

February 27, 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 (Left at 9:20pm)  
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 January 5, 2018. 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.

The Clerk was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of January 2018.

Motion by Councilman Fozman and seconded by Councilman Mummolo to dispense with the reading of the minutes of January 30, 2018 meeting and approve the same.

All Council Members voted AYE on Roll Call.

### **Chief Riccio – School Security**

Chief Riccio said the Police Department has always had a concern for the safety of the children in our schools and have had security and training measures in place for years. He said tragic events on February 14<sup>th</sup> in Florida forced them like other towns across the country to take a look at how they can improve. He advised what the Police Department has been doing for quite some time:

- All officers are equipped with swipe cards which allow officers immediate access to all schools eliminating the need to be buzzed in.
- Regular police officers (School Resource Officers) are in both high schools and make periodic checks of the other schools throughout the day.
- Officers conduct annual active shooter drills using actors and **simunitions** equipment - Different schools each year.
- Safety drills are conducted throughout the year with teachers and students and teachers receive additional training administered by our SRO's.
- Officers who administer programs such as DARE, Not Even Once and Lead & Seed are in the schools most of the school day most of the week from September through May.
- They currently follow up on all reports of suspicious activity.
- The police officers are currently equipped with rifles, however, they are purchasing additional so we are not out gunned.

He explained the New Initiatives:

- Officers are required to conduct a check and walk through of schools in their respective.
- They will be utilizing off duty officers using time owed to us to patrol the schools.
- They will be have officers on location at drop off and pick up times.
- He said with the assistance of the department psychologist they will be training officers who in turn will train the students and teachers how to identify individuals who may be prone to violence
- They are setting up a means for teachers and students to anonymously report individuals who exhibit suspicious behavior.
- Politically correct society may be fearful of making reports.
- They will also be training our detectives to identify behavior of dialogue that is potentially

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threatening.

- They are working with the schools to arm those retired officers who are currently working in the schools.
- They are working toward the hiring of Class II and/or Class III specials who will be armed and stationed in the schools.
- The school is using monies which had been earmarked for parking lot paving to harden the entrances to several schools.
- The schools will be putting on retainer a psychologist to expedite the process of getting a potentially troubled student evaluated and/or treatment.
- The schools will be hiring a consultant to perform a security assessment and make recommendations to enhance security even further.
- They are looking at software which through an app teachers and students can immediately send a message to police reporting a threat in progress.
- They will be putting on line GPS software which will allow police instant access to school maps and locations of other officers and mutual aid officers.
- They are looking to purchase software which will allow our detectives to continually monitor social media sites for certain key words.

He said all plans will be continually evaluated and amended as necessary.

### **Students of the Month**

Mayor Ducey, President deJong along with Councilwoman Crate recognized the Students of the Month for January 2018. Councilwoman Crate named the Brick Township High School Students of the Month and presented certificates to: Ethan Keegans, Dylan Raisch, Nicolas Kraft and Kristen Brutko. She also named and presented certificates to Brick Memorial High School Students of the Month: Brian Halloran, Florence Lozano, Dominic Dlugosz, Samantha Shornack, Matthew Bernstein, Trevor Pasternak, Harleigh Donovan and Emily Simonitis.

### **CDBG Check Recipients**

Mayor Ducey said social service agencies provide an essential role to the most vulnerable constituents and they do so with care and compassion. He said each year the Township receives Community Development Block Grant (CDBG) funds to use specifically for social service programs and they are awarded via grants to those organizations that service Brick Township residents. He announced they received over \$125,000.00 in requests. He announced and presented checks to the following:

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|---|------------|
| • The Arc, Ocean County Chapter               | \$2,000.00 |
| • Big Brothers/Big Sisters of OC, Inc.        | \$2,000.00 |
| • Community Services, Inc.                    | \$7,000.00 |
| • Dottie's House                              | \$2,000.00 |
| • Interfaith Hospitality Network of OC        | \$2,000.00 |
| • Jersey Shore Council BSA, Inc.              | \$2,000.00 |
| • Ocean County Hunger Relief                  | \$2,000.00 |
| • Ocean's Harbor House                        | \$8,000.00 |
| • Caregiver Volunteers of Central Jersey      | \$2,000.00 |
| • Providence House Domestic Violence Services | \$3,000.00 |
| • Church of Epiphany                          | \$3,000.00 |
| • Visitation Church Soup Kitchen              | \$2,000.00 |

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

All Council Members voted AYE on Roll Call.

