

January 30, 2018

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

Present

Councilwoman Andrea Zapcic  
Councilman Arthur Halloran  
Council Vice President Lisa Crate  
Councilman Paul Mummolo  
Councilman Jim Fozman  
Council President Heather deJong

Also Present

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

Absent

Councilwoman Marianna Pontoriero

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on December 15, 2017. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website ([www.bricktownship.net](http://www.bricktownship.net)).

This meeting began with the salute to the flag followed by a moment of silence.

Motion by Councilman Mummolo and seconded by Councilman Halloran to dispense with the reading of the minutes of January 1, 2018 meeting and approve the same.

All Council Members voted AYE on Roll Call.

### **Students of the Month**

Mayor Ducey, President deJong along with Councilwoman Crate recognized the Students of the Month for December 2017. Councilwoman Crate named the Brick Township High School Students of the Month and presented certificates to: Gianna Ferigne, Kristen Groshans, Marcus Wright and Richard Cosgrove. She also named and presented certificates to Brick Memorial High School Students of the Month: Ellie Marotta, James Barry, Maxwell Mahaffey, Madeline McGuigan, Katelyn Cilino, Jason Krakowski, Lucille Villani and Emily Humphries.

### **Brick Memorial Mustangs AYC D8 Small White Team**

Mayor Ducey and President deJong recognized the Brick Memorial Mustangs AYC D8 Small White Team along with President Betten and their coaches. Mayor Ducey said Brick Township is a community with rich tradition of successful youth sports teams and programs and this past season Brick Memorial Mustangs D7 Small White Cheer team upheld that tradition. He said their season was capped off with capturing 2<sup>nd</sup> Place in the 2017 American Youth Cheer National Championship in Orlando, Florida. He presented the proclamation and proclaimed Wednesday, January 31, 2018 to be Brick Mustangs D8 Small White Cheer Team Day. They announced and presented certificates to: Angela Marotta, Lexi Weingartner, Caroline Paugh, Mariah Paulin, Sophia Baxter, Taylor Alexander, Bella Schmitz, Isabella Neal Payton Rosamilia and Cameryn Platt along with their coaches and demonstrators.

### **Brick Memorial Mustangs AYC D14 Large Red Team**

Mayor Ducey and President deJong recognized the Brick Memorial Mustangs AYC D14 Large Red Team along with President Betten and their coaches. Mayor Ducey said this past season the Brick Memorial Mustangs D14 Large Red Cheer Team upheld that tradition and added their own chapter by defeating teams throughout the country to become National Champions in the 2017 American Youth Cheer National Championship in Orlando, Florida. He presented the proclamation and proclaimed Thursday, February 1, 2018 to be Brick Memorial Mustangs D14 Large Red Cheer Team Day. They announced and presented certificates to: Rhianna Menshon, Sara Carballo, Andraya Bevacqua, Tess Ryder, Ella Betten, Chloe Betten, Gia Scaramella, Emma Monaghan, Jenna Czajkowski, Emily Dolan, Kayla Lang, Eliana Spanola, Grainne Marino, Shelby Weingartner, Emma Rinyak, Angelina Canjura, Alison Rojas, Jordyn Ramos, Avery Rosamilia, Gianna Platt, Ainsley Mazzeo, Madison Yurcho, Raigan Andrews, Kaylee Aderente and Jocelyn Canjura along with their coaches and demonstrators.

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### **Brick Dragons AYC D12 Small White Team**

Mayor Ducey and President deJong recognized the Brick Dragons D12 Small White Cheer Team along with their coaches. Mayor Ducey said Brick Township is a community with rich tradition of successful youth sports teams and programs and this past season Brick Dragons D12 Small White Cheer team upheld that tradition. He said their season was capped off with capturing 3<sup>rd</sup> Place in the 2017 American Youth Cheer National Championship in Orlando, Florida. He presented the proclamation and proclaimed Friday, February 2 2018 to be Brick Dragons D12 Small White Cheer Team Day. They announced and presented certificates to: Jordan Vargas, Arina Svirskaya, Alexis Ortiz, Allison Jakubiw, Kaylah Jones, Jayna Stango, Sarah Barcus, Marcella Walsh, Beatrice Labozzetta-McCrea, Tiffany Zandomenego, Riley Ascolese, Francesca Ascolese, Taylor Fattarusso, Victoria Calderise, Olivia Krsyzckowski and Ava Rose Scelfo along with their coaches and demonstrators.

