

March 26, 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
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 February 8, 2019. 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 the salute to the flag followed by a moment of silence.

Motion by Vice President Crate and seconded by Councilman Halloran to dispense with the reading of the minutes of February 5, 2019 meeting and approve the same.

All Council Members voted AYE on Roll Call, except:
President Zapcic ABSTAINED because she was absent.

National Library Week – Brick Branch Manager – Nancy Bonta Voitko

Mayor Ducey and Vice President Crate recognized the Brick Township Branch of the Ocean County Library during National Library Week. Vice President Crate read and presented a resolution on behalf of the Township Council to Nancy Bonta Voitko, Brick Branch Manager. Mayor Ducey presented a proclamation and spoke of the programs and services provided by the library. He proclaimed the week of April 7-13, 2019 to be National Library Week.

Nancy Bonta Voitko spoke of the various programs and activities at the library. She announced some of the upcoming events and thanked everyone.

Students of the Month – February

Mayor Ducey and Vice President Crate recognized the Students of the Month for February 2019. Vice President Crate named the Brick Township High School Students of the Month and presented certificates to: Salim Fahad, Shawn Doyle, Tyler Cusack, and Madison Hernandez. She also named and presented certificates to Brick Memorial High School Students of the Month: Anthony Martino, Kara Musto, Trenton Burton, Charles Marotta, Briana Solomon, Matthew Nugent, Raymond LaPoint, and Victoria Bee.

Ordinance on First Reading: CAP Rate Index Ordinance

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

Joanne Bergin explained this allows the Township to establish a cap bank for future use. She said the ordinance allows for increases to budget appropriations, and allows the Township to bank any unused monetary room. She explained this cap bank ordinance allows the Township to increase budget appropriations by 3.5 percent over the prior year's appropriations, and to bank any unused appropriation room for the next two succeeding years. She stated by having a cap bank, they have appropriation room to handle disasters; the ordinance is simply precautionary and is not funded through a tax increase, since it is only used in subsequent years should they need to fund a one-time expenditure. She said the only time in recent years the Township used this was to fund emergency response for Super Storm Sandy. She stated they are not generating cash; they are creating the ability to raise money should they need it. She said if the funds are not needed in the succeeding two years the bank simply is dissolved.

Motion by Councilwoman Pontoriero and seconded by Councilman 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.

CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Budget Presentations:

Dan Santaniello presented the following budgets:

Recreation Department - Recreation, including Township beaches and Trader's Cove Marina, served over 300,000 individuals this past year, through special events, camps, recreational sports, early childhood classes, beaches, and the Marina. The Recreation Department's mission is to improve the quality of life for all Brick Township residents through the provision of high quality recreational facilities and a wide variety of programs that promote a healthy and enriching lifestyle. The goal of the staff is to foster a greater sense of community while enhancing the social, cultural and physical well-being of the citizens of Brick Township and the visitors to the community. Recreation coordinates and manages special events including the Summerfest concert series, Fall Fest, Farmers Market, Kite Fest, Movies in the Parks, the Cultural Arts Series including Concerts in the Parks and Drive-In Movies at Windward Beach. Recreation staff plays a key role in the implementation of programs and events hosted by the Mayor's Teen Advisory Committee and assists in the operation of Lounge 270, otherwise known as the Teen Center. Staff manages a variety of fun events for families including the Mom and Her Little Prince Ball, Kids to Parks Day, the annual Memorial Day Parade, Kids Night Out, Touch a Truck, Fishing Derby, 9/11 Remembrance Ceremony, annual craft and yard sale, Trunk or Treat, the Polar Express Movie event, annual Menorah lighting, Christmas Tree Lighting and the Daddy Daughter Dance. The Recreation Department oversees a Youth Service Program for youths in grades 6-12 who want to make a difference in the community through service. Community Youth Service Program volunteers assist Recreation Staff at events throughout the year and participate in activities such as park and beach cleanups. Recreation also offers a comprehensive Challenger Program. Founded in 1998, the Brick Challenger Program provides young people with physical and intellectual disabilities with opportunities to participate in athletic and social programs including summer and winter camp, bowling, basketball, baseball, dances, Autism Surf Day and Halloween fest. The township lifeguards and badge checkers provide beachgoers with a clean, safe, and well-managed beach throughout the summer. The upcoming season once again will provide large, sandy beaches as the Army Corps has finished with the replenishment project in Brick Township. The professional, well-trained lifeguards continue to be recognized as one of the best in the area. Recreation staff also oversees a comprehensive, state certified pre-school program which is offered at the Recreation Department in Civic Plaza: the Bright Start program for 3- and 4-year-olds and the Jump Start Program for 4- and 5-year-olds. Both classes have 22 students each. Additionally, the Recreation Department offers a Mommy & Me for mom or dad and their little ones ages 6 to 18 months and the First Time on My Own Program for 2-year-olds. There are 15 children in each of those programs, combining the four early childhood programs that have over 120 little ones attending yearly. The salaries for the teachers are not included in the salary & wage budget and come directly out of the rider as they are offset by the program and class fees. The Recreation staff consists of seven full-time and 50 seasonal employees. The overall budget, including salary and wages as well as operating expenses, decreased 3.4 percent.

