

**February 27, 2023**

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, February 27, 2023, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Gingrich, Byrnes, Signorile (Telephone), Buscio, Grosse and Council President Bacchione. Also present were Mayor Amato, Administrator Camera, CFO Ebenau, Chief Santucci, Attorney Staiger, Engineer LeCompte, and Planner Oris. Councilman Guadagno was absent. Councilman Byrnes left early to attend another 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 14, 2023 and **Press of Atlantic City** on January 16, 2023.

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

**ROLL CALL:**

PRESENT: Gingrich, Byrnes, Signorile (T), Buscio, Grosse, Bacchione  
ABSENT: Guadagno

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

**ROLL CALL:**

AYE: Gingrich, Byrnes, Signorile (T), Buscio, Grosse, Bacchione  
NAY: None  
ABSENT: Guadagno

On motion by Councilman Grosse, seconded by Councilman Buscio, approval of Resol. #23-113-R re: Bills & Payroll. **Bills: \$ 14,607,767.53 Payroll: \$ 2,522,197.16**  
**Total: \$ 17,130,127.63**

Central Regional School Tax	\$ 2,101,600.83
Berkeley School Tax	\$ 2,558,129.00
Tax Levy & Purchase Orders	\$ 6,371,908.60

**ROLL CALL:**

AYE: Gingrich, Byrnes, Signorile (T), Buscio, Grosse, Bacchione  
NAY: None  
ABSENT: Guadagno

Council President announced the time and place of a public hearing on **Ordinance #23-02-OA re: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$2,170,437 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,061,914 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN, NEW JERSEY**

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 Councilman Grosse, seconded by Councilman Buscio, to close the public hearing and adopt Ordinance **#23-02-OAB** *(to be found in full at the end of the minutes.)*

**ROLL CALL:**

AYE: Gingrich, Byrnes, Signorile (T), Buscio, Grosse, Bacchione  
NAY: None  
ABSENT: Guadagno

Council President announced the time and place of a public hearing on **#23-03-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW**

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**JERSEY AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO CREATE SECTION 5-31, WHICH SHALL BE ENTITLED "LIABILITY INSURANCE REGISTRY"**

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 Councilman Grosse, seconded by Councilman Buscio, to close the public hearing and adopt Ordinance **#23-03-OAB** *(to be found in full at the end of the minutes.)*

**ROLL CALL:**

AYE: Gingrich, Byrnes, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno

Council President announced the time and place of a public hearing on Ordinance **#23-04-OA** re: **BOND ORDINANCE PROVIDING FOR VARIOUS ENGINEERING PROJECTS, APPROPRIATING \$10,659,791 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$9,927,994 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN, NEW JERSEY**

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 Councilman Buscio, seconded by Councilman Grosse, to close the public hearing and adopt Ordinance **#23-04-OAB** *(to be found in full at the end of the minutes.)*

**ROLL CALL:**

AYE: Gingrich, Byrnes, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno

**Councilman Byrnes left to attend another meeting.**

Council President announced the time and place of a public hearing on Ordinance **#23-05-OA** re: **ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 939, LOT 19.22, AND BLOCK 949.15, LOT 23.01, ON THE MUNICIPAL TAX MAP TO HICKORY FARMS AND HICKORY MEADOWS HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13**

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 Councilman Grosse, seconded by Councilman Buscio, to close the public hearing and adopt Ordinance **#23-05-OAB** *(to be found in full at the end of the minutes.)*

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno, Byrnes

Council President announced the time and place of a public hearing on Ordinance **#23-06-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 1547, LOT 31.02, FROM BERKELEY ISLAND MARINE, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)**

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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 Councilman Grosse, seconded by Councilman Buscio, to close the public hearing and adopt Ordinance **#23-06-OAB** *(to be found in full at the end of the minutes.)*

