

January 22, 2019

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

Councilman Jim Fozman  
Councilwoman Marianna Pontoriero  
Councilwoman Heather deJong  
Councilman Paul Mummolo (left at 8:05)  
Councilman Arthur Halloran  
Council Vice President Lisa Crate  
Council President Andrea Zapcic

Also Present

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

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on December 14, 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 led by Cub Scout Pack #39 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 December 2018.

Motion by Councilwoman deJong and seconded by Councilman Halloran to dispense with the reading of the minutes of December 18, 2018 meeting and approve the same.

All Council Members voted AYE on Roll Call.

**Students of the Month – December**

Mayor Ducey and Vice President Crate recognized the Students of the Month for December 2018. Vice President Crate named the Brick Township High School Students of the Month and presented certificates to: Daley Sluis, Sean Crawford, Hannah Champury and Meredith Bodine. She also named and presented certificates to Brick Memorial High School Students of the Month: Hannah O'Neill, Joseph Lydon, Ethan Pecoraro, Kacey Woodruff, Liam Magner, Zhane Billingsley, Trevor Pasternark and Zachary Clark.

**Brick Memorial Mustangs Division 10 Small Red Cheer Team**

Mayor Ducey and President Zapcic recognized the Brick Memorial Mustangs Division 10 Small Red Cheer Team along with their coaches. Mayor Ducey said Brick Township is a community with rich tradition of successful sports teams and programs and this past season Brick Memorial Mustangs D10 Small Red Team upheld that tradition. He said their season capped off with capturing 1<sup>st</sup> Place in the 2018 American Youth Cheer National Championship in Orlando, Florida. He presented the proclamation and proclaimed Thursday, January 23, 2019 to be Brick Mustangs Division 10 Small Red Cheer Team Day. They announced and presented certificates to: Taylor Alexander, Sophia Baxter, Isabella Columbo, Elisa Escalante, Dalara Jablonsky-Akgun, Angela Marotta, Grace Meyer, Kailey Muench, Kelly Murtha, Isabella Neal, Caroline Paugh, Mariah Paulin, Cameryn Platt, Payton Rosamilia, Reilly Scardilli, Siena Schalda, Bella Schmitz and Lily J. West along with their coaches and demonstrators.

**Brick Dragons Division 10 Large Red Cheer Team**

Mayor Ducey and President Zapcic recognized the Brick Dragons Division 10 Large Red Cheer Team along with their coaches. Mayor Ducey said Brick Township is a community with a rich tradition of successful youth sports teams and programs and this past season the Brick Dragons D10 Large Red Team upheld that tradition. He said their season capped off with capturing 1<sup>st</sup> Place in the 2018 American Youth Cheer National Championship in Orlando, Florida. He presented and proclaimed Thursday, January 24, 2018 to be Brick Dragons Division 10 Large Red Cheer Team Day. They announced and presented certificates to: Hayden Graf, Sabrina Glass, Keri Savannah, Caroline Kowantz, Gianna Deresz, Isabella Davila, Shayla Baca, Jaden Erven, Ava Stampfel, Julia Sprague, Ava Norman, Grace Yakovchuk, Bridget Bailey, Ava Morse, Ava Balog, Valerie Marlowe, Caylee Baldwin, Madison Smith, Angelina Tavernite, Sara Gonzalez, Kaylie Witter and Stella Breitenbruck along with their coaches and demonstrators.

January 22, 2019

Nan Coll presented President Zapcic with a 11<sup>th</sup> Edition of Roberts Rules of Order.

**Recognize Irene Raftery's Retirement**

Mayor Ducey said Irene has been with Brick Township for 18 years. He said Irene was one of his first appointments as Tax Assessor and she was the right person to lead the Office of Tax Assessor. Irene is proactive in all areas of tax assessing and is counted on not only as an expert assessor, but also a key member of the management team. He said she is highly regarded in her field and is viewed as an expert and is able to educate others efficiently. He said Brick Township has been blessed and fortunate to have her as the Township's Tax Assessor and she will be greatly missed. He read and presented her with a proclamation and key to the city and proclaimed Friday, January 25, 2019 to be Irene Raftery Day.