Brick Beaches & Traders Cove - The beach staff includes 66 lifeguards, 20 badge checkers, and 20 maintenance workers including Windward Beach and the Marina, all of which are part-time. He said the salary and wage budget for 2019 is 0.5 percent higher than last year due to the yearly increase in the hourly rate for returning lifeguards. There are about 60 guards returning from last year. He said the operating account and overtime budget for 2019 remains flat from last year. Overtime is only used toward the end of the summer season when lifeguards begin returning to college and the remaining staff must cover shifts to ensure they have proper coverage. He stated Trader's Cove Marina and Park provide the boating community with a variety of marine facilities. Trader's Cove is equipped with concrete floating docks, transient slips, a double wide boat ramp, jet-ski ports, a canoe/kayak launch area, kayak and stand up paddle board storage, a large playground, and public restrooms. He said the rental and use of the transient slips has increased with the opening of the transient boating facility that offers showers, laundry facilities and a lounge area for boaters in need of those services. He said this spot has proven to be essential to those boaters traveling the Intercostal Waterway. In 2018, Trader's Cove Marina and Park generated \$204,875.29 in net revenue, which is an increase of \$51,622.89 from 2017. This summer all 120 boat slips have been rented, an increase from 113 in 2015. He stated this equates to a \$21,865.00 increase in revenue from slips. He said the revenue for winter storage also increased \$9,214.00. The boat ramp continues to be very popular and more accessible thanks to the implementation of the use of credit cards. The 2018

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revenue from the boat ramp was \$43,810.00 which is an increase of \$10,060.00 from 2015 and a \$3,810.00 increase from last year. He said the Marina also offers 24 jet ski ports of which all are rented this summer. The Marina houses the Township's two police boats, which are used from May to September to police the waterways. He said the marina also houses the two Pump Out boats funded by the County of Ocean.

Chief Riccio presented the following budgets:

Police Department - The department of public safety is comprised of several areas of responsibility. In addition to traditional police services the department is also responsible for the management of police dispatchers, the special police, Emergency medical services, Emergency management, crossing guards and a number of community oriented programs such as the police cadets, the DARE program, Not even Once program Lead & Seed, CERT, neighborhood watch and the Blue HART program. They have started two new initiatives: Cops and Clergy and Because we Care which are also being run out of the Community Policing Division. The department is staffed with 270 employees: 140 sworn officers, 24 fulltime and 4 part time communications operators, 28 fulltime and 15 part time EMS personnel, 19 crossing guards, 23 class 1 special police officers, one civilian deputy emergency management coordinator, 1 radio technician, 1 fleet maintenance worker, and 14 civilian clerical staff. Part time staff members are used to support the full time staff members as well as to reduce overtime costs. In 2018 the department handled 87,493 calls for service which is nearly 1,200 more calls than handled in 2017. This included 1,785 fire calls and 9,899 first aid calls. He said communications operators handled 115,651 calls which came into the communications center. Chief Riccio went through the department's budgets and highlighted any significant changes. Most of the budget line items have remained the same however some changes were made taking into account the previous year's spending or those required based upon the current collective bargaining agreement.

