

**BARNEGAT TOWNSHIP COMMITTEE
OCEAN COUNTY
900 WEST BAY AVENUE
BARNEGAT, NJ 08005**

**TOWNSHIP COMMITTEE MEETING AGENDA
November 9, 2023, 6:30 PM.**

Call to Order the November 9, 2023 Township Committee Meeting:

Provisions of the Open Public Meetings Law:

Pursuant to the requirements of the *Open Public Meetings Law*, adequate Public Notice of this meeting has been given: by publication of the date, time and location in the official newspapers, and by posting on the official bulletin board, and in the office of the Municipal Clerk for public inspection.

Pledge of Allegiance:

Invocation: by Pastor Santiago, United Faith Church

Roll Call of Officials:

Committeeman Bille -
Committeeman Cirulli -
Committeeman Farmer -
Deputy Mayor Marte-
Mayor Pipi -

Committee Reports: Farmer, Cirulli, Marte, Bille,

Mayor's Report

Public Session Comment:

Comments will be limited to a five (5) minute period per individual.
Each speaker must be acknowledged by the Mayor and clearly announce their name, address and group affiliation for the record.

Motion to Open Public Session:

Second:

Motion to Close Public Session:

Second:

Formal Action:

Resolution 2023-366

Resolution authorizing payment of Bill List in the amount of \$10,795,851.99

Motion to adopt resolution:

Second:

Roll Call:	Committeeman Bille:	Committeeman Cirulli:
	Committeeman Farmer:	
	Deputy Mayor Marte:	Mayor Pipi:

Resolution 2023-367

Resolution authorizing appropriation transfers during the last two (2) months of the fiscal year

Motion to adopt resolution:

Second:

Roll Call:	Committeeman Bille:	Committeeman Cirulli:
	Committeeman Farmer:	
	Deputy Mayor Marte:	Mayor Pipi:

Resolution 2023-368

Resolution cancelling outstanding checks to their respective TD Bank accounts due to inactivity and potential in-validness

Motion to adopt resolution:

Second:

Roll Call:	Committeeman Bille:	Committeeman Cirulli:
	Committeeman Farmer:	
	Deputy Mayor Marte:	Mayor Pipi:

Resolution 2023-369

Resolution certifying the CY2023 Best Practices Inventory Questionnaire

Motion to adopt resolution:

Second:

Roll Call:	Committeeman Bille:	Committeeman Cirulli:
	Committeeman Farmer:	
	Deputy Mayor Marte:	Mayor Pipi:

Unfinished Business

Ordinance 2023-30 (Second Reading)

An Ordinance repealing Chapter 73 of the Township Code, Entitled, "Vending Machines"

Motion to open Public Comment: **Second:**
Motion to close Public Comment: **Second:**

Motion to adopt ordinance: **Second:**

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Pipi:

New Business:

Approval of the Township Committee minutes from the October 3, 2023 meeting

Motion to adopt minutes: **Second:**

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Pipi:

Ordinance 2023-31 (First Reading)

An Ordinance repealing Chapter 64 of the Township Code Entitled, "Rent Leveling"

Motion to introduce ordinance: **Second:**

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Pipi:

Ordinance 2023-32 (First Reading)

An Ordinance amending and supplementing Chapter 36 of the Township Code Entitled "Brush, Weeds, Obnoxious Growth" and specifically Section 36-5 Entitled, "Penalty"

Motion to introduce ordinance: **Second:**

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Pipi:

Ordinance 2023-33 (First Reading)

An Ordinance amending and supplementing Chapter 55 of the Township Code Entitled "Land Use" and specifically Section 181.1 Entitled, "Signs Division I: East of Parkway"

Motion to introduce ordinance: Second:

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Papi:

Ordinance 2023-34 (First Reading)

An Ordinance amending and supplementing Chapter 74 of the Township Code Entitled "Water/Sewer Utility" and Specifically Sections 74-7, Entitled "Sewer Use Charges, Connection Fees, and Development Inspection Fees and Section 74-14, Entitled "User Charges"

Motion to introduce ordinance: Second:

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Papi:

Ordinance 2023-35 (First Reading)

An Ordinance amending Various Sections of Chapter 55 of the Township Code, Entitled "Land Use"

Motion to introduce ordinance: Second:

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Papi:

Ordinance 2023-36 (First Reading)

An Ordinance amending and supplementing Chapter 64B of the Township Code Entitled, "Secondhand Dealers"

Motion to introduce ordinance: Second:

Roll Call: Committeeman Bille: Committeeman Cirulli:
Committeeman Farmer:
Deputy Mayor Marte: Mayor Papi:

Consent Agenda:

The below listed items are considered to be routine by the Township of Barnegat and will be enacted by one motion. There will be no formal discussion of individual items. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately.

Approval of Pull Tab Raffle to American Legion John Wesley Taylor Post 232, from January 1, 2024 to December 31, 2024

Approval of On Premise 50/50 to Heritage Point Bingo Club for the year 2024

Approval of Bingo Raffle to Heritage Point Bingo Club for the year 2024

Approval of On Premise 50/50 to the Italian & American Social Club on 1/26-2/23-3/22-4/27-5/24 and 6/28, 2024

Approval of On Premise 50/50 to Mirage Men's Club Foundation on 2/6-3/5-5/3-6/4 and 9/3, 2024

Approval of the Pine Barrens 300 off highway tour to pass though the Township on November 11th and November 12, 2023

Approval of membership to Scott D. Pearse for the Barnegat Fire Department

Resolution 2023-370

Resolution authorizing a refund of premiums paid at Tax Sale, various properties

Resolution 2023-371

Authorizing the Tax Collector to refund payment erroneously paid Block 174.08 Lot 15; 25 Blue Claw Drive

Resolution 2023-372

Authorizing the Tax Collector to refund payment erroneously paid Block 115.07 Lot 28; 52 Sandpiper Drive

Resolution 2023-373

Resolution authorizing the Tax Collector to cancel taxes and authorize a refund due to totally disabled veteran for 2023 taxes paid with no future billing on Block 92.09 Lot 28; 9 Wright Rd

Resolution 2023-374

Authorizing the Tax Collector to refund payment erroneously paid for property not located in Barnegat Township and was received from the State of New Jersey in the amount of \$499.87

Resolution 2023-375

Resolution authorizing the Tax Collector to cancel taxes and authorize a refund due to totally disabled veteran for 2023 taxes paid with no future billing on Block 94.01 Lot 144;
8 Cottonwood Drive

Resolution 2023-376

Resolution authorizing the Tax Collector to cancel taxes and authorize a refund due to totally disabled veteran for 2023 taxes paid with no future billing on Block 114.39 Lot 11;
51 Georgetown Blvd

Resolution 2023-377

Resolution authorizing the Tax Collector to cancel taxes and authorize a refund due to totally disabled veteran for 2023 taxes paid with no future billing on Block 95.42 Lot 21;
4 Old Mill Court

Resolution 2023-378

Resolution authorizing the refund of Escrow Deposits to Farmer Development, Inc., Simply Self Storage, for Block 263 Lot 1.01, PB 02-51 for \$61.45

Resolution 2023-379

Resolution authorizing the refund of Escrow Deposits Walters Development Co., LLC, Minor Subdivision, Phase 5 for Block 92.56 Lots 1.01, 2.01, 3.01, 1.02, 2.02, 3.02 & 4.01, PB 22-04 for \$234.35

Resolution 2023-380

Resolution hiring Erin Carroll as a Full-Time Clerk Typist to the Construction Office as of November 6, 2023 at a rate of pay of \$36,300 yr.

Resolution 2023-381

Resolution authorizing an unpaid Medical Extension to Donna Conto of the Construction Office from October 31st to November 30, 2023

Resolution 2023-382

Authorizing Execution of Second Amendment to Enter a Local Services Agreement with the Township of Stafford for costs incurred by Stafford as charged by the Ocean County Municipal Utilities Authority for \$224,408.80 and paid back over a 5 year payment period at an amount of \$36,649.34 per year

Resolution 2023-383

Resolution encouraging our State Legislators to provide Fair and Equitable Distribution of Discretionary spending appropriations in the Annual State Budget

Resolution 2023-384

Resolution supporting Ocean County Meals on Wheels advocacy effort and commitment that no senior goes hungry in Ocean County

Resolution 2023-385

Resolution recognizing the month of November 2023 as National Family Caregiver Month

Resolution 2023-386

Resolution urging the appointing authority in the State of New Jersey to choose a resident of Ocean County to sit on the New Jersey Board of Public Utilities

Resolution 2023-387

Resolution authorizing a paid medical leave for George Shaffery of the Construction Office, effective October 16th to November 16, 2023

Resolution 2023-388

Resolution authorizing reimbursement to homeowner, Joann Puczilowski of 17 Tallhedge Drive for her mailbox that was damaged by a Water/Sewer Vehicle in the amount of \$227.74

Resolution 2023-389

Resolution authorizing execution of Inter-local services agreement with the Ocean County Prosecutor's office for Phoenix Automated Property Reporting System

Motion to adopt Consent Agenda:

Second:

Roll Call:

Committeeman Bille:

Committeeman Cirulli:

Committeeman Farmer:

Deputy Mayor Marte:

Mayor Pipi:

Resolution 2023-390

Resolution authorizing the Township Committee to retire into closed session for the purpose of discussing personnel and litigation matters

Motion to adopt resolution:

Second:

Roll Call:

Committeeman Bille:

Committeeman Cirulli:

Committeeman Farmer:

Deputy Mayor Marte:

Mayor Pipi:

Motion to Adjourn:

Second:

Time _____

**Next scheduled meeting
December 5, 2023 @ 10:00 AM**

2023-366

BILL LIST FOR NOVEMBER 2023

RESOLUTION 2023-367

WHEREAS, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two months of the fiscal year; and

WHEREAS, the Township Committee of the Township of Barnegat desires to make certain transfers within the 2023 Current Fund budget appropriations;

NOW THEREFORE BE IT RESOLVED, that the following transfers be and are hereby made as per the attached schedule:

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Township Committee of said Township at their meeting held on the 9th day of November, 2023 in the Municipal Complex at 900 West Bay Avenue, Barnegat, New Jersey.

Donna M. Manno, RMC
Municipal Clerk

Transfer Funds From:	
Audit Services	
Other Expenses	7,000.00
Tax Assessor	
Salaries & Wages	10,000.00
Engineering	
Salaries & Wages	20,000.00
Streets & Roads	
Salaries & Wages	25,000.00
Recreation	
Salaries & Wages	11,000.00
Vehicle Maintenance	
Salaries & Wages	35,000.00
Health Benefit Waiver Costs	25,000.00
Legal Services & Costs	10,000.00
Shared Services-Toms River	
Info Technology Services	90,000.00
TOTAL	\$233,000.00

Transfer Funds To:	
Finance	
Salaries & Wages	7,000.00
Uniform Construction Code	
Salaries & Wages	5,000.00
Shared Services- UCC Inspectors	
Salaries & Wages	5,000.00
Buildings & Grounds	
Other Expenses	5,000.00
Solid Waste	
Other Expenses	20,000.00
Landfill/Solid Waste	
Disposal Costs	35,000.00
Social Security	45,000.00
Defined Contribution	
Retirement Program	1,000.00
Shared Service-UCC	
Other Expenses	5,000.00
Purchase of Info Tech/ Cabling Equipment	60,000.00
Improvements to Muni	
Buildings & Grounds	30,000.00
Uniform Construction Code	
Other Expenses	15,000.00
TOTAL	\$233,000.00

2023 WATER/SEWER OPERATING FUND APPROPRIATION TRANSFERS RES # 2023-367

Social Security	15,000.00

Salaries & Wages	15,000.00

RESOLUTION 2023-368

WHEREAS, there are old outstanding checks which have appeared on several bank account reconciliations for a period of time; and

WHEREAS, it is the intent of the Township Committee to cancel these outstanding checks to their respective TD bank accounts due to inactivity and potential invalidness,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Barnegat, that the checks on the attached listing totaling \$2,221.00 are hereby cancelled.

Resolution No. 2023-368

Offered by _____ Seconded by _____

Adopted _____ Municipal Clerk _____

CERTIFICATION

I, Donna Manno, Municipal Clerk of the Township of Barnegat in the County of Ocean, New Jersey do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Township of Barnegat on November 9, 2023.

Donna Manno
Municipal Clerk

Current Fund Account

40624	175.00
41494	242.00
41656	1,440.00
42429	10.00
42898	240.00
43199	54.00

Water Sewer Operating

14245	60.00
	2,221.00

RESOLUTION 2023-369

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CERTIFYING THE CY 2023 BEST PRACTICES INVENTORY QUESTIONNAIRE

WHEREAS, the Division of Local Government Services has distributed a Best Practices Inventory Questionnaire to all of the municipalities in the State of New Jersey for the purpose of encouraging municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Certified Finance Officer has completed said questionnaire and now needs to have the Township Committee of the Township of Barnegat review the completed Best Practices Inventory Questionnaire and have a discussion of said questionnaire at a Public Meeting; and

NOW, THEREFORE, be it resolved by the Township Committee of the Township of Barnegat that the Best Practices Inventory Questionnaire has been reviewed by the Township Committee at a Public Meeting held on the 9th day of November, 2023.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing Resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex 900 West Bay Avenue, Barnegat New Jersey 08005 on the 9th day of November, 2023.

Donna M. Manno, RMC
Municipal Clerk

ORDINANCE NO. 2023-30

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY REPEALING CHAPTER 73 OF THE
TOWNSHIP CODE ENTITLED
“VENDING MACHINES”**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Chapter 73 of the Township Code entitled “Vending Machines” is hereby repealed in its entirety.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 3rd day of October, 2023, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 9th day of November, 2023, at 6:30 PM. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



DONNA M. MANNO, RMC
Municipal Clerk

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779
Forked River, NJ 08731

☎ 609-549-8990
📠 609-549-5043

DastiLaw.com

Jeffrey D. Cheney
Brian R. Clancy
Brigit P. Zahler*
Christopher A. Khatami

*Also admitted in NY

File No.: GL-2043

September 8, 2023

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

Re: Ordinance Repealing Chapter 73 of the Township Code Entitled “Vending Machines”

Dear Donna:

Enclosed please find proposed ordinance repealing Chapter 73 of the Township Code. It can be placed on the agenda for the next Township Committee meeting.

If you have any questions, please contact us.

Very truly yours,

s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enc.

cc: Martin Lisella, Township Administrator-via email

ORDINANCE NO. 2023-31

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY REPEALING CHAPTER 64 OF THE
TOWNSHIP CODE ENTITLED "RENT LEVELING"**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Chapter 64 of the Township Code entitled "Rent Leveling" is hereby deleted in its entirety said Chapter shall now be marked "Reserved" in the Township Code.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **9th day of November, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **5th day of December 2023, at 10:00AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Municipal Clerk

DASTI & STAIGER
ATTORNEYS AT LAW

310 Lacey Road P.O. Box 779
Forked River, NJ 08731

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road P.O. Box 779
Forked River, NJ 08731

609-549-8990
609-549-5043

DastiLaw.com

Jeffrey D. Cheney
Brian R. Clancy
Brigit P. Zahler*
Christopher A. Khatami

*Also admitted in NY

File No.: GL-2043

October 17, 2023

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

Re: Ordinance Repealing Chapter 64 of the Township Code Entitled "Rent Leveling"

Dear Donna:

Enclosed please find proposed ordinance repealing Chapter 64 of the Township Code. It can be placed on the agenda for the next Township Committee meeting.

If you have any questions, please contact us.

Very truly yours,

s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enc.

cc: Pasquale "Pat" Pipi, Mayor-via email
Martin Lisella, Township Administrator-via email

ORDINANCE NO. 2023-32

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 36 OF THE TOWNSHIP CODE
ENTITLED "BRUSH, WEEDS, OBNOXIOUS
GROWTH" AND SPECIFICALLY SECTION 36-5
ENTITLED "PENALTY".**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey as follows:

SECTION 1. Chapter 36 of the Township Code entitled "Brush, Weeds, Obnoxious Growth" and specifically Section 36-5 thereof entitled "Penalty" is amended to read as follows:

In the event that any person, individual, firm, partnership, entity or corporation is found to be in violation of this chapter, he shall be subject to fines and penalties as follows:

- A. First offense shall be a fine of one hundred dollars (\$100.00).
- B. Unchanged.
- C. Unchanged.
- D. Unchanged.
- E. Unchanged.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

CERTIFICATION

I, Donna Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance, namely **Ordinance 2023- 30** Repealing Chapter 73 of the Township Code Entitled "Vending Machines" was introduced and passed on first reading at a meeting held on the **3rd day of October 2023**, and finally adopted by the Township Committee of said Township after public hearing at their regular meeting held on the **9th day of November 2023 at 6:30 PM** at the Municipal Complex, 900 West Bay Avenue Barnegat, New Jersey.

Donna Manno, RMC
Municipal Clerk

DASTI & STAIGER
ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779
Forked River, NJ 08731

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road P.O. Box 779
Forked River, NJ 08731

609-549-8990
609-549-5043

DastiLaw.com

Jeffrey D. Cheney
Brian R. Clancy
Brigit P. Zahler*
Christopher A. Khatami

*Also admitted in NY

File No.: GL-2043

October 19, 2023

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

**Re: Ordinance Amending and Supplementing Chapter 36 of the Township Code
Entitled “Brush, Weeds, Obnoxious Growth” and Specifically Section 5
entitled “Penalty”**

Dear Donna:

Enclosed please find proposed ordinance amending and supplementing Chapter 36-5 of the Township Code. It can be placed on the agenda for the next Township Committee meeting.

If you have any questions, please contact us.

Very truly yours,

s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enc.

cc: Martin Lisella, Township Administrator-via email

ORDINANCE NO. 2023-33

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 55 OF THE TOWNSHIP CODE
ENTITLED "LAND USE" AND SPECIFICALLY
SECTION 181.1 ENTITLED "SIGNS DIVISION I:
EAST OF PARKWAY"**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 55-181.1 of the Township Code entitled "Signs Division I: East of the Parkway" is hereby amended and supplemented to read as follows:

SECTION 1.

A. Definitions.

Unchanged.

B. General Provisions.

Unchanged.

C. Standards.

(1) Unchanged.

(2) Unchanged.

(3) Unchanged.

(4) Unchanged.

(5) Unchanged.

(6) Unchanged.

(7) Unchanged.

(8) Unchanged.

(9) Unchanged.

(10) Unchanged.

(11) Unchanged.

(12) Unchanged.

(13) Unchanged.

(14) Unchanged.

