

A combined Caucus/Public meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:05 p.m.

Present

Councilwoman Andrea Zapcic
Councilman Jim Fozman
Councilwoman Marianna Pontoriero
Council Vice President Heather deJong
Council President Paul Mummolo

Also Present

Mayor John G. Ducey
Kevin Starkey, Township Attorney
Lynnette A. Iannarone, Township Clerk
Joanne Bergin, Business Administrator

Absent

Councilman Bob Moore
Councilwoman Susan Lydecker

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 9, 2015. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

This meeting began with a salute to the flag followed by a moment of silence with a special moment of silence for the victims in France.

The Clerk was directed to accept and file the Building & Construction, Engineering, Sewer & Water, Certificates of Occupancy, and Vital Statistics Reports for the month of October, 2015.

Motion by Councilman Fozman and seconded by Council Vice President deJong to dispense with the reading of the minutes of September 21 and October 6, 2015 meetings and approve the same.

All Council Members voted AYE on Roll Call, except:

Councilwoman Pontoriero ABSTAINED on September 21, 2015 minutes because she was absent.

Presentation – Brittany Bucco – Ocean County Teacher of the Year

President Mummolo and Mayor Ducey recognized Brittany Bucco for being named the Ocean County Teacher of the Year. Mayor Ducey presented her with a proclamation and spoke of her accomplishments. He congratulated her and proclaimed November 17, 2015 Brittany Bucco Day. President Mummolo presented her with a resolution on behalf of the council. He said they join with the Mayor and salute her on this great accomplishment.

Brittany Bucco commented she is honored to be here and thanked everyone for recognizing her.

Presentation – Students of the Month

President Mummolo, Councilwoman Pontoriero and Mayor Ducey recognized the October Students of the Month from Brick Township High School: Anthony Grillo, Victoria Johnson, Madison Perez and Jake Olmez and presented them certificates of achievement. They also presented certificates of achievement to the students of Brick Memorial High School: Jenna Kremp, Larisa Paxton, Adonai Asante, Taylor Votta, Dayanna Suarez, Ethan Taub, Logan Carey and Casey Earl.

Presentation – Retirement of Chief Nils R. Bergquist

Mayor Ducey gave a brief history of Chief Bergquist’s career and accomplishments. He commented the Chief is everywhere, attending all community events and has had a very eventful tenure as Chief dealing with a lot more than the normal chief. He congratulated Chief Bergquist and thanked him for his service. He presented the Chief with a Key to the Town and proclaimed Monday, November 30, 2015 as Chief Rick Bergquist Day.

President Mummolo stated he has been on Council for the last 23 months. He spoke highly of the Chief and said he will be missed. He presented Chief Bergquist with a Resolution on behalf of the Council.

Chief Bergquist thanked the Mayor, Council, staff, Joanne Bergin and Scott Pezarras for their support stating they are second to none. He said Brick has the best police department and thanked all employees, especially department heads of which he is proud to be part of. He stated it has been a very rewarding career; this is a great community and he will miss coming to work.

Motion by Councilwoman Pontoriero and seconded by Vice President deJong to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Recognize Brittany Bucco – Ocean County Teacher of the Year

President Mummolo said this resolution honors Brittany Bucco of Lake Riviera Middle School who was recently named the Ocean County Teach of the Year for 2015-2016 by the New Jersey Department of Education.

Recognize Retirement of Chief Nils R. Bergquist

President Mummolo said this resolution honors Police Chief Rick Bergquist, who will be retiring on December 1, 2015 after 35 years of service with the Brick Township Police Department.

Authorize Budget Appropriation Transfers

President Mummolo said this resolution approves transfers as necessary as part of our approved municipal budget.

Authorize Transfer of Police Road Job Funds

President Mummolo said this resolution approves the transfer of funds from the Dedicated Trust Fund for police road jobs into the current fund finance account from the rider account. He explained the escrow for outside road jobs includes two accounts, one that pays for the police salaries and overall operating expenses related to the jobs and an administrative line item for those costs. He stated this resolution transfers funds from the administrative rider account to the finance account.

