

Minutes June 19, 2023

A Regular Meeting of the Township Council of the Township of Berkeley was held on Monday, June 19, 2023, at the Municipal Building, Pinewald Keswick Road, Bayville, New Jersey immediately following the Caucus Meeting. Present were Council Members Guadagno, Byrnes, Signorile, Buscio, Grosse and Council President Bacchione. Also present were Mayor Amato, Administrator Camera, Chief Santucci, Attorney Staiger, Engineer LeCompte and Planner Oris. Councilwoman Gingrich and Councilman Grosse were absent

Township Deputy 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 and Press of Atlantic City on March 3 2023.

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

ROLL CALL:

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

On motion by Councilman Byrnes, seconded by Councilman Signorile, approval of the Approval of the Official Minutes for *Special Meetings May 23, 2023 & June 9, 2023*

ROLL CALL:

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

On motion by Councilman Signorile, seconded by Councilman Buscio, approval of the Approval of the Monthly Reports from:
Assessor, Clerk, Code, Fire, Collector, Construction, Streets & Roads, Court

ROLL CALL:

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

On motion by Councilman Signorile, seconded by Councilman Buscio, approval of Resolution #23-283-R re: Bills & Payroll ***Bills \$ 5,491,220.67 Payroll: \$ 2,597,205.10 TOTAL: \$ 8,088,425.77, Inclusive within the Bill List: Berkeley Board Of Ed : \$2,558,134.00***

ROLL CALL:

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

Council President announced the time and place of a public hearing on Ordinance **#23-22-OA re: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF ADAMS AVENUE (AT THE INTERSECTION OF TIOGA AVENUE AND GRANT CONCOURSE) ABUTTING BLOCK 1009, LOTS 2, 21 & 22, BLOCK 1008, LOTS 10, 19-22**

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 Byrnes, seconded by Councilman Guadagno, to close the public hearing and adopt Ordinance **#23-22-OAB** *(to be found in full at the end of the minutes.)*

ROLL CALL:

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

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On motion by Councilman Buscio, seconded by Councilman Byrnes, approving the introduction of Ordinance #23-25 -OA re: **ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 1302, Lots 1-6 ON THE MUNICIPAL TAX MAP TO JOHN M. AND JILLIAN M. CARLTON IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (OAK PLACE; \$13,900.00) 22** (to be found by title at the end of the minutes)

ROLL CALL:

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

On motion by Councilman Byrnes, seconded by Councilman, Guadagno approval of Resolution #23-284-R re: Consent Agenda

ROLL CALL:

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

1. Resol. #23- 285-R re: **APPOINTING KAREN STALLINGS AS THE TOWNSHIP CLERK AND REGISTRAR OF VITAL STATISTICS FOR A 3-YEAR TERM (JULY 1, 2023 – JUNE 30, 2026)**
2. Resol. #23- 286-R re: APPROVING PICNIC APPLICATIONS

Andrew Majczuk	Veterans	July 9, 2023
Soulsational Wellness	Veterans	July 29, 2023
PBA 379	Veterans	August 5, 2023
Karen Guilbeaux	Dudley	August 6, 2023
Bayville Sr. Golf League	Veterans	August 16, 2023
3. Resol. #23-287-R re: **AUTHORIZING A REFUND OF MONIES TO JEFFREY POTTER FOR BLOCK: 4.51 LOTS: 8**
4. Resol. #23-288-R re: APPROVING REQUEST TO WAIVE DUMPSTER FEES FOR BERKELEY HOUSING AUTHORITY
5. Resol. #23-289-R re: APPROVING REQUEST TO WAIVE DUMPSTER FEES FOR BAYVILLE ELKS
6. Resol. #23-290-R re: APPROVING REQUEST TO WAIVE CONSTRUCTION FEES FOR BAYVILLE FIRST AID SQUAD (HVAC Repair)
7. Resol. #23-291-R re: AUTHORIZING THE OFFERING FOR SALE OF BLOCK 282, LOT 16 (WOODHAVEN BOULEVARD), TO ADJACENT PROPERTY OWNERS
8. Resol. #23- 292-R re: **APPOINTING A TOWNSHIP CARDIOLOGIST FOR THE TOWNSHIP OF BERKELEY**
9. Resol. #23- 293-R re: UPDATE COUNTY COOPERATIVE PURCHASING AGREEMENT
10. Resol. #23-294-R re: UPDATE THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION (MRESC) COOPERATIVE PRICING SYSTEM
11. Resol. #23- 295-R re: UPDATE STATE COOPERATIVE PURCHASING PROGRAM 1-NJCP
12. Resol. #23- 296-R re: **RESOLUTION SUPPORTING BILL S3906 (Debt Relief)**
13. Resol. #23-297-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL AS TO BLOCK: 4.54 LOT: 23 FOR A TOTALLY DISABLED VETERAN
14. Resol. #23-298-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL AS TO BLOCK: 4.77 LOT: 6 FOR A TOTALLY DISABLED VETERAN
15. Resol. #23-299-R re: AUTHORIZING THE TAX COLLECTOR TO CANCEL AS TO BLOCK: 4.247 LOT: 64 FOR A TOTALLY DISABLED VETERAN
16. Resol. #23-300-R re: **AUTHORIZING SUBMISSION OF A GRANT AGREEMENT TO PARTICIPATE IN THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS LEAD GRANT ASSISTANCE PROGRAM**
17. Resol. #23- 301-R re: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE “BANANIER DRIVE PHASE 2 & PORT ROYAL DRIVE RECONSTRUCTION” PROJECT
18. Resol. #23-302-R re: AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY

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- DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO CHAIN BOULEVARD AND PARK AVENUE SIDEWALK IMPROVEMENTS PHASE II
19. Resol. #23-303-R re: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY24 BIKEWAYS PROGRAM FOR THE "VETERANS PARK BIKEWAY" PROJECT
20. Resol. #23-304-R re: **SUPPORTING THE OCEAN COUNTY NATURAL LANDS TRUST'S ACQUISITION OF A CERTAIN PROPERTY LOCATED IN BERKELEY TOWNSHIP (BLOCK: 1217, LOT: 13, 56 GOOD LUCK DRIVE)**
21. Resol. #23-305-R re: APPROVING REQUEST TO WAIVE FEES AND INSURANCE REQUIREMENTS FOR VETERANS PARK PICNIC PAVILION USE **SPECIAL STARS**
22. Resol. #23-306-R re: **AUTHORIZING THE USE OF VETERANS PARK STAGE AREA AND FOUR (4) GOLF CARTS FOR THE RELAY FOR LIFE EVENT**
23. Resol. #23-307-R re: **AUTHORIZING THE USE OF VETERANS PARK PICNIC PAVILION FOR BAYVILLE SENIOR GOLF LEAGUE ON AUGUST 16, 2023**
24. Resol. #23-308-R re: **AUTHORIZING REFUNDS TO INDIVIDUALS FOR RECREATION PROGRAMS SUMMER CAMP** Del Guidice
25. Resol. #23-309-R re: **AUTHORIZING REFUNDS TO INDIVIDUALS FOR RECREATION PROGRAMS** Facilities Rental-D'Amore
26. Resol. #23-310-R re: ACCEPTIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$81,000 TO CONSTRUCT A WALKING AND BIKE PATH WITH FENCING AT VETERAN'S PARK.
27. Resol. #23-311-R re: RESOLUTION OPPOSING THE JANUARY 2024 TOLL HIKE BY THE NEW JERSEY TURNPIKE AUTHORITY
28. Resol. #23-312-R re: RESOLUTION URGING NEW JERSEY LEGISLATORS TO DEDICATE FUNDING TO ANTI-TOBACCO EFFORTS
29. Resol. #23-313-R re: AUTHORIZING THE TOWNSHIP'S PARTICIPATION IN THE KEYSTONE PURCHASING NETWORK (KPN)
30. Resol. #23-314-R re: AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR 2023 CAPITAL ROAD IMPROVEMENT PROJECT – MILL AND OVERLAY– CARLSBAD DRIVE
31. Resol. #23-315-R re: AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR AUTHORIZATION TO BID – 2023 CAPITAL ROAD IMPROVEMENT PROJECT – MILL AND OVERLAY –FONTANA STREET
32. Resol. #23-316-R re: **AWARDING A CONTRACT FOR THE 2023 MILL & OVERLAY PROJECT TO EARLE ASPHALT COMPANY IN THE AMOUNT OF \$464,013.13**
33. Resol. #23-317-R re: **AUTORIZATION TO REJECT AND REBID GRAVEL ROAD PROJECT - OAKWOOD & PINE STREET**
34. Resol. #23-318-R re: **AWARDING A CONTRACT FOR THE GENERATOR AT HOLIDAY CITY CLUBHOUSE - REBID PROJECT TO SCALFO ELECTRIC, INC. IN THE AMOUNT OF \$77,000.00**
35. Resol. #23-319-R re: **RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-001-005 ROBAL INC. T/A THE SHADY REST FOR THE 2023/2024 LICENSING TERM**
36. Resol. #23-320-R re: **RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-004-009 MJ'S OF BERKELEY LLC T/A MJ'S FOR THE 2023/2024 LICENSING TERM**
37. Resol. #23-321-R re: **RENEWING PLENARY RETAIL CONSUMPTION LICENSE # 1505-33-012-008 BDA AND K LLC T/A BILL'S BBQ SHACK FOR THE 2023/2024 LICENSING TERM**
38. Resol. #23-322-R re: **RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-013-012 JGH PIER HOUSE LLC T/A THE BERKELEY CUT FOR THE 2023/2024 LICENSING TERM**
39. Resol. #23-323-R re: **RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-015-007 ARTS SAND BAR LLC. T/A ISLAND BEACH FISH COMPANY FOR THE 2023/2024 LICENSING**
40. Resol. #23-324-R re: **RENEWING PLENARY RETAIL CONSUMPTION LICENSE #1505-33-016-007 JRH LLC T/A BUM ROGERS CRABHOUSE & TAVERN FOR THE 2023/2024 LICENSING TERM WITH SPECIAL CONDITIONS**