### **Brick Dragons AYC D8 Small White Team**

Mayor Ducey and President deJong recognized the Brick Dragons D8 Small White Cheer Team along with their coaches. Mayor Ducey said this past season the Brick Dragons D8 Small White Cheer Team added their own chapter by competing at the highest level in American Youth Football and Cheer organization by defeating teams throughout the country to become National Champions in the 2017 American Youth Cheer National Championship in Orlando, Florida. He presented the proclamation and proclaimed Saturday, February 8, 2018 to be Brick Dragons D8 Small White Cheer Team Day. They announced and presented certificates to: Hayden Graf, Sabrina Glass, Caroline Kowitz, Gianna Deresz, Isabella Davila, Shayla Baca, Jaden Erven, Ava Rose Stampfel, Julia Sprague, Ava Norman, Grace Yakovchuk, Ava Morse, Ava Balog, Kylie Meyer and Angelina Tavernite along with their coaches and demonstrators.

Motion by Councilman Mummolo and seconded by Councilman Halloran to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

### **Authorize Refund from Police Road Job Account**

President deJong stated this resolution authorizes a refund from the Township Police's Road Job Trust Account to Green Construction in the amount of \$8,004.00.

### **Authorize State of New Jersey Green Acres Grant Application – Multi-Park Improvement 2 Project**

Councilwoman Zapcic explained this resolution authorizes the Township to submit an application to the NJDEP Green Acres program which provides loans and grants to Municipal and County Government to improve parks. She said the parks that are part of this project are the balance of Hank Waltonowski Memorial Park, Bayside Park and Bernie Cook Memorial Parks.

### **Authorize Receipt of Bids – Manufacture & Printing of Tax Bills**

President deJong stated this resolution authorizes the receipt of bids for the manufacture and printing of the 2018 final and 2019 preliminary tax bills.

### **Authorize Receipt of Bids – Seasonal Turf Chemical Program**

President deJong stated this resolution authorizes the receipt of bids for the seasonal turf chemical program. She advised the Township contracts out for the Seasonal Turf Chemical Program to provide all material and perform four (4) fertilizer/weed control applications per year at several park locations including Windward Beach, Bernie Cook Park, Drum Point Sports Complex, both Little League complexes, Pinewood Park, Angela Hibbard Park, Hank Waltonowski Memorial Park, Sherman Park, Frede Park and Lake Riviera Park.

### **Authorize Receipt of Bids - Sanitation/Recycling Collection System Containers**

President deJong stated this resolution authorizes the Township to bid for the purchase of sanitation and recycling containers. She said in 2017 the Township sold over 400 sanitation containers and over 200 recycling containers of various sizes. She said during the past few years, the Township has purchased sanitation and recycling containers through various National Co-ops. She advised this is a lengthy process and requires at least a minimum of 30 days to finalize the paperwork with the Co-op, obtain Council approval, and then another 4-6 weeks delivery. She explained this process is required for every order and last year they solicited quotes on three occasions and in order to expedite the process, it would be beneficial for the Township to bid this service. She said once a bid is awarded, the Parks Supervisor can then

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replenish the containers as stock becomes depleted.

**Authorize Receipt of Bids – Landscape Maintenance Service at Solar Field**

President deJong stated this resolution authorizes the receipt of bids for landscape maintenance at the Brick Landfill. The Township is required by the EPA to maintain the 15-acre Landfill property. She explained the bid specification will include twice a year maintenance, removal of debris and vegetation, stone weeding and seed installation. She said the current vendor is Clintar NJ, Perrineville, at a cost of \$19,778.00 per year and this was a two-year contract which will expire on April 19, 2018.

**Authorize Receipt of Bids – Roadway Improvements to Central Boulevard East, Foster Avenue and Oak Hollow Road**

President deJong stated this resolution authorizes the receipt of bids for roadway improvements to Central Boulevard East, Foster Avenue and Oak Hollow Road. She noted this project is included in the 2017 capital budget.

**Authorize Application – Cops In Shops Summer Shore Initiative 2018**

President deJong stated this resolution authorizes the acceptance of \$3,520.00 in funds from the State Division of Alcoholic Beverage Control for the Cops in Shops Summer Shore Initiative. The amount is based on two-officer teams conducting 4-hour details at plenary distribution licensees in the Township.