(15) Wall, fascia, or attached signs. Wall, fascia, or attached signs shall be firmly secured to the exterior of a building. Parallel attached signs shall not project more than twelve (12) inches from the building, nor shall they project beyond the end of the building wall upon which they are attached and shall not occupy more than twenty percent (20%) of the total area of the wall or façade upon which it is attached, provided further it does not exceed one hundred (100) square feet. Such signs shall not project more than three (3) feet above the roof line or parapet wall.

(16) Unchanged.

(17) Unchanged.

(18) Unchanged.

(19) Unchanged.

D. Unchanged.

E. Unchanged.

F. Unchanged.

G. Unchanged.

H. Unchanged.

I. Unchanged.

J. Unchanged.

K. Unchanged.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law,

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **9th day of November, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **5th day of December, 2023, at 10:00AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Municipal Clerk

DASTI & STAIGER
ATTORNEYS AT LAW

310 Lacey Road P.O. Box 779
Forked River, NJ 08731

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road P.O. Box 779
Forked River, NJ 08731

609-549-8990
609-549-5043

DastiLaw.com

Jeffrey D. Cheney
Brian R. Clancy
Brigit P. Zahler*
Christopher A. Khatami
*Also admitted in NY

File No.: GL-2043

October 25, 2023

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

**Re: Ordinance Amending and Supplementing Chapter 55 of the Township Code
Entitled "Land Use" and Specifically Section 181.1 Entitled "Signs Division I:
East of Parkway"**

Dear Donna:

Enclosed please find proposed ordinance amending and supplementing Chapter 55-181.1 of the Township Code. It can be placed on the agenda for the next Township Committee meeting.

If you have any questions, please contact us.

Very truly yours,

s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enc.

cc: Pasquale Papi, Mayor-via email
Martin Lisella, Township Administrator-via email
Kurt Otto, P.E., Township Engineer-via email

ORDINANCE NO. 2023-34

**ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 74
OF THE TOWNSHIP CODE ENTITLED
“WATER/SEWER UTILITY” AND SPECIFICALLY
SECTIONS 74-7, “SEWER USE CHARGES,
CONNECTION FEES, AND DEVELOPMENT
INSPECTION FEES AND
SECTION 74-14, “USER CHARGES”**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 74 of the Township Code entitled “Water/Sewer Utility” and specifically sections 74-7, “Sewer use charges, connection fees, and development inspection fees”, and Section 74-14 “User Charges” are hereby amended and supplemented as follows:

SECTION 1. The Township amends and supplements Chapter 74 of the Township Code entitled, “Water/Sewer Utility”, in particular Section 74-7 entitled “Sewer Use, Connection Fees, and Development Inspection fees”, to implement, effective April 1, 2024, the user rates throughout Barnegat Township. The sewer user rates attached hereto and made a part herein are incorporated herein below.

74-7. Sewer use charges, Connection fees, and Development inspection fees.

- A. User charge.** There is hereby amends an annual user charge for each “Dwelling unit” or “equivalent dwelling unit” within the Barnegat Township Municipal Sewerage Collection System in the amount of four Hundred sixty four dollars (\$464.00) per annum. Sewer user charges shall be payable quarterly in the amount of one hundred sixteen dollars (\$116.00) in advance and no later than January 15th, April 15, July 15th and October 15th of each year.
- B. Connection Fee.** Unchanged.
- C. Development Inspection Fee.** Unchanged.
- D. Development Application Fee.** Unchanged

SECTION 2. The Township amends and supplements Chapter 74 of the Township Code entitled, Water/Sewer Utility”, in particular Section 74-14 entitled “User Charges”, to implement for billing period of January, February, March and effective April 1, 2024, the user rates throughout Barnegat Township. The water user rates attached hereto and made a part herein are incorporated herein below.

74-14. User Charges.

A. All residential, commercial, industrial, institutional and governmental users shall be charged a minimum fee (except as provided by 74.14C) based upon the size of the meter and a uniform excess usage charge based upon gallons used. The minimum charges for each water user shall be based upon the size of the meter as follows:

- (1) Five eighths (5/8) of an inch or three quarters (3/4) of an inch:
A minimum quarterly charge of fifty four dollars (\$54.00).
- (2) One (1) inch meter: A minimum quarterly charge of ninety Four dollars (\$94.00).
- (3) One and one-half (1 ½) inch meter: A minimum quarterly Charge of one hundred thirty seven dollars (\$137.00).
- (4) Two (2) inch meter: A minimum quarterly charge of one Hundred seventy nine dollars (\$179.00).
- (5) Three (3) inch meter: A minimum quarterly charge of two Hundred forty one dollars (\$241.00).
- (6) Four (4) inch meter: A minimum quarterly charge of two Hundred ninety eight (\$298.00).

B. **Excess water usage charges:** Unchanged.

C. **Reduced rates for senior citizens and the permanently and totally Disabled.** To implement for billing period of January, February, March and effective April 1, 2024, all residential users who meet the criteria established in N.J.S.A. 40A:31-10.1 shall be charged a reduced minimum fee based upon the size of the meter. The minimum charge for each qualified residential user shall be based upon the size of the meter as follows:

- (1) Five eighths (5/8) of an inch or three quarter (3/4) of an inch: A Minimum quarterly charge of forty six dollars (\$46.00)
- (2) One (1) inch meter: A minimum quarterly charge of Eighty six dollars (\$86.00)
- (3) One and one-half (1 ½) inch meter: A minimum quarterly charge of one hundred twenty nine dollars (\$129.00)
- (4) Two (2) inch meter: A minimum quarterly charge of One hundred seventy one dollars (\$171.00)
- (5) Three (3) inch meter: A minimum quarterly charge of One hundred seventy one dollars (\$171.00)
- (6) Four (4) inch meter: A minimum quarterly charge of One hundred seventy one dollars (\$171.00)

SECTION 3. Schedule A and B of this Chapter are hereby amended and established as follows:

**" SCHEDULE A" -
WATER/SEWER UTILITY SCHEDULE OF FEES**

TYPE OF FEE	AMENDED FEE	
METER CHARGES		
5/8" Meter	\$290.00	
1" Meter	\$450.00	
1-1/2" Meter	\$890.00	
2" Meter	UNCHANGED - DEVELOPER PURCHASES AND INSTALLS METER IN ACCORDANCE WITH BARNEGAT TWP. SPECS	
3" Meter		
4" Meter		
6" Meter		
8" Meter		
5/8" - 1- 1/2" Meter Re-Inspection Fee	\$50.00	
2" - 8" Meter Installation	\$150.00	
2" - 8" Meter Re-Inspection Fee	\$150.00	
METER BASE RATE CHARGES	COMMERCIAL	RESIDENTIAL
5/8" Meter	\$54.00	\$54.00
1" Meter	\$94.00	\$94.00
1 1/2 "Meter	\$137.00	\$137.00
2" Meter	\$179.00	\$179.00
3" Meter	\$241.00	\$179.00
4" Meter	\$298.00	\$179.00
6" Meter	\$370.00	
8" Meter	\$463.00	
10" Meter	\$576.00	
12" Meter	\$715.00	
SEWER FEE – ANNUAL FEE PER DWELLING UNIT	\$116.00/QUARTERLY \$464.00/YEARLY	
Cracked Freeze Plate	REPLACEMENT COST OF METER	
HYDRANT METER USE		
Connection Fee	\$100.00	
Meter Deposit	\$500.00	
FLOW TEST		
Fire Suppression System	\$250.00	
TURN ON/TURN OFF FEES		
Turn On - Regular Business Hours	\$50.00	
Turn Off - Regular Business Hours	\$50.00	
Turn On/turn Off Fees after Hours	\$175.00	
METER TESTING FEE		
Removal and transportation to and from testing facility	\$75.00	
CUT AND CAP INSPECTION		
Inspection of Utility Disconnect	\$ 125.00	
SERVICE CONNECTION FEES		
Water Connection Fee	\$1492.00	
Sewer Connection Fee	\$1474.00	
Water Tap Inspection	\$500.00	
Sewer Lateral Inspection	\$500.00	
Reconnection Fee - Water	\$400.00	
Reconnection Fee - Sewer	\$400.00	
Final Read Processing Fee	\$25.00	

DASTI & STAIGER
ATTORNEYS AT LAW

310 Locey Road : P.O. Box 779
Forked River, NJ 08731

SCHEDULE B**WATER / SEWER UTILITY RATES**

METER SIZE RESIDENTIAL	0-15,000 MIN. CHARGE	15,001-25,000 PER/1000	25,001-50,000 PER/1000 GAL	50,001-100,000 PER/1000 GAL	100,001 AND UP PER/1000 GAL.
5/8" or 3/4"	\$54.00	\$1.19	\$2.37	\$3.56	\$4.74
1"	\$94.00	\$1.19	\$2.37	\$3.56	\$4.74
1 1/2"	\$137.00	\$1.19	\$2.37	\$3.56	\$4.74
2"	\$179.00	\$1.19	\$2.37	\$3.56	\$4.74
3"	\$179.00	\$1.19	\$2.37	\$3.56	\$4.74
4"	\$179.00	\$1.19	\$2.37	\$3.56	\$4.74

METER SIZE COMMERCIAL	0-15,000 MIN. CHARGE	15,001-25,000 PER/1000	25,001-50,000 PER/1000 GAL	50,001-100,000 PER/1000 GAL	100,001 AND UP PER/1000 GAL.
5/8" or 3/4"	\$54.00	\$1.19	\$2.37	\$4.43	\$5.92
1"	\$94.00	\$1.19	\$2.37	\$4.43	\$5.92
1 1/2"	\$137.00	\$1.49	\$2.99	\$4.43	\$5.92
2"	\$179.00	\$1.49	\$2.99	\$4.43	\$5.92
3"	\$241.00	\$1.49	\$2.99	\$4.43	\$5.92
4"	\$298.00	\$1.49	\$2.99	\$4.43	\$5.92
6"	\$370.00	\$1.49	\$2.99	\$4.43	\$5.92
8"	\$463.00	\$1.49	\$2.99	\$4.43	\$5.92
10"	\$576.00	\$1.49	\$2.99	\$4.43	\$5.92
12"	\$715.00	\$1.49	\$2.99	\$4.43	\$5.92

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **9th day of November, 2023, at 6:30 PM** and will be considered for second and final passage at a meeting of the Township Committee to be held on the **5th day of December, 2023, at 10:00 AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Township Clerk

DASTI & STAIGER
ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779
Forked River, NJ 08731

ORDINANCE NO. 2023-35

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN, STATE OF NEW
JERSEY AMENDING VARIOUS SECTIONS OF
CHAPTER 55 OF THE TOWNSHIP CODE
ENTITLED "LAND USE"**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the following sections of Chapter 55 of the Township Code entitled "Land Use" is hereby amended and supplemented as follows:

SECTION 1. Chapter 55-305 of the Township Code entitled "Definitions and Word Usage" is hereby amended and supplemented to add the following definition:

FUEL AND CONVENIENCE STORE. An automobile filling station and convenience store located on the same lot and planned and operated and maintained as an integrated operation under common ownership. Typically, a retail store designed to and stocked to sell primarily fresh and pre-packaged food, beverages and other household/personal use items to the public in addition to the retail sale of fuel products, including but not limited to gasoline, diesel, and liquefied petroleum gas, but where no automotive repair or vehicle sales are undertaken. A fuel station and convenience center can operate 24 hours a day.

SECTION 2. Chapter 55-20 of the Township Code entitled "C-PHD Planned Highway Development Commercial" is hereby amended and supplemented to add the following conditional use:

C. Conditional Uses. The following uses shall be permitted in the C-PHD Zone, subject to the issuance of a conditional use permit in accordance with the provisions of this chapter.

- (1) Unchanged.
- (2) Unchanged.
- (3) Unchanged.
- (4) Unchanged.
- (5) Unchanged.
- (6) Unchanged.
- (7) Unchanged.

(8) Unchanged.

(9) Unchanged.

(10) A fuel and convenience store subject to the following standards:

(a) Minimum requirements shall be as follows:

[1] Minimum area, yard and building requirements.

[a] Lot requirements.

[I] Lot area: one-and-a-half (1.5) acres

[II] Lot width: one hundred (100) feet

[III] Lot depth: one hundred seventy five (175) Feet

[b] Principal building requirements.

[I] Front yard setback building - measured from NJSH DTS (Desired Typical Section) Line: twenty (20) feet; all other streets thirty (30) feet

[II] Side yard setback building: fifteen (15) feet

[III] Combined side yard setback building: thirty (30) feet

[c] Accessory building requirements.

[I] Front yard setback canopy - measured from NJSH DTS (Desired Typical Section) Line: twenty-five (25) feet, all other streets thirty (30) feet

[II] Side yard setback canopy: twenty (20) feet

[III] Combined side yard setback building: thirty (30) feet

[d] Maximum building coverage shall be thirty-five

(35) percent

- [e] Maximum impervious coverage shall be eighty (80) percent
- [f] Maximum principal building height: thirty-five (35) feet
- [g] Refuse area side yard setback: five (5) feet
- [h] Refuse area rear yard setback: ten (10) feet

[2] Site design requirements.

- [a] Building setbacks shall not apply to underground storage tanks.
- [b] Detention basins and storm water management features as well as retaining walls shall be permitted in front yard areas.
- [c] At least one point of access shall be provided directly from a State Highway.
- [d] At minimum two points of ingress/egress shall be provided.
- [e] No part of any automobile filling station may be used for residential or sleeping purposes.
- [f] No junked motor vehicle or boat or part thereof or any unlicensed or unregistered motor vehicle shall be permitted on the premises of any fuel and convenience store.
- [g] The exterior display and parking of motor vehicles, trailers, boats or other similar equipment for sale purposes shall not be permitted as part of a fuel and convenience store.
- [h] No parking of vehicles shall be permitted on an unpaved area.
- [i] Lawn area shall be provided at 5 feet from the right of way or property line except ingress/egress drives.

[j] Oversized vehicle parking shall be permitted.

[3] Signage requirements.

[a] A maximum of one (1) free-standing site identification sign per street frontage shall be permitted, subject to the following standards:

[I] The maximum height from ground level to the uppermost portion of the sign, including any posts, brackets and other supporting elements shall not exceed 18 feet.

[II] The maximum width of the sign, including any posts, brackets and other supporting elements, shall not exceed 10 feet.

[III] The maximum area of the primary sign panel shall not exceed 24 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed four (4) feet, internally- illuminated channel letters or back-lit letters shall be permitted.

[IV] The maximum area of electronic message board for price display only shall not exceed 36 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed three (3) feet.

[V] The maximum area of secondary sign panels shall not exceed eight (8) square feet for a total not to exceed 32 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed one (1) foot.

[VI] No portion of such sign shall be located within ten (10) feet of any Parcel line or within any clear sight triangle.

[VII] No portion of such sign shall project or extend over sidewalks, walkways, driveway or parking areas.

[VIII] The free-standing monument identification sign may identify or advertise any of the uses contained with the fuel and convenience store definition.

[VI] The base of the free-standing monument identification sign shall be provided with an enhanced landscape buffer. Such buffer shall contain ground-level landscaping and shrubs and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.

[VII] Where signage is to be relocated from an existing business immediately contiguous to the fuel and convenience store said relocated business shall be entitled to an additional 18 square foot panel on each free standing identification sign.

[b] A maximum of three (3) directional signs shall be permitted, subject to the following standards:

[I] The maximum size of the sign shall not exceed seven (7) square feet.

[II] The maximum height from ground level to uppermost portion of the sign, including any posts, brackets and other supporting elements shall not exceed three (3) feet.

[III] The maximum height of the sign shall not exceed four (4) feet.

[IV] The maximum width of the sign shall not exceed three (3) feet.

[V] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed twelve (12) inches.

[VI] No portion of such sign shall be located within ten five (105) feet of any Parcel line or within any clear sight triangle.

[VII] No portion of such sign shall project or extend over sidewalks, walkways, driveways or parking areas.

[VIII] The base of the directional signs shall be provided with an enhanced landscape buffer. Such buffer shall contain ground-level landscaping.

[c] A maximum of two (2) wall-mounted building signs shall be permitted, subject to the following standards:

[I] The maximum size of the sign shall not exceed 70 square feet for a total not to exceed 105 square feet.

[II] The maximum height of the sign shall not exceed six (6) feet.

[III] The maximum width of the sign shall not exceed sixteen (16) feet.

[IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed four (4) feet.

[V] No portion of such sign shall extend above or beyond the limits of the wall to which it is affixed.

[d] A maximum of two (2) canopy-mounted signs shall be permitted, subject to the following standards:

[I] The maximum size of the sign shall not exceed 12 square feet.

[II] The maximum height of the sign shall not exceed two (2) feet.

[III] The maximum width of the sign shall not exceed eight (8) feet.

[IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed 18 inches.

[V] No portion of such sign shall extend above or beyond the limits of the side of the canopy to which it is affixed.

[e] A maximum of two (2) canopy spanner signs over the fuel dispensers shall be permitted, subject to the following standards:

[I] The maximum size of the sign shall not exceed forty (40) square feet.

[II] The maximum height of the sign shall not exceed two (2) feet.

[III] The maximum width of the sign shall not exceed twenty (20) feet.

[IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed 18 inches.

[V] Spanner signs shall be non-illuminated.

[f] A maximum of two (2) air pump sign shall be permitted, subject to the following standards:

[I] The maximum size of the sign shall not exceed two (2) square feet.

[II] The maximum height of the sign shall not exceed two (2) feet.

[III] The maximum width of the sign shall not exceed three (3) feet.

[IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed six (6) inches.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **9th day of November, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **5th day of December, 2023, at 10:00 AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC,
Municipal Clerk

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road P.O. Box 779
Forked River, NJ 08731

609-549-8990
609-549-5043

DastiLaw.com

Jeffrey D. Cheney
Brian R. Clancy
Brigit P. Zahler*
Christopher A. Khatami

*Also admitted in NY

File No.: GL-2043

October 27, 2023

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

Re: Ordinance Amending Various Sections of the Township Code Entitled "Land Use"

Dear Donna:

Enclosed please find proposed ordinance amending various sections of Chapter 55 of the Township Code. It can be placed on the agenda for the next Township Committee meeting.

If you have any questions, please contact us.

Very truly yours,

s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enc.

cc: Kurt Otto, P.E., Township Engineer-via email

ORDINANCE NO. 2023-36

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 64B OF THE TOWNSHIP CODE
ENTITLED "SECONDHAND DEALERS"**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 64B of the Township Code entitled "Secondhand Dealers" is hereby repealed and replaced in its entirety and shall read as follows:

SECTION 1.

§64B Secondhand Dealers

§64B-1

A. Purpose and Intent.

The purpose of this chapter is to:

Implement, within the jurisdiction boundaries of the Township of Barnegat and establish procedures pursuant to the New Jersey Pawn Broking Law N.J.S.A. 45:22-2 et seq.