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41. Resol. #23-325-R re: **RENEWING PLENARY RETAIL DISTRIBUTION LICENSE #1505-44-021-007 GURUDEV W AND B LIQUORS LLC LLC T/A BERKELEY LIQUOR OUTLET FOR THE 2023/2024 LICENSING TERM**

42. Resol. #23-326-R re: **AWARDING A NEGOTIATED CONTRACT FOR REHABILITATION OF THE ELEVATOR AT TOWN HALL For \$133,786**

On motion by Councilman Guadagno, seconded by Councilman Buscio, approving the introduction of Ordinance. #23-26-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" §7-14, ENTITLED "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS" (BOWSPRIT DRIVE) *(to be found by title at the end of the minutes)*

ROLL CALL:

AYE: Guadagno, Byrnes, Signorile, Buscio, Bacchione

NAY: None

ABSENT: Gingrich, Grosse

On motion by Councilman Guadagos, seconded by Councilman Buscio approving the introduction of Ordinance #23-27-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: Guadagno, Byrnes, Signorile, Buscio, Bacchione

NAY: None

ABSENT: Gingrich, Grosse

On motion by Councilman Byrnes, seconded by Councilman Signorile, approving Resolution #23-327-R re: **AUTHORIZING AN EXTENDED LEAVE OF AN EMPLOYEE FOR A PERIOD OF SIX MONTHS**

ROLL CALL:

AYE: Guadagno, Byrnes, Signorile, Buscio, Bacchione

NAY: None

ABSENT: Gingrich, Grosse

On motion by Councilman Buscio, seconded by Councilman Guadagno, approving Resolution #23 328-R re: **AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT AND A COLLECTIVE BARGAINING AGREEMENT WITH THE WHITE COLLAR TEAMSTERS UNION**

ROLL CALL:

AYE: Guadagno, Byrnes, Signorile, Buscio, Bacchione

NAY: None

ABSENT: Gingrich, Grosse

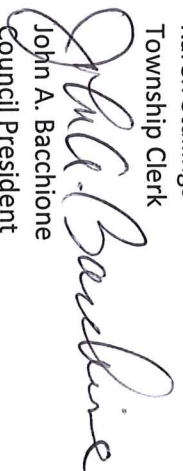
On motion by Councilman Byrnes, seconded by Councilman Buscio, to adjourn the meeting.

A voice vote was taken with no **MAYS** heard.

Following are the Ordinances and Resolutions adopted by the Township Council and made a part of this meeting.



Karen Stallings
Township Clerk



John A. Bacchione
Council President