNE 11, 2022
6. Resol. #22-263-R re: AUTHORIZING A REFUND OF CODE ENFORCEMENT AND FIRE FEES TO JULIANN SCHWARTZ FOR BLOCK: 4.43 LOTS: 1
7. Resol. #22-264-R re: APPROVING PICNIC APPLICATION FOR VELARDI AT DUDLEY PARK JULY 23, 2022
8. Resol. #22-265-R re: SUPPORTING THE OCEAN COUNTY NATURAL LANDS TRUST'S REQUEST TO ACQUIRE CERTAIN PROPERTIES LOCATED IN BERKELEY TOWNSHIP (BLOCK: 1215, LOTS: 20, 21, 22 & 23 50 DORRANCE DRIVE)
9. Resol. #22-266-R re: SUPPORTING THE OCEAN COUNTY NATURAL LANDS TRUST'S REQUEST TO ACQUIRE CERTAIN PROPERTIES LOCATED IN BERKELEY TOWNSHIP (BLOCK: 1217, LOTS: 22 - 30 GOOD LUCK DRIVE)
10. Resol. #22-267-R re: SUPPORTING BILL S522/A888 VETERANS TAX EXEMPTION
11. Resol. #22-268-R re: AWARDING ENTERTAINMENT CONTRACT TO LAGUARDIA & ASSOCIATES
12. Resol. #22-269-R re: SUPPORTING SENATE BILL 2148 / ASSEMBLY BILL 1327 REGARDING THE SENIOR FREEZE PROGRAM
13. Resol. #22-270-R re: AUTHORIZING A REFUND OF TO INDIVIDUALS FOR RECREATION PROGRAMS (SUMMER CAMP Worlock $665.00)
14. Resol. #22-271-R re: AUTHORIZING REFUNDS TO INDIVIDUALS FOR RECREATION PROGRAMS (NEW BEGINNINGS CHURCH ADVERTISING FEES $745.00)
15. Resol. #22-272-R re: AUTHORIZATION TO RE-ADVERTISE FOR BIDS FOR MOBILE FOOD VENDING TRUCK OR TRAILER AT 821 RTE. 9, BAYVILLE
16. Resol. #22-273-R re: AUTHORIZATION TO RE-ADVERTISE FOR BIDS FOR MOBILE FOOD VENDING TRUCK OR TRAILER AT 821 RTE. 9, BAYVILLE
17. Resol. #22-274-R re: AUTHORIZATION TO RE-ADVERTISE FOR BIDS FOR 2023 – 2024 SNOW REMOVAL
18. Resol. #22-275-R re: SUPPORTING A1649, INCREASING THE INCOME ELIGIBILITY REQUIREMENTS FOR THE HOMESTEAD REBATE PROGRAM
19. Resol. #22-276-R re: AUTHORIZING THE TOWNSHIP'S PARTICIPATION IN THE OMNIAA PARTNERS COOPERATIVE PURCHASING ORGANIZATION
20. Resol. #22-277-R re: SUPPORT OF THE INSTALLATION OF A TRAFFIC SIGNAL AT THE CORNER OF ROUTE 9 AND HICKORY LANE BY NJDOT
21. Resol. #22-278-R re: UPDATING OCEAN COUNTY COOPERATIVE PURCHASING LIST
22. Resol. #22-279-R re: UPDATING MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE PRICING LIST
23. Resol. #22-280-R re: UPDATING STATE OF NEW JERSEY COOPERATIVE PURCHASING LIST
24. Resol. #22-281-R re: AUTHORIZING A CHANGE ORDER TO A CONTRACT WITH C.J. HESSE, INC. FOR THE N. BAY DRIVE, MAPLE DRIVE & LONGVIEW DRIVE ROAD RECONSTRUCTION PROJECT

25. Resol. #22-282-R re: AWARDING A CONTRACT FOR THE 2022 MILL & OVERLAY – PHASE 1 PROJECT TO EARLE ASPHALT CO. IN THE AMOUNT OF $207,713.13
26. Resol. #22-283-R re: AWARDING A CONTRACT FOR THE 2022 VARIOUS DRAINAGE PROJECTS – PHASE I TO EARLE ASPHALT CO. IN THE AMOUNT OF $268,713.13
27. Resol. #22-284-R re: AWARDING A CONTRACT FOR THE PHASE I ARCHAEOLOGICAL STUDY FOR THE EASTERN BOULEVARD SOCCER FIELD EXPANSION ($22,041.20)
28. Resol. #22-285-R re: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE BOWSPRIT DRIVE BULKHEAD IMPROVEMENTS
29. Resol. #22-286-R re: AUTHORIZATION TO ADVERTISE FOR BIDS THE EMERGENCY ACCESS EASEMENT IMPROVEMENTS FROM BAYVIEW AVENUE TO EAST LONGPORT AVENUE
30. Resol. #22-287-R re: RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-008-015 BERKELEY BAY LLC A POCKET LICENSE FOR THE 2022/2023 LICENSING TERM
31. Resol. #22-288-R re: RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-011-010 PINEWALD VILLA CORP A POCKET LICENSE FOR THE 2022/2023 LICENSING TERM
32. Resol. #22-289-R re: AUTHORIZING A REFUND OF TO INDIVIDUALS FOR RECREATION PROGRAMS (Senior Beach Badge $40.00)

On motion by Councilman Buscio, seconded by Councilman Signorile, approving the introduction of Ordinance **#22-26-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE GRANT OF AN EASEMENT OVER LAKESIDE AVENUE TO CRYSTAL CARE REALTY, LLC IN ACCORDANCE WITH N.J.S.A. 40A:12-13** *(to be found by title at the end of the minutes)*

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Byrnes, seconded by Councilman Bacchione, approval of Resol. #22-290-R re: Naming Beach in Memoriam Keith Pinto Beach White Sands

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Buscio, seconded by Councilman Bacchione, approval of Resol. #22-291-R re: Legislatures to Review OPRA

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Byrnes, approval of Resol. #22-292-R re: Opposing S2537

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Byrnes, approval of Resol. #22-293-R re: AUTHORIZING THE RECEIPT OF PROPOSALS FOR A LOBBYING FIRM

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Signorile, approval of Resol. #22-294-R re: REQUESTING AN EXTENSION OF TIME FOR THE TOWNSHIP TO PERFORM A TAX REVALUATION

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Buscio, approval of Resol. #22-295-R re: Opposing Plastic Bag Regulations

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Buscio, seconded by Councilman Byrnes, approval of Resol. #22-296-R re: Introduction of 2022 Budget

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Bacchione, seconded by Councilman Buscio, approving the introduction of Ordinance Intro. Ord. #22-27-OA re: CALENDAR YEAR 2022 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) *(to be found by title at the end of the minutes)*

ROLL CALL:
AYE: Bacchione, Byrnes, Signorile, Buscio, Gingrich
NAY: None
ABSENT: Guadagno, Grosse

On motion by Councilman Buscio, seconded by Councilman Signorile, 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

Sophia Gingrich
Council President