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno, Byrnes

Council President announced the time and place of a public hearing on Ordinance **#23-07-OA re: ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 802, LOTS 45 & 46 ON THE MUNICIPAL TAX MAP TO WILLIAM LIETER AND DIANNA LIETER IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (FEIGEL PLACE; \$7,600.00)**

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 Councilman Buscio, seconded by Councilman Grosse, to close the public hearing and adopt Ordinance **#23-07-OAB** *(to be found in full at the end of the minutes.)*

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno, Byrnes

On motion by Councilman Grosse, seconded by Councilman Buscio, approving the introduction of Ordinance **#23-08-OA re: ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH UNITARIAN UNIVERSALIST OCEAN COUNTY CONGREGATION FOR A COMMUNITY GARDEN PROJECT** *(to be found by title at the end of the minutes)*

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno, Byrnes

On motion by Councilman Buscio, seconded by Councilman Grosse, approving the introduction of Ordinance **#23-09-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF FARRELLY AVENUE (AT THE INTERSECTION OF FARRELLY AVENUE AND WEST BROADWAY AVENUE) ABUTTING BLOCK 802, LOT 1 AND BLOCK 809, LOT 8** *(to be found by title at the end of the minutes)*

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione

NAY: None

ABSENT: Guadagno, Byrnes

On motion by Councilman Buscio, seconded by Councilman Grosse, approving the introduction of Ordinance **#23-10-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" §7-13.1, ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS" (VEEDER LANE)** *(to be found by title at the end of the minutes)*

**ROLL CALL:**

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AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione  
 NAY: None  
 ABSENT: Guadagno, Byrnes

On motion by Councilman Grosse, seconded by Councilman Buscio, approving the introduction of Ordinance #23-11-OA re: **ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES, AND ESTABLISHING THE METHOD OF SUCH COMPENSATION**(to be found by title at the end of the minutes)

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione  
 NAY: None  
 ABSENT: Guadagno, Byrnes

On motion by Councilman Grosse, seconded by Councilman Buscio, approving the introduction of Ordinance #23-12-OA re: **AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, RESCINDING THE VACATION OF PORTIONS OF TAYLOR STREET (BETWEEN MANHATTAN AVENUE & VIRGINIA AVENUE) ABUTTING BLOCK 392, LOTS 6 & 7 AND BLOCK 381, LOT 6.01 AND REESTABLISHING THESE PORTIONS AS A PUBLIC RIGHT OF WAY** (to be found by title at the end of the minutes)

**ROLL CALL:**

AYE: Gingrich, Signorile (T), Buscio, Grosse, Bacchione  
 NAY: None  
 ABSENT: Guadagno, Byrnes

Council President Bacchione announced the Public Hearing for Item #17 Green Acres Application for Soccer Complex Improvements. *There being none.*

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-114-R re: **STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION**

**ROLL CALL**

AYE: Gingrich, Signorile (Phone), Buscio, Grosse, Bacchione  
 NAY: None  
 ABSTAIN: None  
 ABSENT: Byrnes, Guadagno

**Council President Bacchione announced the 2023 Standing Committees listed below.**

<b>SPECIAL PROJECTS/BUILDING</b>	<b>LEGISLATIVE</b>	<b>FINANCE</b>
Ch. Jim Byrnes V. Ch. Sophia Gingrich Member Mike Signorile	Ch. John Bacchione V. Ch. Tom Grosse Member Mike Signorile	Ch. John Bacchione V. Ch. Keith Buscio Member Sophia Gingrich
<b>PUBLIC WORKS</b> Ch. Jim Byrnes V. Ch. Tom Grosse Member Mike Signorile	<b>PUBLIC SAFETY</b> Ch. Tom Grosse V. Ch. Mike Signorile Member Sophia Gingrich	<b>PARKS &amp; RECREATION</b> Ch. Angelo Guadagno V. Ch. Tom Grosse Member James Byrnes
<b>ROUTE 9</b> Ch. Angelo Guadagno V. Ch. Jim Byrnes Member Keith Buscio	<b>ECONOMIC DEVELOPMENT</b> Ch. Keith Buscio V. Ch. Tom Grosse Member Angelo Guadagno	<b>SHARED SERVICES</b> Ch. Sophia Gingrich V. Ch. John Bacchione Member Angelo Guadagno
<b>PERSONNEL</b> Ch. Keith Buscio V. Ch. Jim Byrnes Member John Bacchione	<b>CAPITAL PROJECTS</b> Ch Jim Byrnes V. Ch Mike Signorile. Member John Bacchione.	<b>BEACHWOOD MALL</b> Ch. Sophia Gingrich V. Ch. Jim Byrnes Member Keith Buscio