Authorize Insertion of Chapter 159 – Hazard Mitigation Grant Program

President Mummolo said this resolution authorizes the insertion of \$369,005.00 into the budget from a grant by the State of New Jersey – Office of Emergency Management – Hazard Mitigation Grant Program for generators.

Authorize Insertion of Chapter 159 – Emergency Management Agency Assistance Grant

President Mummolo stated this resolution authorizes the insertion of \$5,000.00 into the budget from a grant by the Ocean County Sheriff FY15 - Emergency Management Agency Assistance Grant which is used to offset the salary of the Emergency Management Coordinator.

Authorize Insertion of Chapter 159 – State Body Armor Replacement Fund Grant

President Mummolo said this resolution authorizes the insertion of \$11,613.63 into the budget from a grant by the New Jersey Division of Criminal Justice – State Body Armor Replacement Fund Program Grant which is used to offset the cost of body armor for the police officers.

Authorize Submission of Application – Bonus Grant Program for Food Waste, Abandoned Tires & Public Space Recycling

President Mummolo said this resolution authorizes the submission of a grant application to the New Jersey Department of Environmental Protection to purchase 200 recycling containers that they will place at the athletic fields to capture recyclables at school, athletic and community events. He said there are approximately 75 organizations who utilize the fields with approximately 100-150 spectators and athletes. He explained they are looking to have them strategically placed at Brick High School, Brick Memorial and Veterans Memorial Middle School.

Authorize Receipt of Bids 2015-2016 Concrete Improvements – Various Locations

President Mummolo said this resolution authorizes receipt of bids for general concrete improvements at various locations, which is a project done each year to provide necessary maintenance and repairs to concrete areas throughout town.

Authorize Receipt of Bids – Hearing Officer

President Mummolo said this resolution authorizes the receipt of bids for a Hearing Officer as outlined in the Responsible Landlord Ordinance the Council passed earlier this year. He explained in that new ordinance, landlords are fined for tenants whose properties are cited for excessive noise, or trash or debris accumulation, public nuisances or criminal activity that occurs on the properties they lease. He said those who violate the code are subject to a penalty of up to \$500 per day for each violation and if convicted of these offenses, a fine of between \$100 and \$1,000 per day. He reported as part of this ordinance, landlords have a right to a hearing and the Council needs to have a hearing officer in place for this purpose.

Authorize Receipt of Bids – Beer & Wine Garden Concession

President Mummolo said this resolution authorizes receipt of bids for beer & wine garden concession at various events next year, including Summerfest, Bricktoberfest and the Annual Car Show. He reported last year this bid brought in \$5,600.00 for the service.

Authorize Receipt of Bids – ATM Vending Machine – Summerfest & Bricktoberfest

President Mummolo said this resolution authorizes receipt of bids for an ATM vending machine to have available at Summerfest and Bricktoberfest. He reported last year this bid brought in \$100.00 for the service.

Authorize Receipt of Bids – Food Vendors – Summerfest

President Mummolo said this resolution authorizes receipt of bids for food and refreshment vendors for the 2016 Summerfest events. He reported last year this bid brought in \$5,269.53 for the service.

Authorize Receipt of Bids – Amusement Vendor for Bricktoberfest

President Mummolo said this resolution authorizes receipt of bids for carnival rides and amusements at the 2016 Bricktoberfest event. He reported the rides were much more successful this year with the change from individual tickets to a flat fee for bracelets that allowed for unlimited rides. He said last year this bid brought in \$1,200.00 for the service.

Authorize Award of Bid – On-Site Environmentally Safe Truck Wash Services

President Mummolo said this resolution authorizes the award of bid for On-Site Environmentally Friendly Mobile Truck Wash Service to Tri State Commercial Pressure Washing, Jackson, NJ for various pricing based on the machine being washed for an amount not to exceed \$75,000.00 per year. The award is for two years commencing on November 17, 2015 and ending November 16, 2017.