**Authorize Special Events Permit – Bike MS: Coast the Coast Ride**

President deJong stated this resolution authorizes a special events permit for Bike MS: Coast the Coast Ride event on May 19<sup>th</sup> and 20<sup>th</sup> that goes through Brick Township, Lavallette and Mantoloking. The ride will take place between Noon and 5 pm on May 19<sup>th</sup> and between 11 am and 3 pm on May 20<sup>th</sup>.

**Authorize Placement of Tax Liens for Property Clean-ups**

President deJong stated this resolution authorizes placement of a tax lien in the amount of \$363.68 for property located at 117 Marilyn Drive.

**Bond Releases/Reductions:**

Clerk Iannarone advised the following:

- Performance Bond Reduction – K&G Management – 2064 Route 88 in the amount of \$30,942.40 and a cash performance bond in the amount of \$3,438.05.
- Inspection Fund Release – James Kathenes – 505 Havens Cove Rd in the amount of \$421.31.
- Inspection Fund Release – Silvio M. Silvi – 249 Chambers Bridge Rd in the amount of \$39.66.
- Inspection Fund Release – By Design Landscapes – Off Brushy Neck Drive in the amount of \$1,000.00.
- Inspection Fund Release – Santamaria Contractors – Off Route 70 in the amount of \$1,764.41.

**Tax Collector:**

Joanne Bergin advised the following:

- Veteran Deductions Granted – 2017 in the amount of \$250.00 each.
- Senior Citizen Deduction Granted – 2017 in the amount of \$250.00.
- Disability Deduction Granted – 2017 in the amount of \$250.00.
- Tax Overpayment – 2017 Block 378.34, Lot 5 in the amount of \$811.85.
- Redemption of Tax Sale Certificate Block 808 Lot 12.
- Cancellation of Tax Balances - \$5.00 and Under.
- Cancellation of Tax Credits - \$5.00 and Under.

**Oppose Offshore Oil and Gas Drilling**

Mayor Ducey explained this resolution confirms the Township's strong opposition to offshore oil and gas development due to the high likelihood for substantial environmental impacts. He said earlier this month, the Federal Bureau of Ocean Energy Management announced in the Federal Register the release of their Draft Proposed Program for the 2019-2024 Outer Continental Shelf Oil and Gas Leasing Program that represents a historic threat to the entire Atlantic Ocean from Maine to Florida including the waters off New Jersey as close to three miles from ocean beaches.

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**Authorize Person-to-Person Transfer of Plenary Retail Consumption License – Famous Dave’s**

President deJong stated this resolution authorizes a person-to-person transfer of a plenary retail consumption license from Famous Dave’s to FRIT Leasing & Development Services, Rockville, Maryland.

President deJong opened the public hearing on the Resolutions.

There were no comments from the audience.

President deJong closed the public hearing on the Resolutions.

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

There were no comments from the audience.

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

Motion by Councilwoman Zapcic and seconded by Councilman Halloran to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:  
Councilwoman Zapcic ABSTAINED on Gannett and NJ Press Media;  
Councilman Fozman ABSTAINED on BTMUA;  
President deJong ABSTAINED on CME.

**2018 Computer Bill Resolution in the amount of \$21,277,710.93**

President deJong opened the public hearing on the Manual Bill Resolution.

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:  
President deJong ABSTAINED on CME.

**2018 Manual Bill Resolution in the amount of \$1,721,311.23**

**Ordinance on Second Reading: Authorize Acceptance of the Donation of Property – Block 224.14 Lot 14**

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

President deJong explained the Land Use Committee has recommended the Township accept a free and clear gift of a piece of property in Mandalay that has been owned by the same family from back in the 1930’s. She advised the property is considered wetlands and counts towards the Township’s CRS points

President deJong opened the public hearing on the Ordinance.

There were no comments from the audience.

President deJong closed the public hearing on the Ordinance.

Motion by Councilman Halloran and seconded by Councilman Mummolo to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE DONATION OF PROPERTY KNOW**

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**AS BLOCK 224.14 LOT 14 FOR NO CONSIDERATION**

**Ordinance on Second Reading: Amend Chapter 145-3.1 Construction Codes – Schedule of Fees**

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

President deJong explained the State changed the way municipalities inspect elevators. The revisions call for the elimination of the six-month (semi-annual) inspection on elevators leaving the annual inspection, as well as the five-year load test, while retaining a six-month requirement for escalators. She advised this change forces the Township to adjust the fee schedule by adding a re-inspection fee, eliminating the six-month fee and adjusting the five-year load test fee. She said the Township's elevator subcode official and Dan Newman developed a proposed fee schedule update which they presented to the Land Use Committee and the Committee reviewed and approved the revisions.