Establish procedures for the licensing and operation of pawnbrokers and dealers of secondhand goods, through the implementation of a standard body of uniform policies and recordkeeping requirements to which each business governed by this chapter shall abide.

Facilitate the prevention of fraud, impositions and other abuses upon citizens of the Township of Barnegat.

Ensure the difficulty of disposing of stolen property and aid in the recovery of stolen property.

No person shall use, exercise or carry on the business, trade or occupation of buying scrap gold, old gold, silver, jewelry, home electronics/audio and visual equipment, musical instruments, telephones and telephonic equipment, scales, computers, computer hardware and software, typewriters, word processors, scanners, sporting goods of all kinds, antiques, platinum, all other precious metals, tools of all kinds, televisions, DVRs, GPS, camcorders, car stereos, gift cards, furniture, clothing or other valuable articles, hereinafter referred to as "secondhand goods or articles," or being a secondhand Dealer within the

Township of Barnegat without having first obtained a license from the Township of Barnegat Police as hereinafter provided.

B. Definitions

Words used in the present tense shall include the future, words in the plural number shall include the singular number, and words in the singular number shall include the plural number. The word "shall" is always mandatory and not merely directory. As used in this chapter, the following terms shall have the meanings indicated:

ACCEPTABLE IDENTIFICATION

Acceptable forms of identification include: a current valid New Jersey Driver's License or Identification Card, a current valid photo driver's license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification.

ANTIQUÉ OR ANTIQUES

One or more old and valuable art object or item no longer in production that is at least fifty (50) years old. As used in this chapter, the terms "antique" or "antiques" shall also mean "primitives."

ANTIQUÉ DEALER

Any person, partnership, firm, association or corporation, other than a licensed pawnbroker or licensed secondhand dealer, having a place of business in the Township of Barnegat for the purpose of purchasing, trading or dealing in antiques or primitives and who derives seventy-five percent (75%) of his or her gross sales from the sale of antiques or primitives.

ARTICLE

Any article of merchandise, including any portion of such article, whether a distinct part thereof or not, including every part thereof whether separable or not, and also including material for manufacture. And as so defined in N.J.S.A. 51:6-1.

BUSINESS ENTITY

Any and all forms of business organization operating pursuant to law, including but not limited to entities designated and/or operating as a partnership, limited liability company, corporation, "S" corporation, association, or firm. For purposes of this chapter, the term "business entity" includes a foreign business or business formed under the laws of another state which business is authorized by the State of New Jersey Division of Revenue to conduct business within this state and, at all times relevant to this chapter, is in good standing with the New Jersey Division of Revenue. Foreign businesses include all forms of business entity recognized in the foreign jurisdiction, including any form of business entity not

otherwise recognized by the laws of the State of New Jersey, such as, without limitation, a limited liability partnership.

CHIEF OF POLICE

The Chief of Police of the Township of Barnegat or his designee/representative.

DATABASE

A computerized internet capable database with hardware and software compliant to, accessible by, and acceptable to the Chief of Police.

DEALER

Any person, partnership, corporation, or other entity, whether permanent or itinerant, who on one or more occasions (through any means) buys or sells or otherwise exchanges or trades secondhand gold, silver, precious metals, gems, or jewelry, and includes anyone advertising the purchase or sale of any of the aforementioned items.

DESIGNATED VENDOR

A person or entity who is appointed or designated by the Chief of Police who is authorized to collect and maintain precious metal transaction information or other purchase information as defined herein, for the Township of Barnegat.

GARAGE SALE

Includes all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale," "flea market sale," "auction sale" or "yard sale" or any similar casual sale of used tangible personal property which is advertised by any means whereby the public at large is or can be made aware of the sale.

GIFT CARD

A restricted monetary equivalent or script that is issued by retailers or banks to be used as an alternative to a non-monetary gift.

LICENSEE

Any person or business entity granted a license pursuant to this chapter and/or granted a license by the Department of Banking and Insurance in accordance with the Pawn Broking Law.

MINOR

Any person under the age of 18 years.

PAWNBROKER

Any person, partnership, association or corporation lending money on deposit or pledge of personal property, other than chooses in action, securities, or printed evidence of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehouseman and lending money on goods, wares, or merchandise pledged or deposited as collateral security. For purposes of this chapter, the term "pawnbroker" shall include any secondhand dealer who also operates as a pawnbroker or undertakes any action or conduct which includes the business of a pawnbroker as defined in the Pawnbroker Law.

PAWNBROKING LAW

The New Jersey statute and implementing regulations, N.J.S.A. 45:22-1, et seq. and N.J.A.C. 3:16-1.1, et seq., respectively, and any and all amendments thereto, which govern and regulate pawn shop businesses and pawnbrokers operating within the State of New Jersey.

PERSON

Any individual which is not a business entity. For purposes of this chapter, the term "person" shall also include an individual operating a business as a sole proprietorship.

PRECIOUS METALS

Comprised of gold, silver, sterling, platinum and/or their alloys as defined in N.J.S.A. 51:5-1 et seq., N.J.S.A. 51:6-1 et seq. and/or N.J.S.A. 51:6A-1 et seq.; gems, gemstones, coins and all forms of jewelry herein contained.

PLEDGE

An article or articles deposited with a pawnbroker in the course of business.

PLEDGOR

A person who delivers the pledge into the possession of a pawnbroker, unless such person discloses that he is or was acting for another, and in such an event "Pledger" means the disclosed principal.

PURCHASE

Not only the exchange of money for precious metals, but the exchange or trading of any other tangible or intangible property for precious metals.

PURCHASE

The exchange of money and the exchange, deposit, pledge, sale, conveyance or trade of any tangible or intangible article.

REPORTABLE TRANSACTION

Every transaction conducted by a Dealer in which precious metals, or other tangible property, are purchased or exchanged from or with the public.

SECONDHAND DEALER OR DEALER IN SECOND-HAND GOODS

As used in this chapter, any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys, sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer or which derives more than 35% of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to furniture, appliances, consumer electronic goods, clothing, automobile accessories, books, magazines, athletic cards and memorabilia or precious metals, whether in bulk or manufactured state. The term "secondhand dealer" shall include businesses commonly known as "pawnbrokers," "trading posts," "swap shop operators," "stamp dealers," "coin dealers," "jewelers" and "auction houses" that purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership:

- A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs, whether on the exterior or interior of the business.
- B. Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.
- C. Secondhand Goods. Goods which have been previously owned, worn or used by a consumer and/or that are not new. For the purposes of this chapter, the term "secondhand goods" shall include "secondhand watches" except where the context clearly indicates to the contrary.
- D. Secondhand Watches. A watch shall be deemed to be second-hand if:
 - 1) It as a whole or the case thereof or the movement thereof has been previously sold to or acquired by any person who bought or acquired the same for his use or the use of another, but not for resale; provided, however, that a watch which has been so sold or acquired and is thereafter

returned either through an exchange or for credit to the original individual, firm, partnership, association or corporation who sold or passed title to such watch, shall not be deemed to be a second hand watch for the purposes of this chapter if such vendor shall keep a written or printed record setting forth the name of the purchaser thereof, the date of the sale or transfer thereof, and the serial number (if any) on the case and the movement, and any other distinguishing numbers or identification marks, which said record shall be kept for at least five (5) years from the date of such sale or transfer and shall be open for inspection during all business hours by the Camden County Prosecutor or the prosecutor's duly appointed representative;

- 2) Its case, serial numbers or movement numbers or other distinguishing numbers or identification marks shall be erased, defaced, removed, altered or covered; or
- 3) If its movement is more than five (5) years old and has been repaired by any person or persons, including the vendor, notwithstanding that it may have been returned either through an exchange or for credit to said original vendor. Cleaning and oiling a watch movement or recasting the movement in a new case shall not be deemed watch repair for the purposes of this chapter.

TRANSIENT BUYER .

A Dealer who has not been in any retail business continuously for at least six (6) months at that address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business in the Township of Barnegat within six (6) months. Or as so defined in N.J.S.A. 51:6A-5 and N.J.A.C. 13:47C-1.1.

Compliance with state and federal laws required.

Any licensee operating as a pawnshop or pawnbroker shall comply with all applicable state and federal laws and regulations that govern the same. Specifically, businesses dealing in the purchasing of precious metals will comply with the laws outlined in N.J.S.A. 51:6A-1.

Notwithstanding anything in Chapter-58 ("Mercantile licensing") to the contrary, except where otherwise stated in this chapter, the provisions of this chapter shall govern pawnbrokers, pawn broking activities, dealers in secondhand goods and precious metal dealers with respect to the issuance, term, renewal and effect of licenses issued pursuant to this chapter and the violations and penalties set forth in this chapter. It is the express intent of the Township of Barnegat that any conflict between this chapter and Chapter-58 of the Code of the Township of Barnegat, entitled "Mercantile licensing," be resolved in favor of this chapter.

§64B-2. License required.

No person, either as owner, manager, lessee, officer or agent, or in any other business, within the Township of Barnegat, shall operate or permit to operate as a pawnbroker/secondhand dealership without first having obtained a license from the Township of Barnegat to do so.

If an individual is deemed a pawnbroker or business deemed a pawn shop, then a license from the Commissioner of Banking and Insurance is required. N.J.S.A. 45:22-21.

A. Exemptions.

The following are exempt from the requirements of this chapter.

Garage sales. As used in this section, a "garage sale" is defined in the above definitions pursuant to Barnegat Township Code § 49.

Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale or which are incorporated as a not-for-profit corporation by the state.

Sales or purchases which are regulated by the licensing laws of the state, including automobile dealers, used parts dealers and automotive parts recyclers.

Antique dealers. As used in this section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this section, an "antique" or "primitive" is defined as an old and valuable art object or article no longer in production that is at least 50 years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items

B. Application.

An application for a license required shall be made in writing to the Township of Barnegat Clerk which shall minimally set forth the following:

The name of the individual, partnership, corporation or association applying for a license;

The residence, phone number, date of birth, driver's license number, and social security number or federal tax identification number of the applicant or partners or, if a corporation or

association, the residence, phone number and driver's license number of the officers and all shareholders owning more than 5% of the outstanding shares of stock;

The location for which the license is requested;

Whether the applicant, its partners, officers or listed shareholders have been convicted of any criminal offense or ordinance violation (other than traffic or parking offenses) in any jurisdiction and, if so, a list of such convictions with date and prosecuting jurisdiction; and

Whether the applicant, its partners, officers or listed shareholders have held a license or had an interest in a license issued by this or any other jurisdiction regulating the purchase or sale of secondhand property revoked for cause and, if so, list the date of revocation and jurisdiction.

In the case of a pawnbroker, the applicant's name, address, fingerprints and written consent for a criminal history record must be forwarded to the Commissioner.

C. Fees.

Any pawnbroker or secondhand dealer shall, before engaging in business within the Township of Barnegat, apply for and secure a license to engage in, conduct, and transact such a business, the fee for which license shall be the sum of two hundred dollars, in addition to the standard business license fee. The applicant shall pay the Township of Barnegat Clerk, prior to filing an application, a license fee of (\$100.00) One Hundred Dollars per Township fiscal year or part thereof. The license shall be renewed each year. Application for renewal of License shall be made to the Township Clerk on or before January 31st of each year and shall be submitted to the Township Committee for approval. The annual renewal fee shall be (\$10.00) Ten Dollars. Should the license be denied, the license fee shall be refunded to the applicant.

Following the issuance of a license, the licensee shall secure the acceptable Database Software System. Any software licensing fee shall be paid by the licensee direct to the software provider, and shall not be part of and is in addition to the license fee required by the Township of Barnegat.

D. Issuance.

The Township Clerk shall issue the license requested unless the Township of Barnegat Clerk shall find:

The applicant is under the age of 18;

The location requested is not in a permanent structure;

The applicant, its partners, officers or listed shareholders have been convicted of or have pleaded guilty to any offense related to theft, burglary, or purchasing or receiving stolen items under the laws of this state, Township of Barnegat or any other jurisdiction within the past 10 years, or have forfeited a bond to appear in court to answer for charges for such offenses during said time;

That the location requested and structure to be used would not comply with all applicable laws, including the Zoning Code of the Township of Barnegat.

That the applicant, its partners, officers or listed shareholders have held a license or had an interest in a license issued by the Township of Barnegat or any other jurisdiction regulating the purchase or sale of secondhand property which was revoked for cause; or

That the applicant, its partners, officers or listed shareholders have knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this chapter or any investigation into any application.

E. Posting.

Every license issued under the provisions of this chapter shall, at all times during the period for which it is effective, be posted in a conspicuous place at or near the principal entrance to the premises for which the license is issued.

F. Revocation.

Any license issued for a secondhand dealer may be revoked or suspended for a period not to exceed thirty (30) days by the Mayor and Committee if they shall find after hearing:

That the licensee, its officers, agents or employees have violated any of the provisions of this chapter, the laws of the state or ordinances of the Township of Barnegat in the operation of the business; or

That the licensee, its partners, officers or shareholders have been convicted of any offense set forth in this chapter; or

That the licensee, partners, officers or shareholders have knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this chapter or any investigation into any application. The licensee shall be responsible for the acts of its agents, servants and employees in the operation of the business. Prior to holding a hearing concerning the question of whether a license shall be revoked or suspended, the Mayor shall give at least 10 days written notice to the licensee setting forth the alleged violation. The licensee may present evidence and cross-examine witnesses at such hearing.

G. False or misleading application.

In addition to being subject to penalty as hereinafter set forth, any person who obtains a license as herein provided by furnishing the Township of Barnegat with a false or misleading application shall, upon the discovery thereof, suffer an immediate revocation of such license and forfeiture of all fees paid.

H. Transfer.

No license issued under this chapter may be transferred to any other person, partnership, corporation or association.

I. Change of location.

No licensee shall carry on any business required to be licensed under this chapter except at the location designated on the license. Should the licensee wish to change the location, application shall be made to the Township of Barnegat Clerk for such change in writing.

§64B-3. Operation.

A. Hours of operation.

No licensee shall purchase any goods, wares, articles or things, whatsoever, or lend any money to any person between the hours of 11:00 p.m. (2300) and 7:00 a.m. (0700) the next day.

B. Prohibited purchases.

No licensee shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

Where the seller is less than the age of 18;

A pawnbroker may not accept a pledge from any person who is under the age of 16. [N.J.S.A. 45:22-31]

Where the seller is intoxicated, "Intoxicated" is defined as a seller whose mental or physical functioning is substantially impaired as a result of the use of alcohol or drugs.

Where the seller fails to present a valid New Jersey driver's license or at least two forms of identification of which at least one contains the seller's full legal name, date of birth, a photograph or full physical description, and an identification number.

Where the article to be purchased had an original manufacturer's serial number at the time it was new but no longer legibly exhibits said number.

C. Purchasing, selling, or displaying weapons prohibited.

No licensee shall deal in, buy or sell, or display in his shop any pistol, revolver, Derringer, Bowie knife, dirk or other deadly weapon of like character, capable of being secreted upon the person, unless such licensee shall also possess valid and current licenses or permits as required by applicable federal, state, or local laws, ordinances, rules or regulations.

D. Pawnbrokers' and Secondhand Dealers' responsibilities and requirements.

Each pawnbroker or secondhand dealer within the Township of Barnegat shall, upon the purchase of any precious metals, or second hand goods from the public, be required to do as follows:

Each pawnbroker or secondhand dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements of this chapter. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the below reporting requirements. The licensee shall immediately notify the police department of any such failure or malfunction and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation.

Record on a numbered receipt the name, address and telephone number of the purchaser; the name, address and telephone number of the seller or sellers; the time and date of the transaction; the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams of the precious metals; and fineness in terms of karats for gold, and sterling or coin for silver, in accordance with

N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq. This information is to be documented through use of an electronic database software system as designated by the Chief of Police. These records shall be subject to the inspection of any authorized police officer of the Township of Barnegat.

Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, enter all transactions into the electronic database within forty-eight (48) hours from the date of purchase. The information contained in Subsection B above, plus the following:

- 1) A physical description of the seller.
- 2) The receipt number.
- 3) A full description of the item or items purchased, including but not limited to marks, numbers, dates, sizes, shapes, initials and monograms.
- 4) The price paid for the item.
- 5) The form must be signed by the seller and initialed by the Clerk who made the transaction.

The precious metals are to be made available for inspection by the Chief of Police of Barnegat Township or his designated representative for a period often days from the date the information required above is received by the Chief of Police or his designated representative, on the approved form. The precious metals shall remain in the same condition as when purchased and shall not be changed, modified, melted or disposed of by the purchaser until the ten-day period has expired. During this ten-day period, the precious metals shall be placed in public view at the purchaser's place of business. If the property is such that it would create a hardship on the pawnbroker by holding the precious metals for such period, the pawnbroker may present the property to the Chief of Police or his representative in order that it may be photographed and, if deemed necessary by the Chief of Police or his designated representative, an investigation be implemented. The Chief of Police or his designated representative has the authority to grant the pawnbroker a waiver of the requirement under this section.

In addition to the information required to be reported above, each pawnbroker or secondhand dealer doing business in the Township of Barnegat shall obtain a photographic image of a photo ID card of the seller, sufficiently clear to allow the information on the ID to be read. The photo ID must be currently valid (not expired) card issued by a government entity of the United States and must

include the pawn/seller's first and last name, current address, date of birth and physical descriptors. In the event the card is valid but does not contain the seller's current address, the licensee must separately record and report the current address.

Any property exchanged in a transaction shall be digitally photographed and reported as required by the Chief of Police, unless such property bears a valid and unique serial number that is permanently inscribed on the property. It is unlawful to do business with persons failing to supply required information.

It is unlawful to receive or purchase in any manner any goods or articles or make any advance or loan whatever on the same if the person or persons pawning, pledging, depositing or selling the same shall refuse to make known his, her, or their names, to submit to a general description, or shall refuse to make known the name or names of the person or persons for whom the same were pawned, pledged, deposited or sold, or knowingly make any false entry of any matter or thing required to be made in said book or cause or permit the same to be made.

Dealer payment to sellers in cash shall be limited to two (2) transactions during a seven (7) day period for the same seller. The seven (7) day period will commence on the day of the first transaction and end seven days after the transaction, i.e. if transaction #1 occurs on Monday the seven (7) day period ends on Sunday. Furthermore, no cash payments shall be made to the same sellers who make more than five (5) transactions in any given thirty (30) day period. Sellers making transactions over the number of proscribed weekly and monthly periods will be paid by the Dealer by means of a bank check drawn from the Dealer's business account.