### **Authorize Emergency Temporary Appropriations**

President deJong stated this resolution allows the increase in line item department budgets by the amount specified which has been calculated to get all departments through until the adoption of the budget.

### **Authorize Receipt of Bids – Demolition & Secure Property at 589 Allen Road**

President deJong stated this resolution authorizes the receipt of bids for the demolition and to secure the property at 589 Allen Road as per a recommendation from the Township's Property

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Maintenance Board.

**Authorize Receipt of Bids – Bernie J. Cooke Park Reconstruction Improvements**

Mayor Ducey said this resolution authorizes the receipt of bids for the renovation of Bernie Cooke Park. He explained the project includes the construction of two playgrounds: one for ages 2-5 and one for ages 5-12; the reorientation of the ballfields to better fit in the existing space, a basketball court, a skateboard park, a perimeter walking trail, a bicycle safety track, and a wide access driveway to encourage safe access to the park. He said the upgrades will also include low level lighting, improvements to the electrical service, security cameras and the installation of a well to support the necessary irrigation. The playgrounds will be ADA compliant and will have a poured in place safety surface. He said the entire park will be completely re-landscaped. The Township will be planting trees at the park that are funded through a grant from the State.

**Authorize Award of 2<sup>nd</sup> Year Contract – Public Safety Uniforms**

President deJong stated this resolution authorizes the award of a second year contract to Samzie's Uniforms and Gall's LLC, for Public Safety Uniforms and noted the Police Chief recommends the renewal of this contract for the second year.

**Authorize Award of Bid – Purchase & Delivery of One Automated Refuse Collection Vehicle**

Councilman Fozman stated bid notices were mail out to 60 prospective bidders from the bidders list of which four picked up the bid packages and one bid was received that being Hunter Jersey Peterbilt, Clark, NJ for a 33 cubic yard automated refuse collection vehicle with a cost of \$269,983.00 and the purchase of this truck was approved in the 2017 capital budget.

**Authorize Award of Bid – Purchase & Delivery of One Metal Refuse Truck**

Councilman Fozman stated bid notices were mail out to 61 prospective bidders from the bidders list of which six picked up bid packages and two bids were received with Route 23 Automall, Butler, NJ was the lowest responsive bidder. He said the truck bid is for a 2018 Ford F-750 metal refuse truck at the cost of \$121,837.10 and the purchase of this truck was approved in the 2017 capital budget.

**Authorize Award of Contract - Public Safety AEGIS Software Suite**

President deJong stated this resolution authorizes the award of contract in the amount of \$149,967.00 to Tyler Technologies, Troy, Michigan to provide maintenance and support services for the AEGIS public safety software suite utilized by the Police Department. She advised the software provided to the Police Department is proprietary and not available for purchase through other companies.

**Authorize Award of Contract through Stafford Township Cooperative – Grass Seed, etc**

President deJong stated this resolution authorizes the award of contract for the purchase and supply of grass seed, fertilizer, lime stone and field supplies through the Stafford Township Cooperative to Reed & Perrine Sales, Inc., The Sherwin-Williams Company and SiteOne Landscape Supply.

**Authorize Amendment to the 2017 Affordable Housing Trust Fund Spending Plan**

President deJong stated this resolution authorizes an amendment to the Township's 2017 Affordable Housing Trust Fund Spending Plan as required in accordance with our Affordable Housing Settlement Agreement and noted the Spending Plan also must be approved via resolution. She explained the goals outlined in the spending plan are just that – goals – and it is expected the Township will work on those goals over the next eight years, when the plan will be revisited again. She said also on the agenda are components of the Settlement Agreement that are required to be approved by March 17<sup>th</sup>. All of these components will be reviewed by the Planning Board at their next meeting.