President deJong opened the public hearing on the Ordinance.

There were no comments from the audience.

President deJong closed the public hearing on the Ordinance.

Motion by Councilman Halloran and seconded by Councilwoman Zapcic to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING CHAPTER §145-3.1 OF THE TOWNSHIP CODE CAPTIONED "CONSTRUCTION CODES, UNIFORM, SCHEDULE OF FEES"**

**Ordinance on Second Reading: Amend Chapter 250-29 - Fire Safety Fees**

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

President deJong explained the Land Use Committee is recommending the Township Council update the fees for Fire Safety review for the Board of Adjustment and Planning Board. She said for consistency, the Committee is recommending the Council remove the listed fees for fire and referring them to Chapter 191 Fire Prevention (191-6). The fire section is also in the land use ordinance fees. She advised this update will eliminate the fees being listed in two different spots and will reference one location. No fees are changing.

President deJong opened the public hearing on the Ordinance.

There were no comments from the audience.

President deJong closed the public hearing on the Ordinance.

Motion by Councilman Halloran and seconded by Vice President Crate to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING CHAPTER §250-29 OF THE TOWNSHIP CODE CAPTIONED "FEES" APPLICABLE TO FIRE SAFETY**

**Ordinance on Second Reading: Amend Chapter 288-52 Title 39 – Various Traffic Regulations**

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

President deJong explained the Township Engineer Elissa Commins requested the Council review and amend the Schedule XXII list of properties. She said most statutes that pertain to motor vehicle laws and Motor Vehicle Commission are in Title 39 of the New Jersey States Annotated and when property owners with property located outside of a public right of way want to enforce the provisions of Title 39, an application is made to the Township to include the property in the Township Code Section 288-52, Schedule XXII. She said this gives the police

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the ability to enforce motor vehicle rules and regulations on private property. The engineer provided the Committee with a list of sites that have applied to the Township for inclusion in the private property enforcement areas. She advised these sites have all been inspected by the Division of Engineering to insure the traffic signs and markings are properly installed in accordance with the Manual on Uniform Traffic Control Devices. She noted the police will have the ability to enforce motor vehicle regulations and noted the Township will have no liability or obligation with respect to site maintenance.

President deJong opened the public hearing on the Ordinance.

There were no comments from the audience.

President deJong closed the public hearing on the Ordinance.

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

All Council Members voted AYE on Roll Call.

**AN ORDINANCE AMENDING CHAPTER 288-52 AND MAKING THE PROVISIONS OF  
SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS  
APPLICABLE TO THE FOLLOWING ROADWAYS, STREETS, DRIVEWAYS AND  
PARKING LOTS BY MOTOR VEHICLES**

President deJong opened the public hearing portion of the meeting.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and the need for a sound wall at Evergreen Woods.

There were no further comments from the audience.

President deJong closed the public hearing portion of the meeting.

Mayor Ducey reported Community Services, Inc. of Ocean County provides a senior nutrition program, and said in 2017 they provided 33,268 hot meals to 280 Brick Township residents and gave a special thanks to them for this invaluable service to homebound seniors. He thanked the Clerk's Office and staff for all their work with the successful Rabies Clinic. He announced the various events he attended and announced some upcoming events.

Councilwoman Zapcic congratulated the students of the month and the cheer teams.

Councilman Halloran congratulated all the cheer teams and students of the month.

Vice President Crate congratulated the cheer teams and students of the month.

Councilman Mummolo also congratulated the students of the month and the cheer teams; spoke about some of the events he attended.

Councilman Fozman congratulated the cheer teams; he spoke of the recent Kiwanis Club meeting he attended on behalf of the BTMUA; he gave a report on recycling.

President deJong announced the Senior Outreach Center will have their free tax preparation and she gave an update on the Buy in Brick Program.

Motion by Councilman Mummolo and seconded by Vice President Crate to Adjourn the meeting at 8:10 p.m.

All Council Members voted AYE.

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Heather deJong  
Council President

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Lynnette A. Iannarone  
Township Clerk