Authorize Award of Contract – Purchase & Delivery of One 2016 Ford Super Duty F-250

President Mummolo said this resolution authorizes the award of contract for the purchase and delivery of a 2016 Ford Super Duty F250 SRW (F2B) 4WD Reg Cab 137" XL with Knapheide Service Body and equipment installed through the NJPA National Cooperative in the amount of \$43,211.00. The NJPA has awarded a contract to National Auto Fleet Group, Watsonville, CA under Contract # 102811.

Authorize Re-Bid – Repair of Milling Machine

President Mummolo said this resolution authorizes receipt of bids for repair of the 2002 Marini MP 1300 milling machine used by our DPW department to complete small milling and paving projects. He said this machine has not been used for some time, but the employees have asked that it be repaired so they can complete some of the smaller road projects. He stated this is a great way to get the best use of manpower, to serve the residents and save money. He said they went out to bid in October, but received no responses so they are hoping for a response this time around.

Authorize Award of Contract – Purchase & Delivery of Diesel Fuel

President Mummolo said this resolution authorizes award of contract for purchase and delivery of diesel fuel to Riggins Inc, Vineland as needed for the fleet at DPW.

Authorize Award of 3rd Year Contract – Employee Health Benefits Program

President Mummolo said this resolution authorizes award of a third-year contract to Fairview Insurance Agency Associates as the insurance broker/consultant to assist the Township in the solicitation of quotes and proposals for its employee health benefits program.

Authorize Award of 3rd Year Contract – Employee Vision & Dental Health Benefits

President Mummolo said this resolution authorizes the award of a third-year contract to MetLife Premier Client Corporation of New Jersey as the Insurance Broker/Consultant to assist the Township in the solicitation of quotes and proposals for its employee vision and dental health benefits program.

Authorize Change Order No. 1 – Final – 2011 Local Road Program – Part of Birchwood Park

President Mummolo said this resolution authorizes a change order for the 2011 Local Road Program Part for roadway improvements in the Birchwood Park section of Town. He said the contract issued to Meco, Inc will be decreased by \$24,499.91 and the contract commensurately decreased from \$860,738.50 to \$836,238.59.

Support the Installation of Mid-Block Crosswalks on Route 35

President Mummolo said this resolution supports the installation of mid-block crosswalks at 4 locations along Route 35. He said some time ago, the Township requested the NJDOT install mid-block crosswalks at these locations to increase pedestrian safety. He stated the NJDOT has installed the curb ramp depressions to facilitate the installation of the crosswalks in conjunction with the reconstruction of Route 35.

- Block 40 Lot 9 - Brick Beach III Parking Lot and Block 37 Lot 10 - Brick Beach III
- Block 41 Lot 9 - Bayside Park and Block 40 Lot 9 - Brick Beach III Parking Lot
- Osprey Lane and Faber Lane
- Southbound at Deauville Drive and Block 23 Lot 1 - Harbour Yacht Club

Authorize Placement of Tax Liens for Property Clean-ups

President Mummolo said this resolution authorizes the placement of tax liens for property cleanups at the following locations:

- 507 Normandy Drive, Block 20.01 Lot 21.01 in the amount of \$76.99;
- 13 Holly Acres Drive, Block 260 Lot 12 in the amount of \$76.99;
- 239 Sprucewood Drive, Block 701.24, Lot 6 in the amount of \$165.02;
- 21 Woodland Drive, Block 292, Lot 1.01 in the amount of \$76.99;
- 104 Maplewood Drive, Block 701.27, Lot 4 in the amount of \$108.12;
- 607 Midstreams Road, Block 903.14, Lot 5 in the amount of \$108.12;
- 141 Vanard Drive, Block 270, Lot 43.01 in the amount of \$52.62.