**Authorize Amendment to the Housing Rehabilitation Program Manual**

President deJong stated this resolution authorizes an amendment to the Housing Rehabilitation Program Manual, which is the Policy and Procedure Manual for the Community Development Block Grant Program. She said this manual has been revised to include owner occupied affordable housing units (which is also outlined in the spending plan) and this allows the work they currently do using Community Development Block Grant funds for housing rehabilitation projects to count towards Affordable Housing credits.

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### **Authorize the Adoption of the Township of Brick Affirmative Marketing Plan**

President deJong stated this resolution authorizes the adoption of the Township's Affirmative Marketing Plan. She said Homes Now administers the Township's affordable housing program and this plan outlines the work they do to ensure that the program is advertised properly along with ongoing outreach efforts to be sure that those who qualify for affordable housing have an opportunity to confirm eligibility and request assistance.

### **Authorize Execution of Shared Services with County of Ocean – Child Restraint Grant Program 2018**

President deJong stated this resolution authorizes the execution of a shared services agreement with the Ocean County Sheriff's Office for the Fiscal Year 2018 Child Restraint Program Grant. She said the Child Restraint Grant Program is run by the Ocean County Sheriff's Office for the purpose of inspecting and installing child restraints in vehicles. In this grant, Brick Police Department can designate officers to become certified Child Passenger Safety Technicians to conduct child restraint inspections. She advised the County offers the certification training and will offset a portion of the salary of those officers who complete the training.

### **Authorize Appointment to the Housing Authority**

President deJong stated this resolution authorizes the appointment of Samantha Anokye to the Brick Township Housing Authority for a five-year term effective March 15, 2018 through March 14, 2023.

### **Oppose Beekeeping Regulations**

Vice President Crate explained this resolution opposes the NJ Department of Agriculture's new beekeeping regulations that would severely restrict beekeeping in the State, while also putting the burden of managing and enforcing these regulations on municipalities. New Jersey is the home of many gardeners who, just like commercial farmers, depend upon insect pollination for home gardens.

### **Authorize Special Events Permit – Engagement Party**

President deJong stated this resolution approves a special events permit for an engagement party at the Brennan Boat Company, Route 70, from 7 to 11 pm on Saturday, March 24th.

### **Bond Releases/Reductions:**

Clerk Iannarone advised the following:

- Performance Bond Release – Mark Fusari – 256 Mantoloking Rd. in the amount of \$276,000.00 and a cash performance bond in the amount of \$30,666.00.

### **Tax Collector:**

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 382.39 Lot 2.
- Tax Overpayments – 2008.
- Tax Overpayments – 2009.
- Tax Overpayments – 2010.
- Tax Overpayments – 2018.
- Cancel Credit Balances 2005 – 2007.

President deJong opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, stated her displeasure with not getting enough information on the resolutions; she asked for a copy of the spending plan; she questioned the Housing Authority appointment and the regulations on Beekeeping resolution.

Kevin Starkey responded the Housing Authority is run by a Board of Commissioners that are appointed by the Township Council and it is an independently run authority and this appointment is for a new commissioner that has not served on the Housing Authority before.

Vice President Crate responded that making the Town have a burden of managing the regulations for the beekeepers would be an issue along with the cost of it.

Vic Fanelli, 24 Meadow Point Drive, commented on the beekeeper resolution.

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John Zingis, 11 Tunes Brook Drive, explained some of the regulations with the beekeeper resolution and that he is local beekeeper and is requesting that the regulations be opposed.

George Scott, 16 Queen Ann Road, complimented Michael Fowler for the great job he does with the Housing Rehabilitation Program. He asked several questions on the spending plan.

Joanne Bergin said she would follow up with him on all his questions on the spending plan.

There were no further 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 Councilman Fozman and seconded by Councilman Halloran to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:  
Councilwoman Zapcic ABSTAINED on NJ Press Media;  
Councilman Mummolo ABSTAINED on Meridian Occupational Health  
President deJong ABSTAINED on CME.