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	<b>CAPITAL PROJECTS</b> Ch. Jim Byrnes V. Ch. Mike Signorile John Bacchione
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On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-115-R re: Consent Agenda

ROLL CALL

AYE: Gingrich, Signorile (Phone), Buscio, Grosse, Bacchione

NAY: None

ABSTAIN: None

ABSENT: Byrnes, Guadagno

1. Resol. #23-116-R re: Changing Township Council Meeting Dates to the Third Monday of the Month
2. Resol. #23-117-R re: APPROVING REQUEST TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK USE FOR BERKELEY TOWNSHIP HISTORICAL SOCIETY PICNIC ON AUGUST 19, 2023
3. Resol. #23-118-R re: APPROVING REQUEST TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK USE FOR 21 PLUS FOUNDATION, INC FALL FESTIVAL ON SEPTEMBER 23, 2023
4. Resol. #23-119-R re: APPROVING PICNIC APPLICATIONS  
Berkeley Township Historical Society Veterans Park August 19, 2023  
21 Plus Foundation, Inc Veterans Park September 23, 2023
5. Resol. #23-120-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK: 1841.10 LOT: 4 FOR A TOTALLY DISABLED VETERAN
6. Resol. #23-121-R re: ASKING STATE LEGISLATURES TO ENACT "ADRIANA'S LAW" CALLING FOR STRICTER ANTI-BULLYING LAWS
7. Resol. #23-122-R re: AUTHORIZING THE ADVERTISEMENT AND RECEIPT OF REQUEST FOR PROPOSALS
8. Resol. #23-123-R re: APPOINTING ADDITIONAL CONFLICT ATTORNEYS FOR THE TOWNSHIP OF BERKELEY TO 1-YEAR TERM EXPIRING DECEMBER 31, 2023  
DASTI, MURPHY, MCGUCKIN, ULAKY, KOUTSOURIS & CONNERS
9. Resol. #23-124-R re: APPOINTING A TOWN HISTORIAN JOSEPHINE MOREY 1-YEAR TERM EXPIRING DECEMBER 31, 2023
10. Resol. #23-125-R re: CALLING FOR A MORATORIUM ON ALL OFFSHORE WIND ACTIVITY UNTIL INVESTIGATIONS ARE HELD
11. Resol. #23-126-R re: AUTHORIZING THE MANITOU PARK VOLUNTEER FIRE COMPANY, TO HOLD A COIN TOSSES ON MUNICIPAL ROADS  
*Mule Road/Davenport Road Intersection*  
*April 2, 2023 rain date April 9, 2023*  
*September 24, 2023 rain date October 1, 2023*
12. Resol. #23-127-R re: AUTHORIZING THE BAYVILLE VOL. FIRE CO. #1 TO HOLD COIN TOSSES ON MUNICIPAL ROADS  
Veterans Boulevard/Western Boulevard Intersection  
May 20 & 21, 2023 rain date June 3 & 4, 2023  
August 19 & 20, 2023 rain date August 26 & 27, 2023
13. Resol. #23-128-R re: APPROVING MANITOU PARK VOLUNTEER FIRE COMPANY APPLICATION FOR MICHELE B. VITALE
14. Resol. #23-129-R re: AUTHORIZING GRANT APPLICATION FOR THE REDEVELOPMENT OF THE FORMER AT&T PROPERTY
15. Resol. #23-130-R re: AUTHORIZING SUBMISSION OF A GRANT PROPOSAL TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS' FY23 LOCAL RECREATIONAL IMPROVEMENT GRANT PROGRAM (BIKEPATH AT VETERANS PARK)
16. Resol. #23-131-R re: CHANGING THE PETTY CASH FUND CUSTODIAN FOR "PARKS AND BEACHES"
17. Resol. #23-132-R re: AUTHORIZING TRANSFER OF ITEMS OF APPROPRIATION IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:4-58
18. Resol. #23-133-R re: UPDATING OCEAN COUNTY COOPERATIVE PURCHASING LIST

