

**January 23, 2023**

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, January 23, 2023, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Gingrich, Guadagno, Byrnes, Signorile, Buscio, Grosse and Council President Bacchione. Also present were Mayor Amato, Administrator Camera, CFO Ebenau, Chief Santucci, Attorney Dasti, Engineer LeCompte 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 14, 2023 and **Press of Atlantic City** on January 16, 2023.

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

**ROLL CALL:**

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

ABSENT: None

On motion by Councilman Grosse, seconded by Councilman Buscio, approval of the Official Minutes for December 19, 2022.

**ROLL CALL:**

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

NAY: None

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

**ROLL CALL:**

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

NAY: None

On motion by Councilman Buscio, seconded by Councilman Grosse, approval of Resol. #23-85-R re: Bills & Payroll

<b>BILLS: \$ 8,672,201.57</b>	<b>PAYROLL: \$ 1,863,451.16</b>	<b>TOTAL: \$ 10, 535,652.73</b>
Central Regional School Tax	\$ 2,101,600.83	
Berkeley School Tax	\$ 2,558,129.00	
Debt Services	\$ 974,800.38	

**ROLL CALL:**

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

NAY: None

Council President announced the time and place of a public hearing on **Ordinance #23-01-OA AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER II, ENTITLED "ADMINISTRATION" SO AS TO REVISE SECTION 2-2.7**

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 **#23-01-OAB** (to be found in full at the end of the minutes.)

**ROLL CALL:**

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

NAY: None

On motion by Councilman Grosse, seconded by Councilman Buscio, approving the introduction of 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** (to be found by title at the end of the minutes)

**ROLL CALL:**

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

NAY: None

On motion by Councilman Grosse, seconded by Councilman Guadagno, approving the introduction of Ordinance **#23-03-OA** re: **AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO CREATE SECTION 5-31, WHICH SHALL BE ENTITLED "LIABILITY INSURANCE REGISTRY"** (to be found by title at the end of the minutes)

**ROLL CALL:**

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

NAY: None

9. Resol. #23-86-R re: Consent Agenda

On motion by Councilman, seconded by Councilman , approval of Resol. #23--R re: Consent Agenda.

**ROLL CALL:**

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

NAY: None

1. Resol. #23-86a-R re: AUTHORIZING DISPOSAL OF SURPLUS PROPERTY (GOVDEALS.COM)
2. Resol. #23-87-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES FOR 4TH QUARTER 2022 ADDED ASSESSMENT AND 1ST HALF 2023 FOR BLOCK 1465 LOT 2
3. Resol. #23-88-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK: 9.03 LOT: 39 FOR A TOTALLY DISABLED VETERAN
4. Resol. #23-89-R re: **REMOVED**
5. Resol. #23-90-R re: AUTHORIZING A REFUND OF MONIES TO IAN & KATHLEEN OWENS FOR BLOCK: 956.02 LOTS: 80 FOR RESALE CERTIFICATE OF OCCUPANCY WITHDRAWAL
6. Resol. #23-91-R re: AUTHORIZING REFUNDS TO INDIVIDUALS FOR RECREATION PROGRAMS (Florence McFadden, Senior Trip \$ 50.00)
7. Resol. #23-92-R re: AWARDING A CONTRACT TO COASTAL SOLUTIONS, LLC FOR COMPUTER CONSULTING SERVICES
8. Resol. #23-93-R re: APPOINTING MID-STATE ABSTRACT AS TITLE COMPANY
9. Resol. #23-94-R re: APPROVING DESTROYER ESCORT SAILOR'S ASSOCIATION REQUEST TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK PAVILION USE ON SEPTEMBER 20, 2023
10. Resol. #23-95-R re: AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH MIDWAY BEACH CONDOMINIUM ASSOCIATION TO PROVIDE BEACH CLEANING IN LIEU OF REIMBURSEMENT