#### **2018 Computer Bill Resolution in the amount of \$8,951,678.92**

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 Halloran to adopt the following Resolution:

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

#### **2018 Manual Bill Resolution in the amount of \$1,648,632.34**

#### **Ordinance on First Reading: Amend Chapter 245 – Land Use – Temporary Sleeping Quarters**

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

President deJong explained this Ordinance will extend permission for places of assemblies to provide temporary encampment accessory use so that volunteers coming in from out of state to assist with rebuilding efforts can be housed in local churches.

Motion by Councilman Halloran and seconded by Councilwoman Zapcic 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.

#### **AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING SECTION 245-296M.(1)(d) OF THE CODE OF THE TOWNSHIP OF BRICK**

#### **Ordinance on First Reading: Amend Chapter 245 – Affordable Housing**

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

President deJong explained The Township has an approved Settlement Agreement in place that requires that certain items in the agreement be amended via ordinance. She said they started

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the process by attempting to modify the existing affordable housing ordinance but found the modifications to be so significant that they are instead opting to start fresh. She said the Township was provided with a model ordinance by the Special Master, which has been reviewed, modified as necessary and approved by the Affordable Housing Attorney, Affordable Housing Planner, and Township Planner. She said it is the intent to repeal the existing ordinance and replace it with this one. According to the Settlement Agreement, the Township needs to have the ordinance and other documents in place by March 17th which is the deadline to submit these documents to the Court Master. The ordinance has nothing to do with the number of affordable housing units and it sets guidelines for how they regulate standards, the collection of affordable housing fees and the administration of affordable housing fees. She noted the old ordinance had not been updated since 1991, and they were overdue for becoming complaint with State Guidelines for Affordability criteria. She advised the draft ordinance also increases the number of years a unit remains affordable from 20 to 30 years. She said they also included language regarding the scattered site program and outlines their strategy to continue to implement a diverse and vibrant affordable housing program through the scattered site initiative which identifies existing homes in neighborhoods across Brick Township. She said in terms of fees, in accordance with State statute, they are increasing the affordable housing fees on commercial properties from 2 to 2 and one half percent. The residential affordable housing fee will stay at 1 percent. They also refined the list of what's allowable under the criteria to be charged an affordable housing fee and what's exempt. For example, in this ordinance they are exempting sheds, pools and decks. Basically, any project that's expanding living space stays in as allowable and everything else is out. She advised they are not expecting to see a reduction in the affordable housing revenue as a result of the new exemptions because the commercial is increasing and also in this draft ordinance, non-profits are exempt - previously, non-profits were required to come before Council to request an exemption.

Motion by Councilman Mummolo and seconded by Councilman Halloran 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.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY REPEALING AND REPLACING, CHAPTER 245, PART 2, ARTICLE V "AFFORDABLE HOUSING" TO THE CODE OF THE TOWNSHIP OF BRICK TO ADDRESS THE REQUIREMENTS OF THE NJ SUPERIOR COURT**

**Ordinance on Second Reading: Amend Chapter 2-118 Administrative Code – Police Staffing Limits**

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

Mayor Ducey stated this is a staffing limit it is not a hiring. He explained the current ordinance regulating police staffing allows for three captains, seven lieutenants and 19 sergeants. He advised the Police Chief has requested the council consider amending the ordinance to increase the police staffing levels to four captains up from three, nine lieutenants up from seven and 23 sergeants up from 19. He said at this time the Chief will be requesting two additional sergeants and nothing more. He explained the need for additional sergeants is due to the Police Department evolving significantly in the past few years, being pro-active in the identification of programs and expanding current programs as necessary. Those include: the Barrier Island and Maple Leaf being its own district, the complete overhaul of Community Policing including the Bike Patrol and Boat Patrol, launching a comprehensive Neighborhood Watch program, starting the Lead and Seed, expanding the DARE Program and starting the Not Even Once school-based program. He said a new supervisor is needed in Internal Affairs because of the body camera mandate and there is the need to replenish officers on the Special Enforcement Team and the Drug Unit team that were reassigned to make sure the new programs/initiatives would work properly. He said under the Chief's direction, the Police Department has jumped in with both feet to get these new programs and initiatives off the ground and successful and Community Policing takes manpower and amending this Ordinance will help the Police Department serve the Township better.