**Recognize Sean Kinnevy's Retirement**

Mayor Ducey said in the 39 years since Sean first joined the workforce, he has seen and experienced significant change not only in the landscape of the Township, but in laws and regulations, technologies and even Mayors and he can tell anyone who cares to know what families lived where, what stores have come and gone, what "used to be" back in the day and how areas became built up to what they are now. He said as Zoning Officer, Sean is always helpful and willing to assist in any way with helping residents, his colleagues and potential owners understand the Township's zoning and codes. He said he leaves a remarkable legacy of exceptional services. He read and presented him with a proclamation and key to the city and proclaimed Thursday, January 31, 2019 to be Sean Kinnevy Day.

Motion by Councilman Mummolo and seconded by Vice President Crate to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

**Authorize Appointment of Temporary Purchasing Agent**

Mayor Ducey announced the appointment of Jana Kopecka as Temporary Purchasing and gave a brief history on her.

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

All Council Members voted AYE on Roll Call.

**Authorize Appointment of Tax Assessor**

Mayor Ducey announced the appointment of Michael Kingsbury as Tax Assessor and have a brief history on him.

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

All Council Members voted AYE on Roll Call

**Authorize Change of Custodians for Petty Cash – Parks and Public Works**

Joanne Bergin stated this resolution authorizes the change of custodians for petty cash funds to Robert Byrnes for the parks department and Ken Mathis for public works.

**Authorize Grant Application – Governor's Council on Alcoholism and Drug Abuse**

President Zapcic stated this resolution authorizes the submission of a grant application to the Governor's Council on Alcoholism and Drug Abuse for the Brick Municipal Alliance program. She advised the Township submits this application annually to offset the costs of the programs offered by BMAC and they are requesting \$39,523.00 in this year's application based on the availability of funds from the County of Ocean for this program.

**Authorize Receipt of Bids – Public Safety Uniforms**

Vice President Crate stated this resolution authorizes the receipt of bids for public safety uniforms.

**Authorize Acceptance of Name Change – South Jersey Energy to UGI Energy Services**

Vice President Crate stated this resolution authorizes the acceptance of a name change for a company included in the Stafford Township Cooperative Pricing System. She said on

January 22, 2019

November 8, 2018 the Council awarded a contract for the supply and delivery of natural gas through Stafford Township Co-operative Pricing System to South Jersey Energy Company, which recently has been bought by UGI Energy Services. She said the resolution accepts the name change and awards the contract for the supply and delivery of natural gas to UGI Energy Services.

**Authorize Purchasing Agent to enter into certain contracts for purchases and services with certain vendors under County Contracts**

Joanne Bergin stated this resolution authorizes the purchasing agent to enter into agreements on behalf of the Township for the performance of work or the furnishing of materials, equipment or supplies or the retaining of services on an as-needed basis in accordance with state statute.

**Authorize Official Newspapers for Publication**

President Zapcic said that this resolution designates the Asbury Park Press and the Ocean Star as the newspapers to be utilized for publication of notices pursuant to the Open Public Meetings Act.

**Authorize Execution of Shared Services Agreement w/Ocean County Prosecutor's Office Fatal Accident Support Team – 2019**

Mayor Ducey stated this resolution authorizes the execution of a shared services agreement in place with the Ocean County Prosecutor's Office to designate Brick Township Police officers to be assigned to the Fatal Accident Support Team for the purpose of assisting in investigation, prosecution of fatal accidents and in traffic enforcement and education. He said during times where additional manpower is needed for investigations and/or training, members of the F.A.S.T. will be called upon to assist. He advised officers will be paid from money in the Prosecutor's Program fund which has been designated by the Ocean County Prosecutor and the Board of Chosen Freeholders.