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19. Resol. #23-134-R re: UPDATING MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION (MRESC) PURCHASING LIST
20. Resol. #23-135-R re: UPDATING NEW JERSEY COOPERATIVE PURCHASING LIST
21. Resol. #23-136-R re: SUPPORTING HR 1056 REQUIRING NECESSARY INVESTIGATIONS TO PROTECT MARINE LIFE, SHORELINES, MARINE INDUSTRIES AND TOURISM
22. Resol. #23-137-R re: **Removed**
23. Resol. #23-138-R re: AUTHORIZING THE RELEASE OF INSPECTION FEES RELATED TO MONIES POSTED AT RIVERBAY LANDINGS FOR BTC-716
24. Resol. #23-139-R re: **Removed**
25. Resol. #23-140-R re: REJECTING BIDS RECEIVED FOR THE MAIN STREET PARK BULKHEAD PROJECT AND AUTHORIZING THE REBIDDING OF THE PROJECT
26. Resol. #23-141-R re: Escrow Release Rudolph Rinderer 20 Corrigan Avenue
27. Resol. #23-142-R re: AUTHORIZING THE RELEASE OF MAINTENANCE GUARANTEES AND INSPECTION FEES POSTED BY RUDOLPH RINDERER FOR THE ELBERON AVENUE AND SEABRIGHT AVENUE SUBDIVISION BTC #725

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-143-R re: AUTHORIZING THE COLLABORATIVE PURCHASE OF PROPERTY WITHIN THE TOWNSHIP BY THE COUNTY OF OCEAN AND TOWNSHIP OF BERKELEY

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-144-R re: AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND HATHAWAY SOLAR, LLC IN CONNECTION WITH THE TOWNSHIP SOLAR AND LANDFILL CLOSURE PROJECT

**ROLL CALL:**

AYE: Gingrich, Signorile (Phone), Buscio, Grosse, Bacchione

NAY: None

ABSTAIN: None

ABSENT: Byrnes, Guadagno

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-145-R re: APPOINTING MAUREEN COSGROVE AS CFO

**ROLL CALL:**

AYE: Gingrich, Signorile (Phone), Buscio, Grosse, Bacchione

NAY: None

ABSTAIN: None

ABSENT: Byrnes, Guadagno

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-146-R re: APPOINTING MEMBER(S) TO THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY **MBR. #3 DENISE PELLECCIA UNEXPIRED TERM EXPIRING DECEMBER 31, 2026**

**ROLL CALL:**

AYE: Gingrich, Signorile (Phone), Buscio, Grosse, Bacchione

NAY: None

ABSTAIN: None

ABSENT: Byrnes, Guadagno

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-147-R re: AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF OCEAN IN CONNECTION WITH THE MANASQUAN INLET TO BARNEGAT INLET, NEW JERSEY HURRICANE AND STORM DAMAGE REDUCTION PROJECT

**ROLL CALL:**

AYE: Gingrich, Signorile (Phone), Buscio, Grosse, Bacchione

NAY: None

ABSTAIN: None

ABSENT: Byrnes, Guadagno

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On motion by Councilman Grosse, seconded by Councilman Buscio , 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

  
John A. Bacchione  
Council President