It shall be the requisite duty of every Dealer, and of every person in the Dealer's employ, to admit to the premises during business hours any member of the Barnegat Township Police Department to examine any database, book, ledger, or any other record on the premises relating to the purchase of precious metals from the public, as well as the articles purchased or received, and to take possession of any article known by the police officer or official to be missing or to have been stolen, or where the officer or official has probable cause to believe the article is missing or stolen.

E. Non-Applicability.

This chapter shall not apply to purchases made by jewelers or other pawn brokers from wholesalers or other suppliers, but shall only apply to those purchases made from the public or other retail purchases. The pawnbroker shall keep records of all wholesale purchases for a period of six months from the date of such

purchase, which records shall be opened to investigation by the Barnegat Township Police Department.

F. Inspection of premises; seizures.

Every licensee and every person employed by the licensee in the conduct of business shall admit to any and every part of the premises designated in the license, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession without compensation to the licensee any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this section and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall promptly return same to the licensee and obtain a receipt therefore, as aforesaid. In the case of property obtained in the case of a domestic theft, the victim shall make restitution for the amount paid to obtain said property. Other restitution will be made by way of criminal complaints against the seller of said items

§64B-4. Secondhand Watches

A. Secondhand watches to be clearly marked.

Any person or business entity engaged in the business of buying or selling watches, or any agent or servant thereof, who may sell or exchange, or offer for sale or exchange, expose for sale or exchange, possess with the intent to sell or exchange, or display with the intent to sell or exchange any secondhand watch, shall affix and keep affixed to the same a tag with the words "second-hand" clearly and legibly written or printed thereon, and the said tag shall be so placed that the words "second-hand" shall be in plain sight at all times.

B. Special invoice for secondhand watches.

Any person or business entity engaged in the business of buying or selling watches, or any agent or servant thereof, who may sell a secondhand watch or in any other way pass title thereto shall deliver to the vendee a written invoice bearing the words "secondhand watch" in bold letters, larger than any of the other written matter upon said invoice, which invoice shall also set forth the following:

- 1) The name and address of the vendor;

- 2) The name and address of the vendee;
- 3) The date of the sale;
- 4) The name of the watch or its makers;
- 5) The serial numbers, if any; and
- 6) Any other distinguishing numbers or identification marks upon its case and movement; or, if the serial numbers or other distinguishing numbers or identification marks shall have been erased, defaced, removed, altered or covered, the invoice shall so state.

The vendor shall keep on file a duplicate of said invoice for at least five (5) years from the date of the sale thereof, which shall be open to inspection during all business hours by the Ocean County Prosecutor or his duly authorized representative.

C. Advertising second hand watches.

Any pawnbroker, secondhand dealer or other person or business entity or any agent thereof, who may advertise or display in any manner a second hand watch for sale or exchange shall state clearly in such advertisement or display that said watch is a second hand watch.

§64B-4. Violations and penalties.

Violation of any provision of this chapter shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$1,000, or by imprisonment for a term not exceeding ninety (90) days, or by a period of community service not exceeding ninety (90) days. Each and every violation shall be considered a separate violation. Every day that a violation continues shall be a separate violation. Each violation shall result in an additional ten (10) day suspension. Any person who is convicted of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the Court to an additional fee as a repeat offender. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter. For a third or subsequent violation under this chapter, the mercantile license of said business may be revoked upon notification by Mayor and Committee.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **9th day of November, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **5th day of December, 2023, at 10:00 AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Municipal Clerk

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779
Forked River, NJ 08731

☎ 609-549-8990
☎ 609-549-5043

DastiLaw.com

Jeffrey D. Cheney
Brian R. Clancy
Brigit P. Zahler*
Christopher A. Khatami
*Also admitted in NY

File No.: GL-2043

November 2, 2023

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

**Re: Ordinance Amending and Supplementing Chapter 64B of the Township Code
Entitled "Secondhand Dealers"**

Dear Donna:

Enclosed please find proposed ordinance amending and supplementing Chapter 64B. Also enclosed is a resolution authorizing execution of the Inter-Local Services Agreement with the Ocean County Prosecutor's office for the Phoenix Automated Property Reporting System. They can be placed on the agenda for the next Township Committee meeting.

If you have any questions, please contact us.

Very truly yours,

s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enc.

cc: Keith A. Germain, Chief of Police-via email
Martin Lisella, Township Administrator-via email

BRADLEY D. BILLHIMER
Ocean County Prosecutor

ANTHONY U. CARRINGTON
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027

www.OCPONJ.gov

October 25, 2023

Chief:

RE: Pro Phoenix

This Office has recognized the nationwide retail theft and residential theft problem and the market for such stolen items through the pawn, scrap and second property dealers. As a result, I have authorized the purchase of the Automated Property Report System created by Pro Phoenix Inc., a Public Safety Software Company. This software will replace the RAPID System that was **previously** utilized. This Office will fund the annual costs of the **PAPR system and its portal/cloud based access** for all the municipal departments in Ocean County. The **individual pawn, scrap and secondhand property resellers** will be **required to register** with ProPhoenix and pay an annual fee of \$350.00 (**adjusted annually**).

As a **courtesy**, I have **attached a sample ordinance** for your Mayor and Council to review and **potentially adopt**, as well as an Inter-Local Agreement between this office and your Municipality for **adoption and signature**. The **RAPID ordinance** should be **rescinded** as that system will no longer be in use. Thank you in **advance** for your **prompt attention** to this matter. I believe that this will **help your department to successfully investigate thefts** in your jurisdiction.

Respectfully,

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

BDB/mg

Cc: Township Business Administrator

*Backset
chapter
64 B*

CHAPTER 63A. PAWNBROKERS AND DEALERS IN SECONDHAND GOODS

CHAPTER 63A. PAWNBROKERS AND DEALERS IN SECONDHAND GOODS

INDEX

Section I. General Provisions

- A. Purpose and Intent.
- B. Definitions.
- C. Compliance with state and federal laws required.

Section II. Pawnbrokers/Secondhand Dealers; License and Permit Required

- A. Exemptions.
- B. Application.
- C. Fees.
- D. Issuance.
- E. Posting
- F. Revocation.
- G. False or Misleading application.
- H. Transfer.
- I. Change of Location.

Section III. Operation of Pawnbrokers/Secondhand Dealers

- A. Hours of Operation.
- B. Prohibited Purchases.
- C. Purchasing, selling, displaying weapons prohibited.
- D. Pawnbrokers' and Secondhand Dealers' Responsibilities and Requirements.

E. Non-applicability.

F. Inspection of premises; seizures.

Section IV. Secondhand Watches

A. Secondhand watches to be clearly marked.

B. Special invoice for second hand watches.

C. Advertising second hand watches.

D. Violations.

This ordinance was adopted on 04-14-14 as Ordinance O-14-7

SECTION I.

A. Purpose and Intent.

The purpose of this chapter is to:

Implement, within the jurisdictional boundaries of the Township of _____ and establish procedures pursuant to the New Jersey Pawn broking law (N.J.S.A.45:22-2 et. seq);

Establish procedures for the licensing and operation of pawnbrokers and dealers of secondhand goods, through the implementation of a standard body of uniform policies and recordkeeping requirements to which each business governed by this chapter shall abide;

Facilitate the prevention of fraud, impositions and other abuses upon citizens of the Township of _____; and

Ensure the difficulty of disposing of stolen property and aid in the recovery of stolen property.

No person shall use, exercise or carry on the business, trade or occupation of buying scrap gold, old gold, silver, jewelry, home electronics/audio and visual equipment, musical instruments, telephones and telephonic equipment, scales, computers, computer hardware and software, typewriters, word processors, scanners, sporting goods of all kinds, antiques, platinum, all other precious metals, tools of all kinds, televisions, DVRs, GPS, camcorders, car stereos, gift cards, furniture, clothing or other valuable articles, hereinafter referred to as "secondhand goods or articles," or being a secondhand Dealer within the Township of _____ without having first obtained a license from the Township of _____ Police as hereinafter provided.

B. Definitions

Words used in the present tense shall include the future, words in the plural number shall include the singular number, and words in the singular number shall include the plural number. The word "shall" is always mandatory and not merely directory. As used in this chapter, the following terms shall have the meanings indicated:

ACCEPTABLE IDENTIFICATION

Acceptable forms of identification include: a current valid New Jersey Driver's License or Identification Card, a current valid photo driver's license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification.

ANTIQUÉ OR ANTIQUES

One or more old and valuable art object or item no longer in production that is at least fifty (50) years old. As used in this chapter, the terms "antique" or "antiques" shall also mean "primitives."

ANTIQUÉ DEALER

Any person, partnership, firm, association or corporation, other than a licensed pawnbroker or licensed secondhand dealer, having a place of business in the Township of _____ for the purpose of purchasing, trading or dealing in antiques or primitives and who derives seventy-five percent (75%) of his or her gross sales from the sale of antiques or primitives.

ARTICLE

Any article of merchandise, including any portion of such article, whether a distinct part thereof or not, including every part thereof whether separable or not, and also including material for manufacture. And as so defined in N.J.S.A. 51:6-1.

BUSINESS ENTITY

Any and all forms of business organization operating pursuant to law, including but not limited to entities designated and/or operating as a partnership, limited liability company, corporation, "S" corporation, association or firm. For purposes of this chapter, the term "business entity" includes a foreign business or business formed under the laws of another state which business is authorized by the State of New Jersey Division of Revenue to conduct business within this state and, at all times relevant to this chapter, is in good standing with the New Jersey Division of Revenue. Foreign businesses include all forms of business entity recognized in the foreign jurisdiction, including any form of business entity not otherwise recognized by the laws of the State of New Jersey, such as, without limitation, a limited liability partnership.

CHIEF OF POLICE

The Chief of Police of the Township of _____ Township or his **designee/representative.**

DATABASE

A computerized internet capable database with hardware and software compliant to, accessible by, and acceptable to the Chief of Police.

DEALER

Any person, partnership, corporation, or other entity, whether permanent or itinerant, who on one or more occasions (through any means) buys or sells or otherwise exchanges or trades secondhand gold, silver, precious metals, gems, or jewelry, and includes anyone advertising the purchase or sale of any of the aforementioned items.

DESIGNATED VENDOR

A person or entity who is appointed or designated by the Chief of Police who is authorized to collect and maintain precious metal transaction information or other purchase information as defined herein, for the Township of _____

GARAGE SALE

Includes all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale," "flea market sale," "auction sale" "or" yard sale" or any similar casual sale of used tangible personal property which is advertised by any means whereby the public at large is or can be made aware of the sale. [Amended 5-27-77 by Ord. No. 0-77-14 Amended 8-24-87 by Ord. 0-87-27.] As Defined in _____ Township Code § 54-1.

GIFT CARD

A restricted monetary equivalent or script that is issued by retailers or banks to be used as an alternative to a non-monetary gift.

LICENSEE

Any person or business entity granted a license pursuant to this chapter and/or granted a license by the Department of Banking and Insurance in accordance with the Pawn broking Law.

MINOR

Any person under the age of 18 years.

PAWNBROKER

Any person, partnership, association or corporation lending money on deposit or pledge of personal property, other than chooses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehouseman and lending money on goods, wares, or merchandise pledged or deposited as collateral security. For purposes of this chapter, the term "pawnbroker" shall include any secondhand dealer who also operates as a pawnbroker or undertakes any action or conduct which includes the business of a pawnbroker as defined in the Pawnbroker Law.

PAWN BROKING LAW

The New Jersey statute and implementing regulations, N.J.S.A. 45:22-1, et seq. and N.J.A.C. 3:16-1.1, et seq., respectively, and any and all amendments thereto, which govern and regulate pawn shop businesses and pawnbrokers operating within the State of New Jersey.

PERSON

Any individual which is not a business entity. For purposes of this chapter, the term "person" shall also include an individual operating a business as a sole proprietorship.

PRECIOUS METALS

Comprised of gold, silver, sterling, platinum and/or their alloys as defined in N.J.S.A. 51:5-1 et seq., N.J.S.A. 51:6-1 et seq. and/or N.J.S.A. 51:6A-1 et seq.; gems, gemstones, coins and all forms of jewelry herein contained.

PLEDGE

An article or articles deposited with a pawnbroker in the course of business.

PLEDGOR

A person who delivers the pledge into the possession of a pawnbroker, unless such person discloses that he is or was acting for another, and in such an event "Pledgor" means the disclosed principal.

PURCHASE

Not only the exchange of money for precious metals, but the exchange or trading of any other tangible or intangible property for precious metals.

PURCHASE

The exchange of money and the exchange, deposit, pledge, sale, conveyance or trade of any tangible or intangible article.

REPORTABLE TRANSACTION

Every transaction conducted by a Dealer in which precious metals, or other tangible property, are purchased or exchanged from or with the public.

SECONDHAND DEALER OR DEALER IN SECOND-HAND GOODS

As used in this chapter, any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys, sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer or which derives more than 35% of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to furniture, appliances, consumer electronic goods, clothing, automobile accessories, books, magazines, athletic cards and memorabilia or precious metals, whether in bulk or manufactured state. The term "secondhand dealer" shall include businesses commonly known as "pawnbrokers," "trading posts," "swap shop operators," "stamp dealers," "coin dealers," "jewelers" and "auction houses" that purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership:

A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs, whether on the exterior or interior of the business.

B. Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.

C. Secondhand Goods. Goods which have been previously owned, worn or used by a consumer and/or that are not new. For purposes of this chapter, the term "secondhand goods" shall include "secondhand watches" except where the context clearly indicates to the contrary.

D. Secondhand Watches. A watch shall be deemed to be second-hand if:

1) It as a whole or the case thereof or the movement thereof has been previously sold to or acquired by any person who bought or acquired the same for his use or the use of another, but not for resale; provided, however, that a watch which has been so sold or acquired and is thereafter returned either through an exchange or for credit to the original individual, firm, partnership, association or corporation who sold or passed title to such watch, shall not be deemed to be a second hand watch for the purposes of this chapter if such vendor shall keep a written or printed record setting forth the name of the purchaser thereof, the date of the sale or transfer thereof, and the serial number (if any) on the case and the movement, and any other distinguishing numbers or identification marks, which said record shall be kept for at least five (5) years from the date of such sale or transfer and shall be open for inspection during all business hours by the Camden County Prosecutor or the prosecutor's duly appointed representative;

2) Its case, serial numbers or movement numbers or other distinguishing numbers or identification marks shall be erased, defaced, removed, altered or covered; or

3) If its movement is more than five (5) years old and has been repaired by any person or persons, including the vendor, notwithstanding that it may have been returned either through an exchange or for credit to said original vendor. Cleaning and oiling a watch movement or recasting the movement in a new case shall not be deemed watch repair for the purposes of this chapter.

TRANSIENT BUYER

A Dealer who has not been in any retail business continuously for at least six (6) months at that address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business in the Township of _____ within six (6) months. Or as so defined in N.J.S.A. 51:6A-5 and N.J.A.C. 13:47C-1.1.

C. Compliance with state and federal laws required.

Any licensee operating as a pawnshop or pawnbroker shall comply with all applicable state and federal laws and regulations that govern the same. Specifically, businesses dealing in the purchasing of precious metals will comply with the laws outlined in N.J.S.A. 51:6A-1.

Notwithstanding anything in Chapter-58 ("Mercantile licensing ") to the contrary, except where otherwise stated in this chapter, the provisions of this chapter shall govern pawnbrokers, pawn broking activities, dealers in secondhand goods and precious metal dealers with respect to the issuance, term, renewal and effect of licenses issued pursuant to this chapter and the violations and penalties set forth in this chapter. It is the express intent of the Township of _____ that any conflict between this chapter and Chapter-58 of the Code of the Township of _____, entitled "Mercantile licensing," be resolved in favor of this chapter.

SECTION II. License required.

No person, either as owner, manager, lessee, officer or agent, or in any other business, within the Township of _____, shall operate or permit to operate as a **pawnbroker/secondhand** dealership without first having obtained a license from the Township of _____ to do so.

If an individual is deemed a pawnbroker or business deemed a pawn shop, then a license from the Commissioner of Banking and Insurance is required. [N.J.S.A. 45:22-21]

A. Exemptions.

The following are exempt from the requirements of this chapter:

Garage sales. As used in this section, a "garage sale" is defined in above definitions pursuant to _____ Township Code § 54-1.

Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale or which are incorporated as a not-for-profit corporation by the state.

Sales or purchases which are regulated by the licensing laws of the state, including automobile dealers, used parts dealers and automotive parts recyclers.

Antique dealers. As used in this section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this section, an "antique" or "primitive" is defined as an old and valuable art object or article no longer in production that is at least 50 years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items

B. Application.

An application for a license required shall be made in writing to the Township of _____ Clerk which shall minimally set forth the following:

The name of the individual, partnership, corporation or association applying for a license;

The residence, phone number, date of birth, driver's license number, and social security number or federal tax identification number of the applicant or partners or, if a corporation or association, the residence, phone number and driver's license number of the officers and all shareholders owning more than 5% of the outstanding shares of stock;

The location for which the license is requested;

Whether the applicant, its partners, officers or listed shareholders have been convicted of any criminal offense or ordinance violation (other than traffic or parking offenses) in any jurisdiction and, if so, a list of such convictions with date and prosecuting jurisdiction; and

Whether the applicant, its partners, officers or listed shareholders have held a license or had an interest in a license issued by this or any other jurisdiction regulating the purchase or sale of secondhand property revoked for cause and, if so, list the date of revocation and jurisdiction.

In the case of a pawnbroker, the applicant's name, address, fingerprints and written consent for a criminal history record must be forwarded to the Commissioner.

C. Fees.

Any pawnbroker or secondhand dealer shall, before engaging in business within the Township of _____, apply for and secure a license to engage in, conduct, and transact such a business, the fee for which license shall be the sum of two hundred dollars, in addition to the standard business license fee. The applicant shall pay the Township of _____ Clerk, prior to filing an application, a license fee of (\$100.00) One Hundred Dollars per Township fiscal year or part thereof. The license shall be renewed each year. Application for renewal of License shall be made to the Township Clerk on or before January 31st of each year, and shall be submitted to the Township Council for approval. The annual renewal fee shall be (\$10.00) Ten Dollars. Should the license be denied, the license fee shall be refunded to the applicant.

Following the issuance of a license, the licensee shall secure the acceptable Database Software System. Any software licensing fee shall be paid by the licensee direct to the software provider, and shall not be part of and is in addition to the license fee required by the Township of _____.