**Authorize Execution of Shared Services Agreement w/County of Ocean – Child Restraint Grant Program – 2019**

Councilwoman deJong stated this resolution authorizes the execution of a shared services agreement with the Ocean County Sheriff's Office for the FY19 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. She advised in this grant, Brick PD can designate officers to become certified Child Passenger Safety Technicians to conduct child restraint inspections. She noted the County offers the certification training and will offset a portion of the salary of those officers who complete the training.

**Bond Releases/Reductions:**

Clerk Iannarone advised the following:

- Performance Bond Reduction – Shore Acres Clubhouse – Shore Drive in the amount of \$23,300.23.
- Performance Bond Release – Santander Bank – Burnt Tavern Road in the amount of \$126,152.20.
- Inspection Fund Release – Kofield Construction – Route 70 in the amount of \$300.64.
- Inspection Fund Release – Allied Construction Group – 3<sup>rd</sup> Street in the amount of \$203.74
- Inspection Fund Release – Performance Systems Integration – Route 88 in the amount of \$603.28.
- Inspection Fund Release – Robert Thrunck – Herbertsville Road in the amount of \$363.41.
- Road Construction Bond Release – Quad Construction – Breton Rd & Eastern Lane in the amount of \$2,000.00.

**Tax Collector:**

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 35 Lot 23 Qualifier X in the amount of \$2,710.85.
- 100% DAV Refund & Cancel Taxes – 324.04 Lot 5 in the amount of \$3,117.72.
- 100% DAV Refund & Cancel Taxes – Block 549 Lot 3 in the amount of \$1,267.26.
- Refund & Cancel Taxes – Cedar Bridge Tiger Mart – Block 468 Lot 10 in the amount of \$8,992.61.

January 22, 2019

- Tax Overpayments – 2018, there is one in the amount of \$1,864.94.
- State Tax Appeal Granted – Block 210.19 Lot 19 – 64 E. Lagoon Drive in the amount of \$195.75.
- State Tax Appeal Granted – Block 1170 Lot 25 – 515 Jack Martin Blvd in the amount of \$65,813.00 which is a two-year appeal.

President Zapcic opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, commented on several resolutions.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Resolutions.

Councilman Fozman questioned a few bill resolutions.

Joanne Bergin gave him an explanation on each.

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

There were no comments from the audience.

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

Motion by Councilman Mummolo and seconded by Vice President Crate to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:  
Councilwoman deJong ABSTAINED on CME Associates;  
Councilman Mummolo ABSTAINED on Meridian Occupational Health

### **2019 Computer Bill Resolution in the amount of \$1,937,727.21**

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

There were no comments from the audience.

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

Motion by Councilman Fozman and seconded by Vice President Crate to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:  
Councilwoman deJong ABSTAINED on CME Associates

### **2019 Manual Bill Resolution in the amount of \$50,363.71**

President Zapcic 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; he spoke of the health related issues.

Steve Brill, 806 Jenny Court, spoke of the impact the parkway construction project at Evergreen Woods; he spoke about a noise level study.

Nan Coll, 18 Greenbriar Boulevard, spoke of her collection of Roberts Rules of Order books; spoke about Students of the Month presentations and said that they belong at the Board of Education meetings. She spoke about having caucus meetings.

Jim Fozman, 456 Rhode Island Avenue, read an article from the Brick Patch written in 2014 regarding Brick Police launched an anonymous online tip line service (Tip411) where the person reporting and incident/tip will remain anonymous; he spoke about anonymous letter the Land Use Committee received and they reviewed that request but when an anonymous letter came up a few weeks ago no one wanted to look into it.

January 22, 2019

There were no further comments from the audience.

President Zapcic closed the public hearing portion of the meeting.