11. Resol. #23-96-R re: PERMITTING THE NATIONAL MULTIPLE SCLEROSIS SOCIETY TO USE BERKELEY ROADS FOR THE ANNUAL "COAST TO COAST" BIKE RIDE ON SATURDAY, MAY 13, 2023
12. Resol. #23-97-R re: AUTHORIZING SHARED SERVICE AGREEMENT WITH THE BOROUGH OF BEACHWOOD FOR THE PROVISION OF UCC SERVICES TO BE PERFORMED BY TOWNSHIP EMPLOYEES UTILIZING THE FOUR-YEAR RENEWAL OPTION
13. Resol. #23-98-R re: REGARDING THE CIBA GEIGY SETTLEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
14. Resol. #23-99-R re: CANCELING CERTAIN LAND SALE CONTRACTS FROM MAX SPANN AUCTION HELD DECEMBER 20, 2021
15. Resol. #23-100-R re: AUTHORIZING THE PINEWALD PIONEER VOLUNTEER FIRE COMPANY, TO HOLD A COIN TOSSES ON MUNICIPAL ROADS
16. Resol. #23-101-R re: AUTHORIZING TRANSFER OF ITEMS OF APPROPRIATION IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:4-58
17. Resol. #23-102-R re: AUTHORIZING A CHANGE ORDER TO A CONTRACT WITH EARLE ASPHALT COMPANY FOR 2022 VARIOUS DRAINAGE PROJECTS PHASE 1 INCREASE IN THE AMOUNT OF \$ 53,725.57
18. Resol. #23-103-R re: AUTHORIZING COLLIERS ENGINEERING TO READVERTISE FOR BIDS FOR 2022 CAPITAL ROAD IMPROVEMENT PROJECT MILL AND OVERLAY
19. Resol. #23-104-R re: AUTHORIZING CME FIRM TO ADVERTISE FOR BIDS 2022 CAPITAL ROAD IMPROVEMENT PROJECT MILL AND OVERLAY
20. Resol. #23-105-R re: AUTHORIZING MORGAN ENGINEERING FIRM TO ADVERTISE FOR BIDS 2022 CAPITAL ROAD IMPROVEMENT PROJECT MILL AND OVERLAY
21. Resol. #23-106-R re: AUTHORIZING ALAIMO ENGINEERING FIRM TO ADVERTISE FOR BIDS 2022 CAPITAL ROAD IMPROVEMENT PROJECT MILL AND OVERLAY
22. Resol. #23-107-R re: AUTHORIZING REMINGTON VERNICK ENGINEERS TO ADVERTISE FOR BIDS 2023 CAPITAL DRAINAGE PROJECT PHASE 1 & PHASE 2
23. Resol. #23-108-R re: APPROVING BAYVILLE VOLUNTEER FIRE COMPANY APPLICATION FOR RYAN M. TILTON
24. Resol. #23-109-R re: APPOINTING MUNICIPAL UTILITIES AUTHORITY COMMISSION MEMBER #4 MIKE HALE 5-YEAR TERM EXPIRING JANUARY 31, 2027
25. Resol. #23-110-R re: APPROVING CENTRAL REGIONAL ALUMNI REQUEST TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK PAVILION USE ON JUNE 1, 2023
26. Resol. #23-111-R re: AUTHORIZING AN SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF BERKELEY AND THE COUNTY OF OCEAN PROSECUTOR'S PROGRAM FOR FY 2023 (Fatal Accident Support Team F.A.S.T.)

On motion by Councilman Grosse, seconded by Councilwoman Gingrich, approving the introduction of 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 (to be found by title at the end of the minutes)**

**ROLL CALL:**

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

On motion by Councilman Grosse, seconded by Councilman Buscio, approving the introduction of 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 (to be found by title at the end of the minutes)**

**ROLL CALL:**

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

On motion by Councilman Buscio, seconded by Councilman Grosse, approving the introduction of 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) (to be found by title at the end of the minutes)**

**ROLL CALL:**

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

On motion by Councilman Buscio, seconded by Councilman Signorile, approving the introduction of 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) (to be found by title at the end of the minutes)**

**ROLL CALL:**

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

CFO Ebenau thanked the Council and Mayor, professionals, attorneys, engineers and the Clerks. He noted that he has worked with many Governing Bodies and this body has been tremendous. He has been able to turn finances around for several other municipalities as he is always ready for a challenge. This has been fantastic working with the Administration.

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