Authorize Special Events Permit – Harbor Freight Tool Tent Sale

President Mummolo said resolution approves a special event permit for Harbor Freight Tools for a parking lot tool tent sale November 27 – 29 between the hours of 8 am to 9 pm.

Bond Releases/Reductions:

Clerk Iannarone advised this resolution authorizes the following inspection fund/performance bond releases:

- Inspection Fund Release – Empire Construction – St Lawrence Boulevard in the amount of \$386.22;
- Inspection Fund Release – Willow Grove Paving – Brick Boulevard in the amount of \$591.84;
- Inspection Fund Release – Bricktown Associates – Brick Boulevard in the amount of \$355.75;
- Inspection Fund Release – Patrick Bottazzi – Hooper Avenue in the amount of \$95.15;
- Inspection Fund Release – Groundwater & Environmental Services – Brick Boulevard in the amount of \$544.92;
- Inspection Fund Release – Chick-fil-A – Off Route 70 in the amount of \$574.29;
- Inspection Fund Release – Sargenti Architects – Chambers Bridge & Route 70 in the amount of \$190.20;
- Inspection Fund Release – Maha Puja LLC – Route 88 West in the amount of \$50.80;
- Inspection Fund Release – First Baptist Church of Laurelton – Route 88 in the amount of \$269.20;
- Inspection Fund Release – A&Y Brothers LLC – Route 70 in the amount of \$177.39;
- Performance Bond Release – Stewart Dailey – Off Princeton Avenue in the amount of \$3,556.18;
- Performance Bond Release – Santander Bank Phase I – Burnt Tavern Road in the

amount of \$14,073.12;

- Performance Bond Reduction – Santander Bank Phase II & III – Burnt Tavern Road in the amount of \$272,624.81 and a cash performance bond in the amount of \$30,291.65.

Tax Collector:

100% DAV Refund & Cancel Taxes – Block 382.33 Lot 40 – 79 Courtshire Dr.

Joanne Bergin advised this resolution cancels taxes for Block 382.33 Lot 30 – 70 Courtshire Drive in the amount of \$4,046.02.

100% DAV Refund & Cancel Taxes – Block 1277.02 Lot 10 – 10 Drew Ave.

Joanne Bergin advised this resolution cancels taxes for Block 1277.02 Lot 10 – 10 Drew Avenue in the amount of \$2,518.99.

Tax Overpayments – 2006

Joanne Bergin advised there are tax overpayments for 2006:

- 498 Sunset Boulevard, Block 31, Lot 17.01 in the amount of \$5.09;
- 333 Drum Point Road, Block 321.04 Lot 9 in the amount of \$10.03;
- 27 Edgewood Drive, Block 869.24, Lot 21 in the amount of \$7.10;
- 497 Brick Boulevard, Block 547, Lot 28 in the amount of \$6.64;
- 101 Taft Drive, Block 1033.27, Lot 15 in the amount of \$150.41;
- 1209 Herkimer Road, Block 1426.01, Lot 29 in the amount of \$12.94.

Tax Overpayments – 2007

Joanne Bergin advised there are tax overpayments for 2007:

- 75 Clay Circle, Block 1192.13/ Lot 22 in the amount of \$5.12;
- 523 Princeton Avenue, Block 917, Lot 26 in the amount of \$5.50;
- 216 Dwight Place, Block 1125.01/ Lot 2 in the amount of \$98.50;
- 807 Pontiac Avenue, Block 1272, Lot 10 in the amount of \$721.93;
- 571 Duquesne Boulevard, Block 446.15, Lot 6 in the amount of \$41.67;
- 268 White Oak Court, Block 1124.02/ Lot 11 in the amount of \$162.63.

Tax Overpayments – 2015

Joanne Bergin advised there are tax overpayments for 2015:

- 128 Captains Drive, Block 324.08/ Lot 7 in the amount of \$3,611.36;
- 262 Greenwood Loop Road, Block 1386, Lot 18c0262 in the amount of \$824.48;
- 674 Overlook Court, Block 1385.09, Lot 10 in the amount of \$4,330.04.