Police Budget - This year the regular salary and overtime request is \$19,460.00 an increase of \$440,680.00 from last year. Chief Riccio said it should be noted that the salaries of the clerical and support personnel are also charged to the police salary line item. In 2018 they budgeted \$1,125,000.00 for police overtime and spent \$950,928.00. He stated that is \$174,072.00 less than what was budgeted and \$277,930 less than what was spent in 2016 before they changed the patrol schedule. The requested budget amount for overtime will remain at \$1,125,000.00. He does not anticipate a significant increase in overtime spending but needs to plan for situations which could arise such as weather events and any other large scale incident which could result in a need for overtime. He said the police supervision and command staff will continue to be conscientious of the need to reduce and keep overtime costs under budget. The police general operating budget for 2018 was \$189,950.00. Of that budget they expended \$187,074,054.00 which is \$2,675.46 less than what was budgeted. This year they are asking for \$201,100.00. The slight increase is to account for the purchase of uniforms and an anticipated increase in the cost of ammunition.

Police Dispatch - In 2018 \$1,380,000.00 was allocated for dispatcher salaries. In 2019 the request is for \$1,465,000.00, an \$85,000.00 increase. He said in 2018 they budgeted \$140,000.00 for overtime and of that amount spent was \$174,736.00, \$34,736.70 more than what was budgeted. This increase can be attributed to losing dispatchers and having to fill that void with personnel on overtime. In 2019 they will be allocating \$180,000.00 It should be noted that they have since replaced those employees that they lost in 2018 however they want to account for the possibility of losing positions through turnover or unforeseen absences. There are only three remaining dispatch budget items: \$2,000.00 for training, \$500.00 for uniforms and \$100.00 for dues. He said this is a \$250.00 increase from last year and is in anticipation of sending more dispatchers to specialized training and the need to purchase additional uniform items in 2019.

Special Police - Currently there are 23 class 1 special officers which are now being used as booking officers and for court room security. He said this represents an increase of two (2) officers since last year which is less than a full complement. In 2018 they allocated \$255,000.00 for special police salaries and spent \$229,772.00 In 2019 they are asking for \$260,000.00. The increase will account for the anticipation of hiring up to a full complement of 25 officers as well as time spent for additional duty assignments such as council and board meeting security details. The overtime budgeted in 2018 was \$8,500.00 and they spent \$5,308.00. He said they will be reducing the amount of overtime monies allocated to \$8,000.00. The only other line items in the special police budget are for uniforms and equipment. In 2018 they allocated \$9,725.00 for uniforms and equipment and in 2019 they will be increasing the uniform line item by \$775.00. The increase is in anticipation of hiring 2 additional officers bringing them to a full complement of 25 officers.

Emergency Management - Last year they budgeted \$54,500.00 for OEM salaries. He said this

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year they will allocate \$57,000.00. It should be noted that a portion of the salary is paid for by grant monies which are received at different times throughout the year. He said in 2018 they budgeted \$1,000.00 for OEM overtime and only spent \$245.00 so they will be reducing the OEM overtime budget to \$500.00. The only other item in the OEM budget is \$500.00 to be used for training which will remain the same.