President deJong opened the public hearing on the Ordinance.

Lauren, Resident, said she runs the Thrive Program at Maple Leaf and spoke of the tremendous

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impact and bond the kids have with the police officers through this program and having a good relationship with the police officers gives them comfort and safety to open up about what they see and things they are noticing in their neighborhood. She stated her pleasure with the increase of the police staffing limits.

Nina, a Student Assistance Coordinator at Brick Memorial High School, spoke of the importance of the increase in the police staff.

Carol Steider, Resident and Vice Chair of BMAC, spoke of the importance of the police department and their work with the youth of today.

Vic Fanelli, 24 Meadow Point Drive, stated his displeasure with the Police Staffing Ordinance; questioned if this is part of a PBA Union contract.

President deJong replied no it is not the Mayor has the authority and Joanne Bergin noted this is not part of a union contract.

Jerry DeCicco, 628 Windcrest Court, spoke about the importance of more police officers and stated his support for this Ordinance

Nan Coll, 18 Greenbriar Boulevard, spoke about the Police Staffing Ordinance.

Roberta Cartwright, 479 Burnt Bark Road, spoke in support of the Police Staffing Ordinance.

There were no further comments from the audience.

President deJong closed the public hearing on the Ordinance.

Motion by Councilman Fozman 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.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING SECTION 2-118 OF THE TOWNSHIP CODE, TO ESTABLISH STAFFING LIMITS FOR THE POLICE DEPARTMENT**

President deJong opened the public hearing portion of the meeting.

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

Nan Coll, 18 Greenbriar Boulevard, spoke about Comcast.

Steve Brill, 806 Jenny Court, spoke about the No Net Loss Tree Grant and the lack of a sound wall at Evergreen Woods.

Michele Spector, 808 Jenny Court, asked Administration if they any updates from Senator Holtzapfel's office.

Mayor Ducey replied they have not heard anything from his office.

Vic Fanelli, 24 Meadow Point Drive, thanked Chief Riccio for his school security presentation; spoke about the recent fatal shooting in Florida.

George Scott, 16 Queen Ann Road, questioned who will own the affordable housing project for veterans.

Mayor Ducey replied they are working together with the Housing Authority on this project because they would be the ones to run or possibly the non-profit that is part of the Housing Authority.

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There were no further comments from the audience.

President deJong closed the public hearing portion of the meeting.

Mayor Ducey spoke briefly about the Comcast contract; he congratulated Brick Memorial High School on winning the Mayor's Cup Mock Trial; he mentioned the events he attended and announced upcoming events; he announced the Township received a 2018 NJDOT Municipal Aid Grant in the amount of \$475,060.00 for road improvements to Cedarwood Park East.

Councilwoman Zapcic thanked Chief Riccio for his presentation; she spoke about the Sport Saturday Program; announced some upcoming events along with the BMAC clothing drive in conjunction with the Green Fair in April.

Councilman Halloran congratulated the grant recipients, students of the month along with Chief Riccio and staff for the presentation on school security.

Vice President Crate thanked the public for their comments and thanked the police department and the schools that are so willing to work with each other so closely. She said the Mayor and Council are willing to do whatever they can do to keep the students of the schools and everyone in town safe.

Councilman Fozman said working with the community and working with the public going out and hearing what residents have to say is key to any situation; he spoke of the Neighborhood Watch meetings and the seminar he recently attended; he thanked Chief Riccio for his presentation, and congratulated the students of the month.

President deJong gave an update on the Buy in Brick Program; she spoke of her recent speaking engagement at Brick Memorial High School; thanked Chief Riccio and the BOE for their due diligence in keeping children safe.

Motion by Councilman Halloran and seconded by Councilwoman Zapcic to Adjourn the meeting at 9:45 p.m.

All Council Members voted AYE.

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Heather deJong  
Council President

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Lynnette A. Iannarone  
Township Clerk