State Tax Appeals:

Joanne Bergin advised the following State Tax Appeals have been granted:

- State Tax Appeal Granted – Block 382 Lot 2 – 150 Brick Blvd in the amount of \$47,161.76 which is a three-year appeal;
- State Tax Appeal Granted – Block 382.43 Lot 3.02 – 10 Beaverson Blvd in the amount of \$23,775.88 which is a three-year appeal;
- State Tax Appeal Granted – Block 685 Lot 7.04 – 526 Route 70 in the amount of \$40,413.51 which is a three-year appeal;
- State Tax Appeal Granted – Block 868 Lot 12.01 – 1872 Route 88, Wal-Mart, in the amount of \$48,834.00, which is a two-year appeal;
- State Tax Appeal Granted – Block 1044 Lot 1 – 2096 Route 88 in the amount of \$21,981.56

President Mummolo opened the public hearing on the Resolutions.

Richard Gross, 29 Greenbriar Boulevard, suggested a shared service agreement with the Board of Education a car/truck/bus wash that could serve everyone rather than go into individual contracts.

Joanne Bergin responded they have looked at engaging in some sort of shared service agreement with other municipalities who have to follow the same stormwater requirements imposed by the DEP for the washdown of utility vehicles which is not the same as the regulations imposed on the Board of Education for their buses. She said while a shared service potential is there, it has not come to fruition mainly based on the volume in comparison to neighboring towns.

John Sluka, 950 Sylvia Court, questioned why the 3rd year of the health benefits and vision & dental benefits programs.

Joanne Bergin responded the township is allowed to engage in 3 year contracts, however they

have to be renewed annually by the governing body. She said these brokers do not receive funding from the Township of Brick, they are paid a percentage of the contract by the vendor that provides the service they select.

John Sluka asked if the mid-block crosswalks on Route 35 would be paid by the state.

Joanne Bergin responded it will be paid in full by the state.

John Sluka asked about the payouts for refund of taxes and stated that none of the refund comes out of the Board of Education money. He commented there needs to be a change for this.

President Mummolo closed the public hearing on the Resolutions.

Motion by Councilwoman Pontoriero and seconded by Vice President deJong to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

Authorize Receipt of Bids – Demolition of Structures – Block 131 Lots 18 & 19 at 73 Tall Timber Drive

President Mummolo said this resolution authorizes receipt of bids for the demolition of 73 Tall Timber Drive, a structure that has been the subject of ongoing hearings before the Property Maintenance Board. He said at this point, he will ask the attorney for that board, Charles Bauer, to begin the hearing.

John Jackson stated he is here representing Pat Cesara who wants to purchase the property. He gave a brief history of the property and stated his client cannot get assurances from the building department, zoning in particular, that he will be permitted to rehabilitate this house. He asked council to give his client additional time before authorizing bid for demolition to enable him to see what he can work out with the zoning officer or make an application to the Board of Adjustment but that would add cost and time to the project.

Charles Bauer commented there a couple of things John Jackson said that he takes issue with. He said John Jackson is there representing a contract purchaser who may not purchase the property. He stated he was contacted by Mr. Cesara and another lawyer who was going to represent Mr. Cesara. He said this was discussed in great detail and Mr. Cesara's problem is not with Mr. Newman or the Property Maintenance Board. He said Mr. Newman specifically advised Mr. Cesara that he could not give him any permits until Mr. Kinnevy signs off on it. He asked Council to follow Mr. Newman's recommendation.

President Mummolo stated all they are doing here is going out to bid. He said by them accepting this tonight is just to go out to bid to find out what the cost would be to take the house down.

Kevin Starkey said they are authorizing bids to be received for these three homes. He said what has to happen at the township level is the bid specs need to be drafted, put out to receive bids, bids will then be submitted and will then come back before council again at another public hearing and council will consider whether or not to award a contract for the demolition of these structures. He said Mr. Jackson can get the time he needs for this project; action will not be taken for at least 60 days, maybe 90 or 120 days. He suggested the process be moved forward.