D. Issuance.

The Township Clerk shall issue the license requested unless the Township of _____ Clerk shall find:

The applicant is under the age of 18;

The location requested is not in a permanent structure;

The applicant, its partners, officers or listed shareholders have been convicted of or have pleaded guilty to any offense related to theft, burglary, or purchasing or receiving stolen items under the laws of this state, Township of _____ or any other jurisdiction within the past 10 years, or have forfeited a bond to appear in court to answer for charges for such offenses during said time;

That the location requested and structure to be used would not comply with all applicable laws, including the Zoning Code of the Township of _____;

That the applicant, its partners, officers or listed shareholders have held a license or had an interest in a license issued by the Township of _____ or any other jurisdiction regulating the purchase or sale of secondhand property which was revoked for cause; or

That the applicant, its partners, officers or listed shareholders have knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this chapter or any investigation into any application.

E. Posting.

Every license issued under the provisions of this chapter shall, at all times during the period for which it is effective, be posted in a conspicuous place at or near the principal entrance to the premises for which the license is issued.

F. Revocation.

Any license issued for a secondhand dealer may be revoked or suspended for a period not to exceed 30 days by the Mayor and Council if they shall find after hearing:

That the licensee, its officers, agents or employees have violated any of the provisions of this chapter, the laws of the state or ordinances of the Township of _____ in the operation of the business; or

That the licensee, its partners, officers or shareholders have been convicted of any offense set forth in this chapter; or

That the licensee, partners, officers or shareholders have knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this chapter or any investigation into any application. The licensee shall be responsible for the acts of its agents, servants and employees in the operation of the business. Prior to holding a hearing concerning the question of whether a license shall be revoked or suspended, the Mayor shall give at least 10 days written notice to the licensee setting forth the alleged violation. The licensee may present evidence and cross-examine witnesses at such hearing.

G. False or misleading application.

In addition to being subject to penalty as hereinafter set forth, any person who obtains a license as herein provided by furnishing the Township of _____ with a false or misleading application shall, upon the discovery thereof, suffer an immediate revocation of such license and forfeiture of all fees paid.

H. Transfer.

No license issued under this chapter may be transferred to any other person, partnership, corporation or association.

I. Change of location.

No licensee shall carry on any business required to be licensed under this chapter except at the location designated on the license. Should the licensee wish to change the location, application shall be made to the Township of _____ Clerk for such change in writing.

SECTION III. Operation.

A. Hours of operation.

No licensee shall purchase any goods, wares, articles or things, whatsoever, or lend any money to any person between the hours of 11:00 p.m. (2300) and 7:00 a.m. (0700) the next day.

B. Prohibited purchases.

No licensee shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

Where the seller is less than the age of 18:

A pawnbroker may not accept a pledge from any person who is under the age of 16. [N.J.S.A. 45:22-31]

Where the seller is intoxicated, "Intoxicated" is defined as a seller whose mental or physical functioning is substantially impaired as a result of the use of alcohol or drugs.

Where the seller fails to present a valid New Jersey driver's license or at least two forms of identification of which at least one contains the seller's full legal name, date of birth, a photograph or full physical description, and an identification number.

Where the article to be purchased had an original manufacturer's serial number at the time it was new but no longer legibly exhibits said number.

C. Purchasing, selling, or displaying weapons prohibited.

No licensee shall deal in, buy or sell, or display in his shop any pistol, revolver, Derringer, Bowie knife, dirk or other deadly weapon of like character, capable of being secreted upon the person, unless such licensee shall also possess valid and current licenses or permits as required by applicable federal, state, or local laws, ordinances, rules or regulations.

D. Pawnbrokers' and Secondhand Dealers' responsibilities and requirements.

Each pawnbroker or secondhand dealer within the Township of _____ shall, upon the purchase of any precious metals, or second hand goods from the public, be required to do as follows:

Each pawnbroker or secondhand dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements of this chapter. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the below reporting requirements. The licensee shall immediately notify the police department of any such failure or malfunction, and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation.

Record on a numbered receipt the name, address and telephone number of the purchaser; the name, address and telephone number of the seller or sellers; the time and date of the transaction; the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams of the precious metals; and fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq. This information is to be documented through use of an electronic database software system as designated by the Chief of Police. These records shall be subject to the inspection of any authorized police officer of the Township of _____ Township.

Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, enter all transactions into the electronic database within forty-eight (48) hours from the date of purchase. The information contained in Subsection B above, plus the following:

- 1) A physical description of the seller.
- 2) The receipt number.
- 3) A full description of the item or items purchased, including but not limited to marks, numbers, dates, sizes, shapes, initials and monograms.
- 4) The price paid for the item.
- 5) The form must be signed by the seller and initialed by the Clerk who made the transaction.

The precious metals are to be made available for inspection by the Chief of Police of _____ Township or his designated representative for a period of ten days from the date the information required above is received by the Chief of Police or his designated representative, on the approved form. The precious metals shall remain in the same condition as when purchased and shall not be changed, modified, melted or disposed of by the purchaser until the ten-day period has expired. During this ten-day period, the precious metals shall be placed in public view at the purchaser's place of business. If the property is such that it would create a hardship on the pawnbroker by holding the precious metals for such period, the pawnbroker may present the property to the Chief of Police or his representative in order that it may be photographed and, if deemed necessary by the Chief of Police or his designated representative, an investigation be implemented. The Chief of Police or his designated representative has the authority to grant the pawnbroker a waiver of the requirement under this section. [Amended 8-14-2014 by Ord. O-14-12]

In addition to the information required to be reported above, each pawnbroker or secondhand dealer doing business in the Township of _____ shall obtain a photographic image of a photo ID card of the seller, sufficiently clear to allow the information on the ID to be read. The photo ID must be currently valid (not expired) card issued by a government entity of the United States, and must include the pawn/seller's first and last name, current address, date of birth and physical descriptors. In the event the card is valid but does not contain the seller's current address, the licensee must separately record and report the current address.

Any property exchanged in a transaction shall be digitally photographed and reported as required by the Chief of Police, unless such property bears a valid and unique serial number that is permanently inscribed on the property. It is unlawful to do business with persons failing to supply required information.

It is unlawful to receive or purchase in any manner any goods or articles or make any advance or loan whatever on the same if the person or persons pawning, pledging, depositing or selling the same shall refuse to make known his, her, or their names, to submit to a general description, or shall refuse to make known the name or names of the person or persons for whom the same were pawned, pledged, deposited or sold, or knowingly make any false entry of any matter or thing required to be made in said book or cause or permit the same to be made.

Dealer payment to sellers in cash shall be limited to two (2) transactions during a seven (7) day period for the same seller. The seven (7) day period will commence on the day of the first transaction and end seven days after the transaction, i.e. if transaction #1 occurs on Monday the seven (7) day period ends on Sunday. Furthermore, no cash payments shall be made to the same sellers who make more than five (5) transactions in any given thirty (30) day period. Sellers making transactions over the number of proscribed weekly and monthly periods will be paid by the Dealer by means of a bank check drawn from the Dealer's business account.

It shall be the requisite duty of every Dealer, and of every person in the Dealer's employ, to admit to the premises during business hours any member of the _____ Township Police Department to examine any database, book, ledger, or any other record on the premises relating to the purchase of precious metals from the public, as well as the articles purchased or received, and to take possession of any

article known by the police officer or official to be missing or to have been stolen, or where the officer or official has probable cause to believe the article is missing or stolen.

E. Non-Applicability.

This chapter shall not apply to purchases made by jewelers or other pawnbrokers from wholesalers or other suppliers, but shall only apply to those purchases made from the public or other retail purchases. The pawnbroker shall keep records of all wholesale purchases for a period of six months from the date of such purchase, which records shall be opened to investigation by the _____ Township Police Department.

F. Inspection of premises; seizures.

Every licensee and every person employed by the licensee in the conduct of business shall admit to any and every part of the premises designated in the license, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession without compensation to the licensee any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this section and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall promptly return same to the licensee and obtain a receipt therefore, as aforesaid. In the case of property obtained in the case of a domestic theft, the victim shall make restitution for the amount paid to obtain said property. Other restitution will be made by way of criminal complaints against the seller of said items

SECTION IV. Secondhand Watches

A. Secondhand watches to be clearly marked.

Any person or business entity engaged in the business of buying or selling watches, or any agent or servant thereof, who may sell or exchange, or offer for sale or exchange, expose for sale or exchange, possess with the intent to sell or exchange, or display with the intent to sell or exchange any secondhand watch, shall affix and keep affixed to the same a tag with the words "second-hand" clearly and legibly written or printed thereon, and the said tag shall be so placed that the words "second-hand" shall be in plain sight at all times.

B. Special invoice for secondhand watches.

Any person or business entity engaged in the business of buying or selling watches, or any agent or servant thereof, who may sell a secondhand watch or in any other way pass title thereto shall deliver to the vendee a written invoice bearing the words "secondhand watch" in bold letters, larger than any of the other written matter upon said invoice, which invoice shall also set forth the following:

- 1) The name and address of the vendor;
- 2) The name and address of the vendee;
- 3) The date of the sale;
- 4) The name of the watch or its makers;
- 5) The serial numbers, if any; and

6) Any other distinguishing numbers or identification marks upon its case and movement; or, if the serial numbers or other distinguishing numbers or identification marks shall have been erased, defaced, removed, altered or covered, the invoice shall so state.

The vendor shall keep on file a duplicate of said invoice for at least five (5) years from the date of the sale thereof, which shall be open to inspection during all business hours by the Camden County Prosecutor or his duly authorized representative.

C. Advertising second hand watches.

Any pawnbroker, secondhand dealer or other person or business entity or any agent thereof, who may advertise or display in any manner a second hand watch for sale or exchange shall state clearly in such advertisement or display that said watch is a second hand watch.

D. Violations and penalties.

Violation of any provision of this chapter shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$1,000, or by imprisonment for a term not exceeding 90 days, or by a period of community service not exceeding 90 days. Each and every violation shall be considered a separate violation. Every day that a violation continues shall be a separate violation. Each violation shall result in an additional ten (10) day suspension. Any person who is convicted of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the Court to an additional fee as a repeat offender. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter. For a third or subsequent violation under this chapter, the mercantile license of said business may be revoked upon notification by Mayor and Council.

"This electronic version is provided for informational purposes only and should not be interpreted as the official version which may be subject to change from time to time. For the official version, please contact the Municipality."



Ocean County Prosecutor's Office

Inter-Local Service Agreement for Phoenix Automated Property Reporting System (PAPR)

This Agreement is made the _____ day of _____, 20__ between the Ocean County Prosecutors Office, whose address is 119 Hooper Avenue, Toms River, New Jersey, hereinafter referred to as the Lead Agency and the _____ (Municipality), hereinafter called the Participating Agency, whose address is _____.

The Ocean County Prosecutor's Office functions as the Chief Law Enforcement agency for the County of Ocean. The Ocean County Prosecutor recognizes the nationwide retail theft and residential theft problem, and the market for stolen items, through the pawn, scrap and second property dealers. As a result, the Prosecutor has purchased the PAPR system created by Pro Phoenix Inc., a public safety software company, and intends to continue to fund the annual costs of the PAPR system and its portal/cloud based access. The PAPR system is designed to track property transactions with pawned, scrap metal, and second hand property dealers and allow law enforcement to search, flag, hold, and set alerts for stolen property.

Provision of Basic Services and Maintenance Fees

The Participating Agency shall ensure that the qualifying businesses (pawned, scrap metal, and second hand property dealers) in their jurisdiction are registered with, and utilizing the PAPR system consistent with their Municipality's mercantile or business license. Each qualifying business will be required to pay an annual fee of \$350.00 (adjusted annually) to Pro Phoenix,

Inc. There is no startup, enrollment, or annual fee to the Participating Agency so long as the qualifying businesses are required to pay their annual fee to Pro Phoenix, Inc.

Maintenance and Equipment

The Lead Agency shall be responsible for annual costs of the PAPR system and its internal user and system administration. The Participating Agency shall be responsible for the maintenance of its own agency's equipment and related hardware and ensuring all qualified businesses are registered and utilizing the PAPR system. User administration and system administration for the individual jurisdiction shall be arranged between Pro Phoenix, Inc., and the Participating Agency.

Software, Licensing and Airtime

The Lead Agency is responsible for the licensing related to the software only. The Participating agency shall be responsible for all other related costs, including, but not limited to hardware, air time and internet connection

Location and Use

The Participating Agency shall ensure that the qualifying businesses in their jurisdiction comply with the PAPR system. The Participating Agency shall comply with all the laws of the State in which the equipment is located and with all federal, state, county and local laws.

Duration

This agreement is in effect until terminated by either the Lead Agency or the Participating Agency on 90 days written notice to the other party.

Assignment of Interest

Neither this agreement nor any other right or interest created by the agreement may be assigned by a Participating Agency in any respect whatsoever.

Exclusion of Oral Statements

This document represents the entirety of the agreements between the parties. No oral or other statements, proposals, or agreements shall be binding on the parties hereto.

ATTEST:

MUNICIPALITY

By:

CLERK

MAYOR

ATTEST:

OCEAN COUNTY PROSECUTOR'S OFFICE

By:

MARJORIE GIBBONS

BRADLEY D. BILLHIMER
PROSECUTOR

ATTEST:

COUNTY OF OCEAN

By:

MICHELLE I. GUNTHER
CLERK OF THE BOARD

JOSEPH H. VICARI
DIRECTOR

OCEAN COUNTY PROSECUTOR'S OFFICE



Law Enforcement Directive

SUBJECT: Pro Phoenix Automated Property Reporting System	NUMBER: LED – 2023-020	DATE POSTED ON DMS: October 25, 2023
ISSUED BY: Prosecutor Bradley D. Billhimer	APPROVED BY:	SUPERCEDES DIRECTIVE #: N/A
DISTRIBUTION TO: All Municipal Police Chiefs in Ocean County		

DETAILS:

The Ocean County Prosecutor's Office functions as the Chief Law Enforcement agency for the County of Ocean. The Ocean County Prosecutor has recognized the nationwide retail theft and residential theft problem and the market for such stolen items through the pawn, scrap and second property dealers. As a result, the Prosecutor has purchased an automated property reporting system, specifically, the Phoenix Automated Property Reporting System (PAPR) created by Pro Phoenix Inc., a public safety software company, and intends to continue to fund the annual costs of the PAPR system and its portal/cloud based access. The PAPR system is designed to track property transactions with pawned, scrap metal, and second hand property dealers, and allow law enforcement to search, flag, hold and set alerts for stolen property. [PAPR - ProPhoenix Public Safety Software](#).

The municipalities in Ocean County shall be required to enroll all pawned, scrap metal, and second hand property dealers in their jurisdiction in the PAPR system. The enrollment of each of the qualifying businesses and the annual fee may be passed directly to the qualifying business by way of local ordinance.

The Municipal Police Departments of Ocean County shall be required to use PAPR system to solve thefts and limit the sale of stolen property.

RESOLUTION 2023-370

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING A REFUND OF PREMIUM PAID AT TAX SALE**

WHEREAS, premiums were paid on Tax Sale Certificates; and

WHEREAS, the properties have since been redeemed, and premiums must be refunded to the lien holders which is the purpose of this Resolution.

THEREFORE BE IT RESOLVED, by the Township committee that; the premiums be refunded to the lien holders, and the Treasurer is directed to draft checks accordingly, and the Collector to adjust her records for the following properties:

Block 114.49	Lot 48;	22 Cannonball Dr	Block 114.32	Lot 1;	105 Windward Dr
Block 92.87	Lot 19;	35 Nautilus Dr	Block 116.25	Lot 10;	6 Whitestone Ct
Block 92.57	Lot 1;	23 Heather Way	Block 114.36	Lot 34;	6 Jameshollow Dr
Block 95.55	Lot 40;	116 Lakeland Dr	Block 114.23	Lot 7;	13 Sextant Dr
Block 116.26	Lot 14;	27 Aspen Circle	Block 114.26	Lot 19;	86 Schooner Ave
Block 114.22	Lot 26;	36 Bowline St	Block 114.53	Lot 3;	11 Potomac Ave
Block 95.25	Lot 1;	10 Valley Stream Pl	Block 114.22	Lot 6;	11 Mast Dr
Block 114.27	Lot 42;	39 Anchor Rd	Block 114.52	Lot 1;	20 Lexington Blvd
Block 92.3	Lot 3;	1245 West Bay Ave	Block 114.41	Lot 1;	11 Jameshollow Dr
Block 103	Lot 20;	9 Fifth Street	Block 114.62	Lot 12;	60 Freedom Hills Dr
Block 114.39	Lot 4;	30 Deck Street	Block 114.14	Lot 31;	40 Schooner Ave

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing Resolution was duly adopted by the Barnegat Township Committee at their meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat New Jersey on November 9, 2023.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-371

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TAX COLLECTOR TO REFUND PAYMENT
ERRONEOUSLY PAID**

WHEREAS, a payment has been received by the Tax Office, for the parcel known as Block 174.08 Lot 15, address 25 Blue Claw Dr, the tax account now has a credit of \$4,568.12; and

WHEREAS, the homeowner is a Totally Disabled Veteran and is the owner, therefore the property is Tax Exempt which resulted in an overpayment; and

WHEREAS, a request for a refund of the overpayment has been made,

THEREFORE BE IT RESOLVED, that the Collector be directed to refund the overpayment on the tax account to; and

Core Logic
3001 Hackberry Dr
Irving TX 75063

BE IT FURTHER RESOLVED, by the Township Committee, County of Ocean, State of New Jersey that the Treasurer be directed to draft a check in the amount of \$4,568.12 to Core Logic, and the Collector to adjust the tax records.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-372

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TAX COLLECTOR TO REFUND PAYMENT
ERRONEOUSLY PAID**

WHEREAS, a payment has been received by the Tax Office, for the parcel known as Block 115.07 Lot 28, address 52 Sandpiper Dr, the tax account now has a credit of \$2,801.51; and

WHEREAS, the homeowner is a Totally Disabled Veteran and is the owner, therefore the property is Tax Exempt which resulted in an overpayment; and

WHEREAS, a request for a refund of the overpayment has been made,

THEREFORE BE IT RESOLVED, that the Collector be directed to refund the overpayment on the tax account to; and

Core Logic
3001 Hackberry Dr
Irving TX 75063

BE IT FURTHER RESOLVED, by the Township Committee, County of Ocean, State of New Jersey that the Treasurer be directed to draft a check in the amount of \$2,801.51 to Core Logic, and the Collector to adjust the tax records.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-373

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
CANCELING TAXES AND AUTHORIZING A REFUND
PURSUANT TO N.J.S.A.54:4-3.32**

WHEREAS, the following Homeowner was eligible to receive the Totally Disabled Veterans Property Tax Exemption,

WHEREAS, pursuant to N.J.S.A. 54:4-3.32 the Township Committee has the authority to cancel charges for the Totally Disabled Veterans Tax Exemption for 2023 taxes, when a N.J.S.A. 54:4-3.30 Certification of Assessment Credit for Exemption has been granted, and