Joanne Bergin said just shy of five years ago she experienced the great professional honor of being selected as Business Administrator for the Township of Brick and at that time she promised to earn her keep through good old fashion hard work and commitment to serving the Mayor, Council, her colleagues and the residents of the Township. She said her approach of this job is unique and expressed she is proud to be different in that way. She said she has experienced firsthand many aspects of the Township's jobs. She said there is literally nothing she would not do to support this staff, learn from them about what they do and show her respect for their hard work. She said she attends many board meetings not because it is required, but because she has a genuine interest in projects and applications that are considering coming to this Town. She said recently she has been made to suffer by those who lack the common decency to recognize inappropriate behavior, mean spiritedness and seek to harm for personal agendas and this anonymous letter discussed at the last council meeting illustrates that. She said the job as business administrator is not easy and the person in this position must be the one to implement changes, policies and practices that are outdated. She said the person in this position must be firm, but also fair and she expressed she knows in her heart she has led with compassion and noted she pushes back on anything that is not right and she holds the workforce accountable just as she holds the outsider contractors accountable and always holds herself accountable. She said her goal has been to create a supportive and productive workplace and that includes tackling problems and issues that need to be addressed because ultimately at the end of the day they are all better off when things are resolved and not left to fester. She said whoever orchestrated this letter did so for the sole purpose of hurting her and to those people she said "mission accomplished". She expressed her sympathy and apologies to the employees of this Town that were pulled into that letter by default – they deserve better than being caught in the middle of political nonsense. She said this letter and the people behind it is not what Brick Township is about. She said she has come to appreciate the gifts of this letter gave her which is an overwhelming show of love and support from the people she works with and serve. She thanked every real and true person who lifted her up and continue to show her the tremendous impact of being someone with integrity, grace, compassion and kindness. She said is proud what they have accomplished in the past five years and expressed how proud she is to serve this Town and advised she stands tall knowing her love of Brick Township is unwavering as her commitment to service.

Mayor Ducey said that was a great speech, great sentiment and great thoughts and he thanked Joanne Bergin for being a great BA and even more beautiful person. He announced the \$5M FEMA loan has been forgiven 100 percent and they do not have to pay back this loan and thanked everyone who worked hard on this; he spoke of the anonymous letter he received that was mailed to his home filled with mean, hurtful statements regarding this Township's administration, policies and leadership and employee morale. He said his immediate reaction to this was to put the letter in the trash where it belongs because when a person or people hide behind the curtain of amenity whether it be in a written letter or social media the motivation is not usually genuine. He said in his tenure as Mayor, he maintains office hours pretty much every day, and knows firsthand what decisions need to be made here and the factors that go into those decisions. He interacts everyday with employees and feels confident that they are respected, supportive and appreciated. He said by reading this letter he knew there was outrageous made up things because they did not happen and he would not mention this sort of thing at a council meeting – but he did know these accusations were false and politically said he did not want to comment on this letter at a Reorganizational meeting and make this into a circus. He said since that last meeting he has personally spoke with the union representatives and employees that were part of some of the discussions, decisions and meetings referenced in the letter. He said in those discussions the allegations were baseless. He said Brick Township has it challenges as all employers do, especially when it comes to the cost of living, astronomical cost of health benefits. He said over the past years he received many compliments on how wonderful the employees are and how they take pride in their work, pride in the community and support each other and support this administration. He thanked each and every one for their hard work and the service they provide the residents 24/7 – 365 days a year. He said and the fact that this political stunt was done to Joanne Bergin who has been such an asset to the Township and expressed that this was his best decision as Mayor was hiring her as Business

January 22, 2019

Administrator and she has done such a fantastic job, she is a person that cares about each and every employee and each and every resident.

Kevin Starkey stated his displeasure with the past few meetings there have been public attacks taken at employees of this Town – done by letter, by people at the microphone and by elected officials. He said there is a difference between the employees who work for this town and the elected officials. He spoke of elected officials responding to criticism. He said he has worked with many employees here – they are diligent and hard-working – but not perfect none of us are and they make mistakes but they do not deserve to have people take public shots at them for mistakes they have made or for things they have not done that is unfair criticism. He said he has not seen the moral been higher than it is right now and he attributes that to the Mayor and Council, but really in large part to Joanne Bergin – she is always fair and she is an exceptionally good administrator and expressed that he is proud to be the Township Attorney where she is the Administrator and everyone should be proud having her working here.