Councilwoman Pontoriero commented Mr. Jackson acknowledged his client is in no way prejudiced by the action council is taking tonight.

John Jackson stated the problem with the action being taken tonight is another step in the process.

President Mummolo opened the public hearing on the Resolution.

There were no comments from the audience.

President Mummolo closed the public hearing on the Resolution.

Motion by Councilwoman Pontoriero and seconded by Vice President deJong to adopt the

following Resolutions:

All Council Members voted AYE on Roll Call.

Authorize Receipt of Bids – Demolition of Structures – Block 446.25 Lots 7 & 14 at 412 North Lake Shore Drive

President Mummolo said this resolution authorizes receipt of bids for the demolition of 412 North Lake Shore Drive, a structure that has been the subject of ongoing hearings before the Property Maintenance Board. He said at this point, he will ask the attorney for that board, Charles Bauer, to begin the hearing.

Katelyn Donnelly stated she is here representing the bank that is foreclosing on this property. She said they had worked to try to get bids approved to repair the property but were unsuccessful to do so in the time frame provided by the Property Maintenance Board. She stated they decided they wanted to move forward with demolition and the bank got its own bids for demolition and decided not to pursue that. She said at this point they are waiting to see how expensive it would be for the township to do that and whether or not it would be worth it to release the lien.

Charles Bauer asked if she means the bank is going to release their lien and walk away from the property.

Katelyn Donnelly responded yes.

Charles Bauer said that is an issue they have been having; there are certain properties where the bank just walks away so the homeowner gets it back free of the lien and then the town would have to take it upon itself to knock the house down and then try to collect the town's lien.

Kevin Starkey stated ultimately the township could recoup the costs.

Katelyn Donnelly stated the bank will leave it up to the town to decide which is the best way to go with this property.

Charles Bauer asked where the bank is in regard to foreclosure proceedings.

Katelyn Donnelly stated they have received the figures to apply to the office of foreclosure for final judgment but they have not submitted the application yet.

Councilman Fozman asked if the bank has started foreclosure process and the township went ahead and started to take the structure down would the bank be responsible for it.

Charles Bauer stated no the bank would not be responsible. He said Katelyn Donnelly stated the bank may make the business decision to just walk away.

Vice President deJong asked if there were any incentives for the bank to sell.

Charles Bauer stated if the bank got it back then they would be the owner and more pressure would be put on them.

President Mummolo opened the public hearing on the Resolution.

There were no comments from the audience.

President Mummolo closed the public hearing on the Resolution.

Motion by Councilman Fozman and seconded by Vice President deJong to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Authorize Receipt of Bids – Demolition of Structures – Block 511 Lots 1 – 7 at 533 Central Avenue

This resolution authorizes receipt of bids for the demolition of 533 Central Avenue, a structure that has been the subject of ongoing hearings before our Property Maintenance Board. He said at this point, he will ask the attorney for that board, Charles Bauer, to begin the hearing.

Charles Bauer indicated in this case in one point in the proceedings they had a bank involved; they had an attorney who was showing up then made a decision to walk away. He said they provided the Board with a release of their mortgage and it was filed. He stated the homeowner, Mr. Golubiewski, has not responded to any notices nor has he ever shown up. He said the pictures will speak for themselves. He stated at this point with this property there isn't any other choice; the town isn't going to get any response from anyone.

President Mummolo opened the public hearing on the Resolution.

There were no comments from the audience.

President Mummolo closed the public hearing on the Resolution.

President Mummolo opened the public hearing on the Computer Bill Resolution.

There were no further comments from the audience.

President Mummolo closed the public hearing on the Computer Bill Resolution.

Motion by Councilwoman Pontoriero and seconded by Councilman Fozman to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED on New Jersey Press Media.
Councilman Fozman ABSTAINED on BTMUA.