WHEREAS, in this case the Tax Collector deems that the Homeowner should receive a refund on his taxes paid for the year 2023 since they are Totally Exempt a will have no future billings

<u>Block/Lot</u>	<u>Homeowner</u>	<u>Date Exempt</u>	<u>2023 Taxes Canceled</u>	<u>Refund</u>
92.09/28	Christopher Martin 9 Wright Rd Barnegat, NJ 08005	10/1/23	\$2,094.52	\$40.61

THEREFORE BE IT RESOLVED by the Township Committee, County of Ocean, State of New Jersey, do hereby authorize a Veteran's property tax exemption discharge of debt for the 2023 taxes, and refund be issued to Core Logic for \$40.61 as referenced.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-374

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TAX COLLECTOR TO REFUND PAYMENT
ERRONEOUSLY PAID**

WHEREAS, a payment has been received by the Tax/Utility Office, for the parcel known as 24 Rosemont Ave, Elmwood Park NJ, in the amount of \$499.87

WHEREAS, the homeowner applied for LIHWAP through the State of New Jersey

WHEREAS, a payment was received from the State of NJ, however the above mentioned property is not located in the Township of Barnegat

THEREFORE BE IT RESOLVED, that the Collector be directed to refund the payment to the Township of Ocean,

Treasurer, State of New Jersey
101 South Broad St, 5th Floor
Po Box 811
Trenton NJ 08625-0806

BE IT FURTHER RESOLVED, by the Township Committee, County of Ocean, State of New Jersey that the Treasurer be directed to draft a check in the amount of \$499.87 and the Tax Collector to adjust her records accordingly

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-375

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
CANCELING TAXES AND AUTHORIZING A REFUND
PURSUANT TO N.J.S.A.54:4-3.32**

WHEREAS, the following Homeowner was eligible to receive the Totally Disabled Veterans Property Tax Exemption,

WHEREAS, pursuant to N.J.S.A. 54:4-3.32 the Township Committee has the authority to cancel charges for the Totally Disabled Veterans Tax Exemption for 2022 taxes, when a N.J.S.A. 54:4-3.30 Certification of Assessment Credit for Exemption has been granted, and

WHEREAS, in this case the Tax Collector deems that the Homeowner should receive a refund on his taxes paid for the year 2023 since they are Totally Exempt a will have no future billings

<u>Block/Lot</u>	<u>Homeowner</u>	<u>Date Exempt</u>	<u>2023 Taxes Canceled</u>	<u>Refund</u>
94.01/144	Jerome Adams 8 Cottonwood Dr Barnegat, NJ 08005	1/1/23	\$3,813.41	\$2,829.28

THEREFORE BE IT RESOLVED by the Township Committee, County of Ocean, State of New Jersey, do hereby authorize a Veteran's property tax exemption discharge of debt for the 2023 taxes, and refund be issued to Wells Fargo for \$2,829.28 as referenced.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-376

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
CANCELING TAXES AND AUTHORIZING A REFUND
PURSUANT TO N.J.S.A.54:4-3.32**

WHEREAS, the following Homeowner was eligible to receive the Totally Disabled Veterans Property Tax Exemption,

WHEREAS, pursuant to N.J.S.A. 54:4-3.32 the Township Committee has the authority to cancel charges for the Totally Disabled Veterans Tax Exemption for 2022 taxes, when a N.J.S.A. 54:4-3.30 Certification of Assessment Credit for Exemption has been granted, and

WHEREAS, in this case the Tax Collector deems that the Homeowner should receive a refund on his taxes paid for the year 2023 since they are Totally Exempt a will have no future billings

<u>Block/Lot</u>	<u>Homeowner</u>	<u>Date Exempt</u>	<u>2023 Taxes Canceled</u>	<u>Refund</u>
114.39/11	Kevin Cannon 51 Georgetown Blvd Barnegat, NJ 08005	7/5/23	\$3,260.61	\$1,544.76

THEREFORE BE IT RESOLVED by the Township Committee, County of Ocean, State of New Jersey, do hereby authorize a Veteran's property tax exemption discharge of debt for the 2023 taxes, and refund be issued to said homeowner for \$1,544.76 as referenced.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-377

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
CANCELING TAXES AND AUTHORIZING A REFUND
PURSUANT TO N.J.S.A.54:4-3.32**

WHEREAS, the following Homeowner was eligible to receive the Totally Disabled Veterans Property Tax Exemption,

WHEREAS, pursuant to N.J.S.A. 54:4-3.32 the Township Committee has the authority to cancel charges for the Totally Disabled Veterans Tax Exemption for 2022 taxes, when a N.J.S.A. 54:4-3.30 Certification of Assessment Credit for Exemption has been granted, and

WHEREAS, in this case the Tax Collector deems that the Homeowner should receive a refund on his taxes paid for the year 2023 since they are Totally Exempt a will have no future billings

<u>Block/Lot</u>	<u>Homeowner</u>	<u>Date Exempt</u>	<u>2023 Taxes Canceled</u>	<u>Refund</u>
95.42/21	Philip Knorowski 4 Old Mill Ct Barnegat, NJ 08005	1/1/23	\$6,852.84	\$5,082.29

THEREFORE BE IT RESOLVED by the Township Committee, County of Ocean, State of New Jersey, do hereby authorize a Veteran's property tax exemption discharge of debt for the 2023 taxes, and refund be issued to said homeowner for \$5,082.29 as referenced.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on November 9, 2023

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-378

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE REFUND OF ESCROW DEPOSITS**

WHEREAS, the Municipal Land Use Law allows for refunding of unused escrow deposits, Cash Bonds, and accumulated interest, and

WHEREAS, Barnegat Township has received deposits for Review, Inspection fees and Cash Bonds, and

WHEREAS, it has been determined that the various applications and projects listed below have been withdrawn, or have received approval for release:

FARMER DEVELOPMENT, INC
SIMPLY SELF STORAGE
BLOCK 263 LOT 1.01
PB 02-51
ACCOUNT # 7765591465
PLANNING BOARD REVIEW ESCROW \$ 61.45

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Barnegat that the Finance Officer is hereby directed to refund the remaining escrow Deposits, cash bonds and accumulated interest to the above applicants.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township at their regular meeting held on the 9th day of November, 2023 at The Municipal Complex, 900 West Bay Avenue, Barnegat, NJ.

Donna M. Manno, RMC
Municipal Clerk

PB02-51

FARMER DEVELOPMENT, INC
124 N. GRAND AVENUE
FOWLERVILLE, MI 48836

776 559 1465
ACCOUNT NUMBER

BLOCK 263 LOT 1.01

PBR \$61.45
SITE \$0.00
WSR \$0.00
W/S INSP \$0.00
CBD \$0.00

PLANNING BOARD REVIEW					
DATE	RECEIPTS	DISB.	BALANCE	INV./CHECK #	DESCRIPTION
12/06/22	750.00		750.00	CK # 8240	DEPOSIT- ESCROW DEPOSIT
01/12/23		225.00	525.00	INV # 011223-7	TOWNSHIP ENGINEER
01/23/23		250.50	274.50	INV # 22-1478	TAYLOR DESIGN GROUP, INC
01/24/23	225.00		499.50	CK # 8460	ESCROW REPLENISHMENT
02/03/23		149.00	350.50	INV # 0321585	CME ASSOCIATES
02/17/23		32.55	317.95	INV # 5650-1975	HIERING, GANNON & MCKENNA, ESQS
05/25/23		256.50	61.45	INV # 23-488	TAYLOR DESIGN GROUP, INC
PBR TOTAL	975.00	913.55	61.45		
SITE TOTAL	0.00	0.00	0.00		
WSR TOTAL	0.00	0.00	0.00		
W TOTAL	0.00	0.00	0.00		
CBD TOTAL	0.00	0.00	0.00		
ASSMT TOT.	0.00	0.00	0.00		

Township of Barnegat
COUNTY OF OCEAN

MUNICIPAL OFFICES
900 WEST BAY AVENUE
BARNEGAT, NJ 08005



PHONE (609) 698-0080
FAX (609) 698-3806
WEB WWW.BARNEGAT.NET

October 12, 2023

Re: Farmer Development, Inc
Block 263 Lot 1.01
PB 02-51

To Whom It May Concern:

The Applicant has requested that Barnegat Township close the Escrow Account for the above project. At this time, I ask that you please review your records for any unpaid invoices or unbilled activity. Please provide us with a list of any such billing.

You are required to return this Certification and any final billing within 15 days of receipt of this notice. Once this signed certification and final bills are received, they will be posted to the applicant's escrow account and paid. Failure to return this form will presume you forfeit any further payment for this project. The account will then be closed and no further billing will be accepted.

Thank you,

Christine Roessner
Barnegat Township Finance/Escrow Department

Certification

I, Scott Taylor hereby certify that all billing for the above stated project has
(please clearly print or type name)
been submitted to the Township of Barnegat for payment.

Signature

10.16.23
Date

PB02-51

FARMER DEVELOPMENT, INC
124 N. GRAND AVENUE
FOWLerville, MI 48836

776 559 1465
ACCOUNT NUMBER

BLOCK 263 LOT 1.01

PBR \$61.45
SITE \$0.00
WSR \$0.00
W/S INSP \$0.00
CBD \$0.00

PLANNING BOARD REVIEW					
DATE	RECEIPTS	DISB.	BALANCE	INV./CHECK #	DESCRIPTION
12/06/22	750.00		750.00	CK # 8240	DEPOSIT- ESCROW DEPOSIT
01/12/23		225.00	525.00	INV # 011223-7	TOWNSHIP ENGINEER
01/23/23		250.50	274.50	INV # 22-1478	TAYLOR DESIGN GROUP, INC
01/24/23	225.00		499.50	CK # 8460	ESCROW REPLENISHMENT
02/03/23		149.00	350.50	INV # 0321585	CME ASSOCIATES
02/17/23		32.55	317.95	INV # 5650-1975	HIERING, GANNON & MCKENNA, ESQS
05/25/23		256.50	61.45	INV # 23-488	TAYLOR DESIGN GROUP, INC
PBR TOTAL	975.00	913.55	61.45		
SITE TOTAL	0.00	0.00	0.00		
WSR TOTAL	0.00	0.00	0.00		
W TOTAL	0.00	0.00	0.00		
CBD TOTAL	0.00	0.00	0.00		
ASSMT TOT.	0.00	0.00	0.00		

Township of Barnegat
COUNTY OF OCEAN

MUNICIPAL OFFICES
900 WEST BAY AVENUE
BARNEGAT, NJ 08005



PHONE (609) 698-0080
FAX (609) 698-3806
WEB WWW.BARNEGAT.NET

October 12, 2023

Re: Farmer Development, Inc
Block 263 Lot 1.01
PB 02-51

To Whom It May Concern:

The Applicant has requested that Barnegat Township close the Escrow Account for the above project. At this time, I ask that you please review your records for any unpaid invoices or unbilled activity. Please provide us with a list of any such billing.

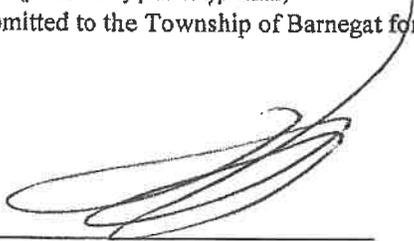
You are required to return this Certification and any final billing within 15 days of receipt of this notice. Once this signed certification and final bills are received, they will be posted to the applicant's escrow account and paid. Failure to return this form will presume you forfeit any further payment for this project. The account will then be closed and no further billing will be accepted.

Thank you,

Christine Roessner
Barnegat Township Finance/Escrow Department

Certification

I, M. McKenna hereby certify that all billing for the above stated project has
(please clearly print or type name)
been submitted to the Township of Barnegat for payment.



Signature

10/18/23
Date

PB02-51

FARMER DEVELOPMENT, INC
124 N. GRAND AVENUE
FOWLerville, MI 48836

776 559 1465
ACCOUNT NUMBER

BLOCK 263 LOT 1.01

PBR \$61.45
SITE \$0.00
WSR \$0.00
W/S INSP \$0.00
CBD \$0.00

PLANNING BOARD REVIEW						
DATE	RECEIPTS	DISB.	BALANCE	INV./CHECK #	DESCRIPTION	
12/06/22	750.00		750.00	CK # 8240	DEPOSIT- ESCROW DEPOSIT	
01/12/23		225.00	525.00	INV # 011223-7	TOWNSHIP ENGINEER	
01/23/23		250.50	274.50	INV # 22-1478	TAYLOR DESIGN GROUP, INC	
01/24/23	225.00		499.50	CK # 8460	ESCROW REPLENISHMENT	
02/03/23		149.00	350.50	INV # 0321585	CME ASSOCIATES	
02/17/23		32.55	317.95	INV # 5650-1975	HIERING, GANNON & MCKENNA, ESQS	
05/25/23		256.50	61.45	INV # 23-488	TAYLOR DESIGN GROUP, INC	
PBR TOTAL	975.00	913.55	61.45			
SITE TOTAL	0.00	0.00	0.00			
WSR TOTAL	0.00	0.00	0.00			
W TOTAL	0.00	0.00	0.00			
CBD TOTAL	0.00	0.00	0.00			
ASSMT TOT	0.00	0.00	0.00			

Township of Barnegat
COUNTY OF OCEAN

MUNICIPAL OFFICES
900 WEST BAY AVENUE
BARNEGAT, NJ 08005



PHONE (609) 698-0080
FAX (609) 698-3806
WEB WWW.BARNEGAT.NET

October 12, 2023

Re: Farmer Development, Inc
Block 263 Lot 1.01
PB 02-51

To Whom It May Concern:

The Applicant has requested that Barnegat Township close the Escrow Account for the above project. At this time, I ask that you please review your records for any unpaid invoices or unbilled activity. Please provide us with a list of any such billing.

You are required to return this Certification and any final billing within 15 days of receipt of this notice.

Once this signed certification and final bills are received, they will be posted to the applicant's escrow account and paid. Failure to return this form will presume you forfeit any further payment for this project. The account will then be closed and no further billing will be accepted.

Thank you,

Christine Roessner
Barnegat Township Finance/Escrow Department

Certification

I, Donna Carr hereby certify that all billing for the above stated project has
(please clearly print or type name)
been submitted to the Township of Barnegat for payment.

Donna Carr

Signature

10/13/23

Date

Escrow Account Balance

Wendie Martin <wmartin@farmerdevelopment.com>

Thu 10/12/2023 2:36 PM

To:Christine Roessner <christinet@barnegat.net>

CAUTION: This message originated outside of our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Christine,

I talked to you a few months back about the balance in the escrow account and you said when we are sure we will not be using the funds to let you know and you could return the balance in the account.

Which I believe should be \$61.45 left.

If you could let me know if you can, I would appreciate it.

Thank You

Wendie Martin

Farmer Development, Inc.

(810) 844-1544

wmartin@farmerdevelopment.com

RESOLUTION 2023-379

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE REFUND OF ESCROW DEPOSITS**

WHEREAS, the Municipal Land Use Law allows for refunding of unused escrow deposits, Cash Bonds, and accumulated interest, and

WHEREAS, Barnegat Township has received deposits for Review, Inspection fees and Cash Bonds, and

WHEREAS, it has been determined that the various applications and projects listed below have been withdrawn, or have received approval for release:

WALTERS DEVELOPMENT CO., LLC
MINOR SUBDIVISION - PHASE 5
BLOCK 92.56 LOTS 1.01, 2.01, 3.01
NEW LOTS 1.02, 2.02, 3.02, & 4.01
PB 22-04
ACCOUNT # 7765591340
PLANNING BOARD REVIEW ESCROW \$ 234.35

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Barnegat that the Finance Officer is hereby directed to refund the remaining escrow Deposits, cash bonds and accumulated interest to the above applicants.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township at their regular meeting held on the 9th day of November, 2023 at The Municipal Complex, 900 West Bay Avenue, Barnegat, NJ.

Donna M. Manno, RMC
Municipal Clerk

PB22-04

WALTERS DEVELOPMENT CO., LLC 776 559 1340
500 BARNEGAT BOULEVARD NO., BLDG 100 ACCOUNT NUMBER
BARNEGAT, NJ 08005

MINOR SUBDIVISION			PBR \$234.35
BLOCK 92.56	LOTS	NEW LOT + 4.01	SITE \$0.00
9 LOOKOUT AVENUE (LOT 1.01)		1.02	WSR \$0.00
7 LOOKOUT AVENUE (LOT 2.01)		2.02	W/S INSP \$0.00
5 LOOKOUT AVENUE (LOT 3.01)		3.02	CBD \$0.00

PLANNING BOARD REVIEW					
DATE	RECEIPTS	DISB.	BALANCE	INV./CHECK #	DESCRIPTION
03/22/22	600.00		600.00	CK # 1760	DEPOSIT- ESCROW DEPOSIT
03/22/22	500.00		1,100.00	CK # 1762	DEPOSIT- ESCROW DEPOSIT
03/22/22	150.00		1,250.00	CK # 1763	DEPOSIT- ESCROW DEPOSIT
04/13/22		81.37	1,168.63	INV # 5650-1918	HIERING, GANNON & MCKENNA, ESQS
05/13/22		65.10	1,103.53	INV # 5650-1925	HIERING, GANNON & MCKENNA, ESQS
05/13/22		560.00	543.53	INV # 0302958	CME ASSOCIATES
06/08/22		204.00	339.53	INV # 0305691	CME ASSOCIATES
06/14/22		455.70	(116.17)	INV # 5650-1930	HIERING, GANNON & MCKENNA, ESQS
07/05/22		332.50	(448.67)	INV # 0306774	CME ASSOCIATES
07/25/22	1,000.00		551.33	CK # 100136	ESCROW POSTED
09/15/22		113.93	437.40	INV # 5650-1945	HIERING, GANNON & MCKENNA, ESQS
09/27/22		521.50	(84.10)	INV # 0312029	CME ASSOCIATES
10/17/22		149.00	(233.10)	INV # 0313087	CME ASSOCIATES
11/14/22		32.55	(265.65)	INV # 5650-1957	HIERING, GANNON & MCKENNA, ESQS
12/13/22	500.00		234.35	CK # 100267	ESCROW POSTED
PBR TOTAL	2,750.00	2,515.65	234.35		
SITE TOTAL	0.00	0.00	0.00		
WSR TOTAL	0.00	0.00	0.00		
W TOTAL	0.00	0.00	0.00		
CBD TOTAL	0.00	0.00	0.00		
ASSMT TOT.	600.00	565.00			

\$600 TAX MAP ASSESSMENT PER CME 4/6/22 REVIEW LETTER - paid 9/13/22

Escrow

Kevin Price <kprice@walters-group.com>

Wed 10/18/2023 9:59 AM

To: Christine Roessner <christinet@barnegat.net>

 1 attachments (242 KB)

0704_001.pdf

CAUTION: This message originated outside of our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Christine,

The attached subdivision is complete. Can you please close this out?