Clerk Iannarone congratulated Irene and Sean on their retirement and also congratulated Jana and Michael on their appointments and expressed what a great leader Joanne Bergin is.

Councilman Fozman spoke about the anonymous letter that Land Use Committee received; spoke about the police tip line; he spoke about the Public Works Committee minutes of July 24<sup>th</sup> and gave a copy to the Clerk for distribution; he thanked the cub scout pack for leading the pledge and congratulated the cheer teams; he congratulated Irene and Sean on their retirement and congratulated Jana and Michael on their new appointments.

Councilwoman Pontoriero spoke about Mrs. Bergin comments and said she is fierce, an excellent employer and protect the taxpayers money seeing it is being spent wisely and you give to this town where it is appropriate and stated her pleasure that the investigation proved that there was absolutely no merit to any allegations and said she never doubted it.

Councilwoman deJong congratulated Irene and Sean on their retirement and for all their hard work and service for all of these years; she gave an update on the Buy in Brick Program; she echoed some of the sentiments that were said about Joanne Bergin and five years ago it was the best decision of the Mayor's administration hiring her as Business Administrator; she said since then his administration with Joanne as the leader has transformed all of the services and relationships with the residents and has improved employee morale and expressed what a wonderful person to deal with but not only of that she is extremely fair and cares about not only for the employees, but for the residents and she is proactive, knowledgeable and diligent for all of Township business; she thanked her for her friendship and doing what you do for the Township.

Councilman Halloran congratulated students of the month and the cheer teams and also congratulated Irene and Sean and wished them a long retirement; he congratulated Jana and Michael on their appointments and wished them luck; he said he has worked with a lot of good people and a lot of not so good people in his professional career – people with personal agendas were never part of his group. He said he has only known Joanne Bergin for a short time and expressed she stands out among many of the greatest managers he has worked with and she has the highest integrity with a steel trap for a memory along with compassion to all people. He said it is unfortunate that there is such negativity today and it seems like it is the environment that they are all living in, it's petty and part of a personal agenda. He said at the last meeting they were not asked to vote on whether to have an investigation they have been asked to stop the vote on the contract and it was decided it had nothing to do with voting on the contract the investigation and that is why they did not want to stop the vote on the TWU contract. He said the investigation went through and was found there was no merit to it.

Vice President Crate gave a report on residential recycling; spoke about the Patriots, Pen & Voice of Democracy event held at the VFW for students; she announced some upcoming events at the Brick Library; she expressed her gratitude to Joanne Bergin and the many things she does for the Township outside of being the Business Administrator and said they are lucky to have her.

President Zapcic said she was happy that Councilman Halloran clarified the motion that was made at the last meeting for the TWU contract; she asked for a correction of a statement that

January 22, 2019

was made regarding the Land Use Committee anonymous letter about street vacation they took no action on it; she congratulated the students of the month, cheer teams, Jana and Michael and a special congratulations and heartfelt thanks to Sean Kinnevy and Irene Raftery; she spoke about working under two different administrations when she worked for Brick Township and said she considers it an honor and a privilege when employees share things with her and said she can't even begin to tell everyone the number of times she has heard the moral in the Town is wonderful, they love the Mayor, they love Joanne and yes she is tough, but she's fair and one who manages employees for a living, you don't have to be liked, but if they say that about you at the end of the day and they can respect you that is good as it gets and expressed to Joanne and on behalf of the council that she has their unequivocal support.

Motion by Councilman Halloran and seconded by Vice President Crate to Adjourn the meeting at 9:03 p.m.

All Council Members voted AYE.

---

Andrea Zapcic  
Council President

---

Lynnette A. Iannarone  
Township Clerk