2015 Computer Bill Resolution in the amount of \$3,620,973.71

President Mummolo opened the public hearing on the Manual Bill Resolution

There were no comments from the audience.

President Mummolo closed the public hearing on the Manual Bill Resolution.

Motion by Councilman Fozman and seconded by Councilwoman Zapcic to adopt the following Resolution.

All Council Members voted AYE on Roll Call.

2015 Manual Bill Resolution in the amount of \$1,526,585.15

Ordinance on First Reading: Amend Chapter 331 – Outside Storage & Delivery of Firewood – Residential Areas

Clerk Iannarone read the title of the Ordinance into the record.

President Mummolo stated this is a modification of an ordinance they first proposed back in September. He said residents came out and shared their concerns on the proposed ordinance. He reported he spoke with a lot of people who had trouble with their neighbors storing and physically went to homes and looked at these concerns. He said they heard those complaints and went back to the drawing board with the Land Use Committee to review and revise based on feedback from our residents. He stated initial discussions on an ordinance regulating outside storage and delivery of firewood was based on the number of complaints received about people stockpiling a significant amount of firewood on their property lines, in their front yards and in their driveways. He reported they sent code enforcement out, but there is not enough definition in the existing ordinance to cite any violations. He stated this revised ordinance helps control the amount of firewood on site at any given time, as well as better defining storage locations.

Motion by Councilman Fozman and seconded by President Mummolo to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call, except:
Councilwoman Pontoriero voted NO on this ordinance.
Vice President deJong voted NO on this ordinance.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE TO ADOPT CHAPTER 331, ARTICLE III, ENTITLED "OUTSIDE STORAGE AND DELIVERY OF FIREWOOD IN RESIDENTIAL AREAS"

Janice DiGioia, 1621 Forge Pond Road, congratulated council members and said they did very well. She said it reminded her of when the Pope came to visit and how wonderful it was and when he addressed Congress it was very impressive to her because he said they were elected by the people, for the people and to serve the people, not themselves. She stated there has been a lot of discussion because there appears to be no master plan in place for the future of Brick. She asked if there is a real master plan where they would see what would happen in the future for Brick in the next 5-50 years.

President Mummolo stated there is a master plan.

Mayor Ducey stated there is a master plan available through our Planner, Michael Fowler. He said it has been approved by the state and part of the process included four mixed use overlay zones in our town in order to get the blessing from the state. He stated one of those is that property on Route 88 which the state required as part of our master plan and part of getting our approval of that master plan in 2008.

Kevin Starkey commented that's when the mixed overlay zone involving those four properties was adopted. He said the master plan was first adopted decades ago but it is updated and revised every few years.

Janice DiGioia asked how far that plan encompasses because they are concerned not just for next week or next year but for 5-50 years.

Kevin Starkey responded geographically it covers the entire town and it is in place until it is updated and revised with changing demographics or changes of use every several years.

Janice DiGioia asked what views are in place for preserving open spaces, vacant land that should be considered a protected habitat.

Kevin Starkey responded there is provision in the master plan for preserving open space, for protecting the space that is left open and for maintaining that land.

Janice DiGioia commented there are a lot of concerns for traffic and rezoning all areas of Brick for less density.

Mayor Ducey commented they have been looking at that for a while and there are only 2 areas that are zoned for multi-family that will go before the Land Use Committee in order to get through the process that will eventually require rezoning. He said one is behind Parkway Liquors off Lanes Mill Road and a small triangle piece off of Route 70 which is a little more difficult.

John Sluka, 950 Sylvia Court, read this letter regarding the parkway construction project.

Colleen Brennan, 1669 Forge Pond Road, spoke regarding the Route 88 project. She expressed her concerns with the traffic issues and the small retail area when they have so many retail stores empty.

President Mummolo stated the project was in front of the planning board; now it is in court for a judge to decide whether it continues with the planning board or the board of adjustment. He explained those are separate boards that work in the township. He said the council does not tell them what to do and that's where she would have to voice her opinion. He stated the Mayor and all council members are aware of the issues with the project.