Thank you,
Kevin

From: Walters Group-Corp C5255 <scanner@walters-group.com>

Sent: Wednesday, October 18, 2023 9:57 AM

To: Kevin Price <kprice@walters-group.com>

Subject: Attached Image

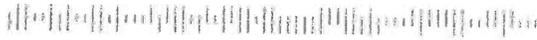


America's Most Convenient Bank®

TD BANK, N.A.
ATTN: ESCROW SERVICES AIM 02-206-01-23
6000 ATRIUM WAY
MT LAUREL, NJ 08054
(866) 327-7450
QUARTERLY STATEMENT
AS OF SEPTEMBER 30, 2023

EscrowDirect
N5 PAGE 1

2 AB 01 006212 22970 H 16 A
2 WALTERS DEVELOPMENT CO LLC
500 BARNEGAT BLVD NORTH BUILDING 100
BARNEGAT NJ 08005



This escrow account has been opened on your behalf by:

BARNEGAT TWP DEVELOPERS ESCROW
ATTN: FINANCE DEPT. X-163
900 W. BAY AVE
BARNEGAT NJ 08005-1297

11500 153.024

Memo 1: 892.56 LOTS 1.01 2.01 Memo 2: 3.01 OA PH5 LOOKOUT AVE

Date	Description	Amount	Balance
07/01/2023	AS OF BALANCE		234.35
07/25/2023	ADMIN / ESC FEE	.46 DR	233.89
07/25/2023	INTEREST EARNED	.46 CR	234.35
08/25/2023	ADMIN / ESC FEE	.48 DR	233.87
08/25/2023	INTEREST EARNED	.48 CR	234.35
09/25/2023	ADMIN / ESC FEE	.48 DR	233.87
09/25/2023	INTEREST EARNED	.48 CR	234.35

All questions concerning this notice should be directed to the TD Bank Escrow Department at 1-866-327-7450.

OCT 06 2023

Township of Barnegat
COUNTY OF OCEAN

MUNICIPAL OFFICES
900 WEST BAY AVENUE
BARNEGAT, NJ 08005



PHONE (609) 698-0080
FAX (609) 698-3806
WEB WWW.BARNEGAT.NET

October 18, 2023

Re: Walters Development Co
Block 92.56 Lots 1.01, 2.01, 3.01
PB22-04

To Whom It May Concern:

The Applicant has requested that Barnegat Township close the Escrow Account for the above project. At this time, I ask that you please review your records for any unpaid invoices or unbilled activity. Please provide us with a list of any such billing.

You are required to return this Certification and any final billing within 15 days of receipt of this notice. Once this signed certification and final bills are received, they will be posted to the applicant's escrow account and paid. Failure to return this form will presume you forfeit any further payment for this project. The account will then be closed and no further billing will be accepted.

Thank you,

Christine Roessner
Barnegat Township Finance/Escrow Department

Certification

I, Donna Carr hereby certify that all billing for the above stated project has
(please clearly print or type name)
been submitted to the Township of Barnegat for payment.

Donna Carr

Signature

10/18/23

Date

PB22-04

WALTERS DEVELOPMENT CO., LLC
 500 BARNEGAT BOULEVARD NO., BLDG 100
 BARNEGAT, NJ 08005

776 559 1340

ACCOUNT NUMBER

MINOR SUBDIVISION

BLOCK 92.56 LOTS NEW LOT + 4.01
 9 LOOKOUT AVENUE (LOT 1.01) 1.02
 7 LOOKOUT AVENUE (LOT 2.01) 2.02
 5 LOOKOUT AVENUE (LOT 3.01) 3.02

PBR \$234.35
 SITE \$0.00
 WSR \$0.00
 W/S INSP \$0.00
 CBD \$0.00

PLANNING BOARD REVIEW						
DATE	RECEIPTS	DISB.	BALANCE	INV./CHECK #	DESCRIPTION	
03/22/22	600.00		600.00	CK # 1760	DEPOSIT- ESCROW DEPOSIT	
03/22/22	500.00		1,100.00	CK # 1762	DEPOSIT- ESCROW DEPOSIT	
03/22/22	150.00		1,250.00	CK # 1763	DEPOSIT- ESCROW DEPOSIT	
04/13/22		81.37	1,168.63	INV # 5650-1918	HIERING, GANNON & MCKENNA, ESQS	
05/13/22		65.10	1,103.53	INV # 5650-1925	HIERING, GANNON & MCKENNA, ESQS	
05/13/22		560.00	543.53	INV # 0302958	CME ASSOCIATES	
06/08/22		204.00	339.53	INV # 0305691	CME ASSOCIATES	
06/14/22		455.70	(116.17)	INV # 5650-1930	HIERING, GANNON & MCKENNA, ESQS	
07/05/22		332.50	(448.67)	INV # 0306774	CME ASSOCIATES	
07/25/22	1,000.00		551.33	CK # 100136	ESCROW POSTED	
09/15/22		113.93	437.40	INV # 5650-1945	HIERING, GANNON & MCKENNA, ESQS	
09/27/22		521.50	(84.10)	INV # 0312029	CME ASSOCIATES	
10/17/22		149.00	(233.10)	INV # 0313087	CME ASSOCIATES	
11/14/22		32.55	(265.65)	INV # 5650-1957	HIERING, GANNON & MCKENNA, ESQS	
12/13/22	500.00		234.35	CK # 100267	ESCROW POSTED	
PBR TOTAL	2,750.00	2,515.65	234.35			
SITE TOTAL	0.00	0.00	0.00			
WSR TOTAL	0.00	0.00	0.00			
W TOTAL	0.00	0.00	0.00			
CBD TOTAL	0.00	0.00	0.00			
ASSMT TOT.	600.00	565.00				

\$800 TAX MAP ASSESSMENT PER CME 4/6/22 REVIEW LETTER - paid 9/13/22

Township of Barnegat
COUNTY OF OCEAN

MUNICIPAL OFFICES
900 WEST BAY AVENUE
BARNEGAT, NJ 08005



PHONE (609) 698-0080
FAX (609) 698-3806
WEB WWW.BARNEGAT.NET

October 18, 2023

Re: Walters Development Co
Block 92.56 Lots 1.01, 2.01, 3.01
PB22-04

To Whom It May Concern:

The Applicant has requested that Barnegat Township close the Escrow Account for the above project. At this time, I ask that you please review your records for any unpaid invoices or unbilled activity. Please provide us with a list of any such billing.

You are required to return this Certification and any final billing within 15 days of receipt of this notice. Once this signed certification and final bills are received, they will be posted to the applicant's escrow account and paid. Failure to return this form will presume you forfeit any further payment for this project. The account will then be closed and no further billing will be accepted.

Thank you,

Christine Roessner
Barnegat Township Finance/Escrow Department

Certification

I, M. MCKENNA hereby certify that all billing for the above stated project has
(please clearly print or type name)
been submitted to the Township of Barnegat for payment.

Signature

Date

10/18/23

PB22-04

WALTERS DEVELOPMENT CO., LLC
500 BARNEGAT BOULEVARD NO., BLDG 100
BARNEGAT, NJ 08005

776 559 1340
ACCOUNT NUMBER

MINOR SUBDIVISION			PBR \$234.35
BLOCK 92.56	LOTS	NEW LOT + 4.01	SITE \$0.00
9 LOOKOUT AVENUE (LOT 1.01)		1.02	WSR \$0.00
7 LOOKOUT AVENUE (LOT 2.01)		2.02	W/S INSP \$0.00
5 LOOKOUT AVENUE (LOT 3.01)		3.02	CBD \$0.00

PLANNING BOARD REVIEW						
DATE	RECEIPTS	DISB.	BALANCE	INV./CHECK #	DESCRIPTION	
03/22/22	500.00		600.00	CK # 1760	DEPOSIT- ESCROW DEPOSIT	
03/22/22	500.00		1,100.00	CK # 1762	DEPOSIT- ESCROW DEPOSIT	
03/22/22	150.00		1,250.00	CK # 1763	DEPOSIT- ESCROW DEPOSIT	
04/13/22		81.37	1,168.63	INV # 5650-1918	HIERING, GANNON & MCKENNA, ESQS	
05/13/22		65.10	1,103.53	INV # 5650-1925	HIERING, GANNON & MCKENNA, ESQS	
05/13/22		560.00	543.53	INV # 0302958	CME ASSOCIATES	
06/08/22		204.00	339.53	INV # 0305691	CME ASSOCIATES	
06/14/22		455.70	(116.17)	INV # 5650-1930	HIERING, GANNON & MCKENNA, ESQS	
07/05/22		332.50	(448.67)	INV # 0306774	CME ASSOCIATES	
07/25/22	1,000.00		551.33	CK # 100136	ESCROW POSTED	
09/15/22		113.93	437.40	INV # 5650-1945	HIERING, GANNON & MCKENNA, ESQS	
09/27/22		521.50	(84.10)	INV # 0312029	CME ASSOCIATES	
10/17/22		149.00	(233.10)	INV # 0313087	CME ASSOCIATES	
11/14/22		32.55	(265.65)	INV # 5650-1957	HIERING, GANNON & MCKENNA, ESQS	
12/13/22	500.00		234.35	CK # 100267	ESCROW POSTED	
PBR TOTAL	2,750.00	2,515.65	234.35			

SITE TOTAL	0.00	0.00	0.00
-------------------	-------------	-------------	-------------

WSR TOTAL	0.00	0.00	0.00
------------------	-------------	-------------	-------------

W.TOTAL	0.00	0.00	0.00
----------------	-------------	-------------	-------------

CBD.TOTAL	0.00	0.00	0.00
------------------	-------------	-------------	-------------

ASSMT TOT.	600.00	565.00	
-------------------	---------------	---------------	--

\$800 TAX MAP ASSESSMENT PER CME 4/6/22 REVIEW LETTER - paid 9/13/22

RESOLUTION 2023-380

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN STATE OF NEW JERSEY, HIRING ERIN CARROLL AS A FULL-TIME CLERK TYPIST TO THE CONSTRUCTION OFFICE

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, New Jersey had hired Erin Carroll as a Temporary Part-Time Administrative Assistant to the Construction Office as of June 30, 2023.

WHEREAS, the Construction Office is in emergent need of a Full Time Clerk Typist; and

WHEREAS, Erin Carroll has proven to be an exemplary employee thus far and is deserving of this Full Time position; and

WHEREAS, Erin has met her probationary period and will have full time employee status as of September 1, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that Erin Carroll, shall be hired as a Full Time Clerk Typist to the Construction Office by the Barnegat Township Committee as of November 6, 2023 at a rate of pay of \$36,300 yr.

CERTIFICATION

I, Donna Manno, Municipal Clerk of the Township of Barnegat in the County of Ocean, New Jersey do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Township of Barnegat on November 9, 2023.

Donna Manno, RMC
Municipal Clerk

RESOLUTION 2023-381

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING AN UNPAID MEDICAL EXTENSION
TO DONNA CONTO**

BE IT RESOLVED by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean State of New Jersey that an unpaid medical extension is hereby granted to Donna Conto of the Construction Office, effective October 31st to November 30, 2023.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on November 9, 2023.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION NO. 2023 – 382

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EXECUTION OF SECOND
AMENDMENT TO ENTER A LOCAL
SERVICES AGREEMENT WITH THE
TOWNSHIP OF STAFFORD**

WHEREAS, on August 19, 1996, the Township of Barnegat and the Township of Stafford executed and entered a Local Services Agreement and was thereafter amended on June 7, 2004 (“the 2004 Agreement”). The 2004 Agreement provided a method by which the Township would pay Stafford Township annually for costs incurred by Stafford as charged by the Ocean County Municipal Utilities Authority (“OCUA”) for the transmission and treatment of sewerage emanating from properties in Barnegat Township; and

WHEREAS, Barnegat Township and Stafford Township has negotiated a Second Amendment to the Local Services Agreement, a copy of which is on file at the office of the Township Clerk and can be viewed during normal business hours; and

WHEREAS, pursuant to the terms of the Agreement, the agreed upon gallons per day flow is being reduced to 110 gallons per day and the Township is going to pay back Stafford Township arrearages in the amount of \$224,408.80 over a five (5) year payment period as set forth in the Agreement; and

WHEREAS, prospectively the Township agrees to pay an annual sum to Stafford Township in the amount of \$36,649.34 beginning May 1, 2024 and continuing May 1 each year thereafter; and

WHEREAS, the term of the Second Amendment to the Local Services Agreement will be for a term of twenty-five (25) years; and

NOW THEREFORE BE IT RESOLVED on this 9th day of November, 2023, by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Township authorizes the execution of the Second Amendment to the Local Services Agreement, a copy of which is on file in the office of the Township Clerk and can be viewed during normal business hours.

4. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Pasquale Pipi, Mayor;
- (b) Martin J. Lisella, Township Administrator;
- (c) Thomas Lombarski, CFO;
- (d) Kurt Otto, PE, Township Engineer;
- (e) Roger Budd, Water/Sewer Supervisor;
- (f) Christopher J. Dasti, Esq., Township Attorney; and
- (g) Matthew von der Hayden, Township Administrator (Stafford).

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on November 9, 2023, a quorum being present and voting in the majority.

Donna M. Manno, RMC
Municipal Clerk

SECOND AMENDMENT TO SHARED SERVICES AGREEMENT

BETWEEN

TOWNSHIP OF STAFFORD, a body politic and corporate of the State of New Jersey, having its offices at 260 East Bay Avenue, Manahawkin, New Jersey, 08050, hereinafter referred to as "Stafford".

AND

TOWNSHIP OF BARNEGAT, a body politic and corporate of the State of New Jersey, having offices at 900 West Bay Avenue, Barnegat, New Jersey, 08005, hereinafter referred to as "Barnegat".

WITNESSETH:

WHEREAS, on August 19, 1996, an Interlocal Services Agreement was entered into by and between the Township of Barnegat, a municipal corporation of the State of New Jersey, having its principle offices at 900 West Bay Avenue, Barnegat, New Jersey (hereinafter referred to as "Barnegat") and the Stafford Township Municipal Utilities Authority, a public body politic and corporation of the State of New Jersey having at that time, its principle offices located at 25 Pine Street, Manahawkin, New Jersey (hereinafter referred to as "SMUA"); and

WHEREAS, the Stafford Township Municipal Utilities Authority was dissolved and all sanitary sewer responsibilities were assumed by the Township of Stafford (hereinafter referred to as "Stafford"); and

WHEREAS, the Township of Stafford is a municipal corporation having offices at 260 East Bay Avenue, Manahawkin, New Jersey; and

WHEREAS, the aforementioned Interlocal Services Agreement dated August 19, 1996, was amended and supplemented by an Interlocal Services Agreement dated June 7, 2004 which was entered into by and between Stafford and Barnegat; and

WHEREAS, the 2004 Agreement provided a method by which Barnegat would pay Stafford annual costs incurred by Stafford as charged by the Ocean County Utilities Authority (hereinafter referred to as "OCUA") for the transmission and treatment of sewerage emanating from property in Barnegat Township; and

WHEREAS, the parties agreed that Barnegat would pay to Stafford based upon a calculation of an estimated flow of 140 gallons per day per unit in Barnegat for which Stafford provides sewer services; and

WHEREAS, Stafford has discussed with representatives of the Ocean County Utilities Authority to reduce the estimated flow from 140 gallons to 110 gallons per day per unit for the properties in Barnegat for which Stafford provides sewer services; and

WHEREAS, Stafford and Barnegat agreed that Barnegat would advise Stafford when a Certificate of Occupancy was issued for a unit within the subject property (known and designated at that time as Block 90, Lots 6, 11, and 12 and Block 92, Lots 1 and 36, a/k/a Paramount Escapes, Barnegat Township, New Jersey), by the 1st of each month; and

WHEREAS, inadvertently Barnegat has not advised Stafford when Certificates of Occupancy were issued for properties within the subject property, since at least 2014; and

WHEREAS, the number of Certificates of Occupancy issued for units within the subject property since 2014 has been calculated, and based upon the agreed upon flow of 110 gallons per day the amount due and owing to Stafford from Barnegat is \$224,408.40; and

WHEREAS, Stafford and Barnegat have agreed to resolve the outstanding

issues of what is due to Stafford, as imposed and charged by OCUA, based upon repayment of the aforesaid sum, without interest.

NOW THEREFORE BE IT AGREED on this 9th day of November, 2023 as follows:

1. Barnegat acknowledges that it owes to Stafford in accordance with the aforementioned Agreement, the sum of \$224,408.40.
2. Barnegat shall pay the amount due and owing to Stafford, without interest, in accordance with the timetable set forth herein and made a part hereof.

The timetable for payments shall be acknowledged and executed by representatives of both Stafford and Barnegat.

3. Provided all payments are made on time as set forth herein and above, no interest or penalties shall be charged by Stafford to Barnegat.
4. In addition, it is acknowledged between the parties that Stafford has incurred unforeseen and unexpected expenses by providing maintenance and improvements to various equipment and pumping stations, which are needed to transmit the flow of sewage from the subject properties in Barnegat to Stafford. In the past, Stafford has incurred those expenses on its own. As a result, thereof, the parties hereby agree that Barnegat shall pay Stafford the sum of \$36,649.34 per year each year beginning May 1, 2024, and continuing on May 1st of each year thereafter.

5. The term of this Agreement shall be twenty-five (25) years, commencing upon the date of execution of this Agreement by both parties (the "Effective Date").

6. During the term of this Agreement, Barnegat shall reimburse Stafford for all units connected to the sanitary sewer system at the rate of 110 gallons per day from the date

of issuance of a Certificate of Occupancy. Payment shall be made to Stafford by Barnegat, without interest, on or by December 31st of each year, beginning December 31, 2023.

7. Barnegat shall be responsible for any liability insurance upon said sewer system located in, on or below the Property as of the effective date of this Agreement. Barnegat shall defend, indemnify and hold harmless Stafford for any and all claims, suits and actions arising out of this Agreement.

8. In the event a dispute arises between the two-party local units as to the terms of the Agreement or the satisfactory performance by any of the parties of the services or other responsibilities provided for in the Agreement, such disputes or questions shall be resolved by binding arbitration or binding fact-finding procedures. The party local units hereunder agree that if such binding arbitration or binding fact-finding procedures are required to settle any questions or disputes, the parties thereunder agree that the respective Mayors shall mutually appoint a single arbitrator consistent with American Arbitration Association rules.

9. If any clause, sentence, paragraph, section or party of this contract shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been so rendered.

10. The provisions of the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40:8A-1 et seq. are hereby incorporated into this Agreement and made a part hereof.

11. The foregoing constitutes the entire Agreement of the parties on the subject matter hereof and supersedes all prior Agreements, understanding, statements, representations and negotiations between the parties with respect to its subject matter.

particularly that Original Agreement between the parties dated August 19, 1996, as well as the Agreement between the parties dated June 7, 2004. It may not be changed, modified, discharged, or extended except by written instrument duly executed by Barnegat and Stafford.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be here affixed on this 9 day of November 2023.

WITNESS & ATTEST

TOWNSHIP OF STAFFORD

SUSAN FARRELL, RMC
Township Clerk

MATTHEW VON DER HAYDEN,
Township Administrator

WITNESS & ATTEST

TOWNSHIP OF BARNEGAT

DONNA M. MANNO, RMC
Township Clerk

PASQUALE PIPI,
Mayor

RESOLUTION 2023-383

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENCOURAGING OUR STATE LEGISLATORS TO PROVIDE FAIR AND EQUITABLE DISTRIBUTION OF DISCRETIONARY SPENDING APPROPRIATIONS IN THE ANNUAL STATE BUDGET

WHEREAS, Ocean County's year-round population continues to grow along with the needs of its residents; and

WHEREAS, Ocean County is one of the largest counties in the state land wise with one of the largest county road networks, and is also home to the largest body of water in the state-Barnegat Bay- a national estuary; and

WHEREAS, Ocean County, which is premier tourism destination bringing in large sums of revenue to the state of New Jersey, doesn't get the same financial help or benefits as other areas of the state, including many northern and urban cities and counties; and

WHEREAS, as an example, Ocean County once again was excluded from the state's annual "Christmas Tree" list receiving no extra state funding for projects that fall outside of the normal budget; and

WHEREAS, in the meantime, millions of dollars have been allocated to towns and counties in predominantly urban regions, without comprehensive list of appropriations and no way to easily access information on how all the money is being spent; and

WHEREAS, media reports on the "Christmas Tree" list, a fund for legislators' pet projects and other expenses that normally fall outside the line items of the annual budget, revealed that Ocean County received zero dollars in 2023; and

WHEREAS, urban and city legislative districts received the bulk of the \$661.6 million that lawmakers earmarked for projects in individual counties or towns; and

WHEREAS, included on the list was funding for a new marina, swimming pool and a dog park in Northern New Jersey, Camden County received \$64 million for new infrastructure projects and Union County was second with a \$57.5 million award; and

WHEREAS, in the absence of additional funds for Ocean County, the Route 9 corridor continues to present a traffic bottleneck, as do other state roads in the County. Additional funds could also help with the construction of a new justice complex annex to house state courts, substantial repairs to the county parking garage, to fund recreational programs, transportation services, needed assistance for our seniors and veterans, to protect Barnegat Bay and to help the 33 municipalities that make up the County.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey encourages our State Legislators to provide fair and equitable distribution of discretionary spending appropriations in the annual state budget for key programs that will assist not just Ocean County residents but the thousands of people from across the state that visit the County annually.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be made available to Governor Phil Murphy, Ocean County Mayors and State Legislators.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee of the Township of Barnegat at their regular meeting held on the 9th day of November 2023, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-384

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING OCEAN COUNTY MEALS ON WHEELS ADVOCACY EFFORTS AND COMMITMENT THAT NO SENIOR GOES HUNGRY IN OCEAN COUNTY

WHEREAS, Ocean County is home to the largest senior population in the state of New Jersey, with many of 200,000 seniors living solely on Social Security benefits averaging about \$1,700 per month; and

WHEREAS, our senior population was hardest hit by the COVID-19 pandemic and the economic fall-out which included a nearly 11% increase in monthly food costs and a 14.3% increase in monthly utility bills in 2022 resulting in a rise of nutritional and housing insecurities; and

WHEREAS, due to the insufficient and slight 3% increase of Social Security benefits in 2024, the senior citizens will be seeking the assistance of Meals on Wheels of Ocean County program for nutritional needs; and

WHEREAS, inflation and the increased cost of living have created a substantial hardship for older adults in Ocean County struggling to meet their monthly expenses who now find themselves dependent on food assistance programs like Meals on Wheels of Ocean County to meet their nutritional need; and

WHEREAS, nearly 14% or 230,000 of New Jersey seniors face hunger and food insecurity each year; and

WHEREAS, Meals on Wheels of Ocean County has been a lifeline to homebound isolated seniors in need of nutritious meals serving 1000 meal per day to our most vulnerable and food insecure residents; and

WHEREAS, Meals on Wheels of Ocean County has been a long standing partner of the County working together to make sure that no senior goes hungry; and

WHEREAS, the demand for home delivered meals has grown exponentially with more and more seniors relying on this service to meet their nutrition needs, reduce isolation and loneliness and assist them in their efforts to age in place with dignity and respect; and

WHEREAS, federal funds to support Ocean County Meals on Wheels have not kept pace with inflation, the rapid growth in the senior population or the growing demand for this service; and cuts would have devastating effects on Ocean County seniors who rely on this life sustaining program.

NOW, THEREFORE, BE IT RESOLVED by the Township of Barnegat that Township Committee soundly support Ocean County Meals on Wheels advocacy efforts and encourages all of the Congressional leadership to protect and increase funding for this critical program and our commitment that no senior will go hungry in Ocean County.

BE IT FURTHER RESOLVED, by the Township of Barnegat, County of Ocean, State of New Jersey that certified copies of this resolution shall be forwarded to Congressman Chris Smith, Congressman Jeff Van Drew, Senator Menedez, and Senator Corey Booker and all of Ocean County Mayors.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee of the Township of Barnegat at their regular meeting held on the 9th day of November 2023, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-385

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
RECOGNIZING THE MONTH OF NOVEMBER 2023 AS
NATIONAL FAMILY CAREGIVER MONTH**

WHEREAS, the Township Committee of Barnegat Township, desires to recognize the Month of November as National Family Caregiver Month; and

WHEREAS, the Ocean County Board of Social Services is, with the Ocean County Office of Senior Services, part of the Ocean County Collaborative and works closely with government agencies such as Barnegat Township and with concerned private organizations, including hospitals, to give parties a welcomed alternative to institutionalized care; and

WHEREAS, home care not only emphasizes the dignity, comfort, and independence of patients but also affirms the importance of family love and support to their well-being and enables clients to prevent, or to postpone, costly hospital stays and other forms of institutional care; and

WHEREAS, countless numbers of lives have been touched by family caregivers thereby improving the quality of life for these citizens of New Jersey.

BE IT HEREBY RESOLVED that the Governor of the State of New Jersey, traditionally recognizes the Month of November as National Family Caregiver Month and the Township Committee of Barnegat Township joins in celebrating this event during the Month of November 2023.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to:

The Honorable Governor Phil Murphy, State of New Jersey
The Honorable U.S. Senator Cory A. Booker
The Honorable U.S. Senator Robert Menendez
The Honorable U.S. Congressman 2nd District, Jeff Van Drew
The Honorable U.S. Congressman 3rd District, Andy Kim
The Honorable U.S. Congressman 4th District, Christopher H. Smith
The Honorable State Senator 9th District, Christopher J. Connors
The Honorable State Senator 10th District, James W. Holzapfel
The Honorable State Senator 12th District, Samuel D. Thompson
The Honorable State Senator 30th District, Robert W. Singer
The Honorable State Assemblyman 9th District, Brian E. Rumpf
The Honorable State Assemblywoman 9th District, DiAnne C. Gove
The Honorable State Assemblyman 10th District, John Catalano
The Honorable State Assemblyman 10th District, Gregory P. McGuckin

The Honorable State Assemblyman 12th District, Robert D. Clifton
The Honorable State Assemblyman 30th District, Sean T. Kean
The Honorable State Assemblyman 30th District, Edward H. Thomson
Sarah Adelman, Commissioner, NJ Department of Human Services
Christine Norbut Beyer, Commissioner, NJ Department of Children & Family
Services
Lt. Governor Tahesha Way, Commissioner, NJ Department of Community
Affairs
Natasha Johnson, Assistant Commissioner, NJ Division of Family Development
Judith M. Persichilli, Commissioner, NJ Department of Health
Director, Joseph H. Vicari, Ocean County Board of Commissioners
Daniel Regenye, Public Health Coordinator, Ocean County Health Department
Tracy Maksel, Director, Ocean County Department of Human Services
Maria LaFace, Director, Ocean County Office of Senior Services
All Ocean County Mayors
Cheryl Golden, President, County Welfare Directors Association
Members of the Ocean County Board of Social Services

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township at their regular meeting held on the 9th day of November 2023, at The Municipal Complex, 900 West Bay Avenue, Barnegat, NJ

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-386

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN,
STATE OF NEW JERSEY, URGING THE APPOINTING AUTHORITY IN THE
STATE OF NEW JERSEY TO CHOOSE A RESIDENT OF OCEAN COUNTY
TO SIT ON THE NEW JERSEY BOARD OF PUBLIC UTILITIES**

WHEREAS, the New Jersey Board of Public Utilities is the state agency with authority to oversee the regulated utilities, which provide critical services such as natural gas, electricity water, telecommunications, and cable television; and

WHEREAS, the law requires the BPU to ensure safe, adequate, and proper utility services at reasonable rates for all customers throughout New Jersey; and

WHEREAS, Ocean County has, for years, called upon the appointing authority in the State of New Jersey to choose a resident of Ocean County to sit on the BPU in order to provide a needed voice to represent the unique characteristics and challenges faced by communities located along the coast of the State; and

WHEREAS, the population of Ocean County continues to grow with both full-time and seasonal residents increasing the need for assurances by utility companies to provide uninterrupted service and to make certain equipment is maintained and adequately updated; and

WHEREAS, Ocean County currently has a year-round population of 650,000 residents with the number steadily increasing in the summer/warm weather months to more than 1.3 million people; and

WHEREAS, it is imperative that with the increase in population, energy and utility demands are met without interruption of service, and our residents, visitors and businesses are confident in all utilities working properly and available for their needs; and

WHEREAS, coastal counties are more prone to serious weather conditions including hurricanes, nor'easters and most recently tornadoes, which can result in power outages, utility poles down and a host of safety issues; and

WHEREAS, Ocean County residents have experienced the likes of Hurricane Irene in 2011, Superstorm Sandy in 2012, Tropical Storm Isaias, an April 1, 2023 tornado, and widespread summer power outages in the summer months dating back to July 2003 that devastated the height of the summer tourism season; and

WHEREAS, any type of lengthy power outages especially during the tourism season, which produces \$7 billion in revenue for Ocean County alone, can result in many residents and businesses, both full time and seasonal, experiencing a financial loss due to having to discard food and medication, and loss of wages; and

WHEREAS, adding to the concern, Ocean County also is home to more than 200,000 senior citizens. An aging population is often more reliant on medical devices that use power for their health needs, and these are people that are fixed income that does not allow extra money to replace food and prescriptions spoiled by power outages or any challenges posed by other utility issues; and

WHEREAS, utility interruptions can also create safety hazards for residents and visitors along with emergency responders tasked to assist during these times; and

WHEREAS, without a voice on the BPU, Ocean County and similar coastal communities, face an uphill battle with the utility companies in getting help for residents and businesses; and

WHEREAS, coastal counties like Ocean have unique characteristics – from its land size, population shifts based on time of year, economically and geographically – that the current members of the BPU are not as familiar with as a resident of Ocean County would be; and

WHEREAS, the current sitting members of the Board of Public Utilities are from Essex, Camden, Morris, and Somerset; and

WHEREAS, in the absence of a member from Ocean County, the BPU in the meantime, should designate one of its current members as liaison to the area in order to address concerns or create alternate positions to be filled by residents of Ocean and/or Monmouth County.

NOW, THEREFORE, BE IT RESOLVED that the Barnegat Township Committee wants the opening on the Board of Public Utilities to go to a qualified individual from Ocean County in order to assure representation of the interests of the residents and businesses of Ocean County and all shore communities.

BE IT FURTHER RESOLVED, that Barnegat Township urges Governor Murphy and the Senate recognize that as the population continues to grow, and people continue to move to Ocean County to raise a family or retire, the need for representation on the BPU also increases providing coastal communities with a needed voice on the Board. And in the absence of a member from the Jersey Shore, the BPU at a minimum, should designate a liaison to this area to address ongoing concerns.

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be made available to Governor Phil Murphy, State of New Jersey Board of Public Utilities, and Ocean County Mayors.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee of the Township of Barnegat at their regular meeting held on the 9th day of November 2023, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-387

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING A PAID MEDICAL LEAVE
TO GEORGE SHAFFERY**

BE IT RESOLVED by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean State of New Jersey that a paid medical leave is hereby granted to George Shaffrey of the Construction Office, effective October 16th to November 16, 2023.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on November 9, 2023.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-388

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE
OF NEW JERSEY AUTHORIZING REIMBURSEMENT
TO HOMEOWNER FOR MAILBOX THAT WAS DAMAGED BY A TOWNSHIP
WATER/SEWER VEHICLE**

BE IT RESOLVED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the Finance Office is hereby directed to issue a check to Joann Puczilowski, of 17 Tallhedge Drive for the replacement/repair of their mailbox that was damaged by a Township Water/Sewer Vehicle on October 13, 2023:

Joann Puczilowski

\$ 227.74

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Barnegat Township Committee at their regular meeting held on the 9th day of November, 2023 in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005

Donna M. Manno, RMC
Municipal Clerk

17 Tall Hedge

OCT. 10, 2023

JOANN

TDY

609.597.1821

CHEY'S CONTRACTING



How doers get more done.

30 Ann Puczyłowski
17 Tallhedge Cir. Barnegat NJ 08005
REMOVE OLD MAILBOX & POST

197 ROUTE 72 MANAHAWKIN, NJ 08050
ATTN: PETERSON, MANAGER 609-978-3600

INSTALL NEW 4x4 POST
ADD CEMENT

00001 32894 10/11/23 10:08 AM
CASHIER MARVANN

INSTALL NEW MAILBOX
AND SLEEVE

39150952 4X4-6 PT <A> 10.48
K4-6' #2 PT GC
12007208 LEVEL <A> 6.47
EMPIRE 9" POLYCAST POST LEVEL
61111504 AK FASTSET <A> 6.66
OLB SAKRETE FAST-SET CONCRETE
83002177 CRAFTSMAN WH <A> 69.93
B-C CRAFTSMAN MAILBX & POST KIT WHT

SUBTOTAL 93.54
SALES TAX 6.20
TOTAL \$99.74

* CUSTOMER PAID MATERIALS *

XXXXXXXX2523 VISA USD\$ 99.74
CODE 011680/8013580 TA
Read
A0000000980840 US DEBIT

* LABOR - \$125.00 *

1 10/11/23 10:08 AM



0951 01 32894 10/11/2023 1430

Total Cost

PAID IN FULL!

125.00 Labor

99.74 Parts

224.74

RETURN POLICY DEFINITIONS
POLICY ID DAYS POLICY EXPIRES ON
1 90 01/09/2024

DID WE NAIL IT?

Take a short survey for a chance TO WIN
A \$5,000 HOME DEPOT GIFT CARD

Opine en español

www.homedepot.com/survey

User ID: HTJ 67028 66078
PASSWORD: 23511 66077

Entries must be completed within 14 days
of purchase. Entrants must be 18 or
older to enter. See complete rules on
website. No purchase necessary.

RESOLUTION NO. 2023 –389

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EXECUTION OF INTER-LOCAL
SERVICES AGREEMENT WITH THE OCEAN
COUNTY PROSECUTOR’S OFFICE FOR PHOENIX
AUTOMATED PROPERTY REPORTING SYSTEM**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, (“the Township”) has received correspondence from the Ocean County Prosecutor’s Office (“OCPO”) for entering into an Inter-Local Services Agreement with OCPO for the Phoenix Automated Property Reporting System (“PAPR”); and

WHEREAS, pursuant to N.J.S.A. 40:8A-1 et seq., government entities are authorized to enter into such agreements, a copy of the Inter-Local Services Agreement is on file in the office of the Township Clerk and can be viewed during normal business hours; and

NOW THEREFORE BE IT RESOLVED on this 9th day of November, 2023, by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Township hereby authorizes the execution of a Inter-Local Service Agreement with the Ocean County Prosecutor’s Office for Phoenix Automated Property Reporting System which is on file at the office of the Township Clerk and can be viewed during normal business hours.

2. The Township authorizes the Mayor, Township Clerk, Township Administrator, Chief of Police, and any other appropriate official to execute the documents necessary to implement the intent of this resolution.

3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Pasquale Papi, Mayor;
- (b) Martin J. Lisella, Township Administrator;
- (c) Thomas Lombarski, CFO;
- (d) Keith Germain, Chief of Police;
- (e) Lieutenant Andrew Parsley;
- (f) Christopher J. Dasti, Esq., Township Attorney; and
- (g) Ocean County Prosecutor's Office.

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on November 9, 2023, a quorum being present and voting in the majority.

Donna M. Manno, RMC
Municipal Clerk

DASTI & STAIGER
ATTORNEYS AT LAW

310 Lacey Road • P.O. Box 779
Forked River, NJ 08731

RESOLUTION 2023-390

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP COMMITTEE TO RETIRE INTO CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL, CONTRACTUAL OR LITIGATION MATTERS.

WHEREAS, the Barnegat Township Committee desires discussion pertaining to contractual matters in closed session; and

WHEREAS, N.J.S.A. 10:4-12(b) provides for the exclusion of the public from such discussions; now

THEREFORE, BE IT RESOLVED by the Township Committee as follows:

1. The committee shall hold a closed meeting for the purpose of discussion of the aforementioned subject.
2. The committee shall disclose to the public the results of such discussion at such times as formal action, if any, is taken on the subject.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify the foregoing resolution adopted by the Township Committee on November 9, 2023.

Donna M. Manno, RMC
Municipal Clerk

RESOLUTION 2023-390

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP COMMITTEE TO RETIRE INTO CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL, CONTRACTUAL OR LITIGATION MATTERS.

WHEREAS, the Barnegat Township Committee desires discussion pertaining to contractual matters in closed session; and

WHEREAS, N.J.S.A. 10:4-12(b) provides for the exclusion of the public from such discussions; now

THEREFORE, BE IT RESOLVED by the Township Committee as follows:

1. The committee shall hold a closed meeting for the purpose of discussion of the aforementioned subject.
2. The committee shall disclose to the public the results of such discussion at such times as formal action, if any, is taken on the subject.

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify the foregoing resolution adopted by the Township Committee on November 9, 2023.

Donna M. Manno, RMC
Municipal Clerk