Kevin Starkey advised that one of the attorney's for the objectors filed a lawsuit and challenged whether or not the planning board should hear the application or whether the application should be heard by the zoning board. He said the application is in limbo at this point until there is a

ruling from the court. He urged the public to attend whichever board the project goes before.

Melanie Briggs, Summit Avenue, congratulated the town for the new carpeting in the courtroom. She referenced the Do Not Knock order and stated people should be aware that political and religious organizations are exempt. She questioned the county stating Burnt Tavern Road does not qualify to be repaired.

Mayor Ducey responded they have a yearly meeting in February where he, the business administrator and township engineer attend with a wish list and tell them the problems in town. He said one is Burrsville Road, Route 88 intersection where it floods. He said the county stated once someone comes in and develops that property the drainage problem will be fixed. He said they said no to that and no to Burnt Tavern. He stated they have asked for bike lanes and the county does not think they are safe so they will not put any more in.

Melanie Briggs asked if the county would be responsible for repairs to our vehicles.

Mayor Ducey replied you would have to contact them just like if you hit a pot hole anywhere else.

Ron Stutesman, 135 Hill Top Road, commented he thought the firewood ordinance was taken off the agenda. He thanked Dan Newman and Jack Jusinski for their empathy, sympathy and industry on this. He expressed his concerns with the ordinance. He commented the ordinance does not have any enforcement quality with the splitting and cutting with chainsaws.

President Mummolo commented they have 10 days to move from the front of their property.

Ron Stutesman commented he is more concerned with the unprocessed wood; the noise, time. He's at a loss dealing with this issue.

Joanne Bergin commented he has a unique circumstance and code enforcement will look at it separately because it doesn't quite meet the pattern of what is happening around town and the reason for this ordinance. She said secondly there is a change in the ordinance as it relates to uncut wood.

Steven Cancel, 306B Sawmill, congratulated the elected officials. He spoke of Orthodox infiltration into our community and surrounding communities.

Mayor Ducey said his thoughts and prayers go out to the victims in the Paris attack. He mentioned the day before that was Veteran's Day and Veterans are well necessary to the fight against terrorism. He said unfortunately the Veteran's ceremony outside was not well attended. He talked about the Foodtown property that is now in litigation; the redeveloper has now filed a lis pendens which is a written notice that a lawsuit has been filed concerning real estate, involving either the title to the property or a claimed ownership interest in it. He announced good news for the Army Corps Beach Replenish project; the state has filed condemnation acts in the county superior court which is the next step for the project to happen.

Councilwoman Zapcic congratulated Chief Bergquist on his retirement. She said it has been a pleasure working with him and his support for BMAC. She attended the production at the Cultural Arts Center and mentioned several upcoming events. She commented on the firewood ordinance.

Councilman Fozman congratulated Ocean County Teacher of the Year, Students of the Month and Chief Bergquist for his dedication to the community. He thanked everyone for giving him the opportunity to serve the residents of Brick. He congratulated Andrea Zapcic, Lisa Crate and Art Halloran on their successful election. He mentioned Herbertsville Neighborhood Watch had their first meeting. He said that his thoughts and prayers go out to the people in Paris.

Councilwoman Pontoriero congratulated Brittany Bucco, Teacher of the Year; Students of the Month and Chief Bergquist on his retirement. She spoke of her concerns with Paris terrorism. She congratulated all who won in the election.

Vice President deJong congratulated the Teacher of the Year, Students and Chief Bergquist on a very well deserved retirement. She spoke of openings on various boards and noted them. She

said that letters of interest should be sent to the Mayor.

President Mummolo congratulated Ocean County Teacher of the Year, Students and Chief Bergquist. He congratulated new council members.

Motion by Vice President deJong and seconded by Councilwoman Zapcic to Adjourn the meeting at 9:20 p.m.

All Council Members voted AYE.

Paul Mummolo
Council President

Lynnette A. Iannarone
Township Clerk