Police Cadet formerly Police Explorers - Chief Riccio said the program currently has twenty (20) participants who are overseen by three (3) of our officers who are the program counselors. This program gives children from the community an opportunity to interact with the police in a positive way while at the same time giving them the ability to see if they may want to pursue a career in law enforcement. In 2018 they budgeted \$6,500.00 and this year they are decreasing that amount by \$2,500.00. Those monies will be used to send the participants to the annual competition and to pay for things such as dues and uniforms. He said they were able to reduce the budget by transitioning to the cadet program which costs less for annual dues.

Police Vehicles - The Chief said these monies are used to replace aging cars which are used by the patrol division. In most cases the older patrol cars which are still serviceable are repurposed in nonpatrol units within the department. In 2018 they budgeted \$295,500.00. He said in 2019 they are requesting \$307,950.00 The increase is in anticipation of a rise in costs.

Emergency Medical Services - Chief Riccio stated last year they budgeted \$1,805,000.00 for EMS salaries of which \$250,000.00 was for overtime. It should be noted that the salaries for the part time EMT's are charged to the overtime line item but at a straight time rate not an overtime rate. He said this year they are asking that \$2,202,000.00 be budgeted for EMS salaries and \$250,000.00 again be allocated for EMS overtime. He noted that in 2018 the EMS service generated \$2,109,649.04 in gross revenue which is a \$360,474.42 increase from what was collected the previous year. He said in 2018 the EMS operating budget was funded at \$279,650.00, and of that amount \$259,385.34 was expended, \$20,264.66 less than what was budgeted. He stated with what was collected in net revenue it cost \$63,912.11 to operate the EMS unit. In 2019 they are asking that \$278,100.00 be budgeted for the operating budget which is a \$1,550.00 decrease from last year. Additionally they have met with State EMS and hospital officials and are working toward a plan to start a paramedic program. He stated if they are successful this would mean greater medical services for our citizens as well as added revenue to support the program.

Crossing Guards - Chief Riccio stated last year they budgeted \$430,000.00 in crossing guard salaries and \$2,000.00 for overtime. In 2019 they are asking that \$430,000.00 be budgeted for salaries and again \$2,000.00 for overtime. He said the only other line item associated with the crossing guards is uniforms and safety equipment. They are asking that \$12,100.00 be budgeted for uniforms and equipment, a \$1,600.00 increase from last year. The increase will allow them to replace aging traffic wands and lights needed to keep the guards visible.

Councilman Fozman asked several questions pertaining to the recreation department and asked for clarifications and staff information for the recreation budget. He commented the people who use the transient slips would like to be able to use the building; maybe they could be charged a fee.

Dan Santaniello responded to the staffing and program questions. He said they eliminated one line item and incorporated it into another line item. He said the transients have access to the second floor of the building at Trader's Cove which is a private restroom area with showers; everyone seems to be satisfied with what they have access to.

Joanne Bergin addressed the budget/salary questions for Councilman Fozman; she explained they decreased some line items in this year's budget.

Councilman Fozman had several questions on the police department budget.

Chief Riccio responded to all of Councilman Fozman's questions.

Councilwoman Pontoriero asked Dan Santaniello for clarification on new employees in the Recreation Department.

Dan Santaniello responded there are new employees, replacing those who left; their headcount remains the same.

President Zapcic opened the public hearing on the Budget Presentations.

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John Sluka, 950 Sylvia Court, commented at the Board of Education meeting they stated pre-K is funded by the state. He asked if the two programs are hurting some of the small businesses who offer the pre-k type programs.

Dan Santaniello responded they offer a different program with no bussing. He said parents now have the option of sending their children to the township run pre-school where they have to drop them off and pick them up. He said this is the first year they are competing with the BOE and he does not know the effect on small business.

John Sluka questioned if they are in some kind of danger with all of the police presence at the BOE and the council meeting.

Chief Riccio responded they are not doing it at the BOE; there was one particular meeting where they were asked to be present. He said they are here as a precaution.

Vic Fanelli, 24 Meadow Point Drive, questioned what the differences were between the BOE pre-k and the Recreation pre-school. He commented on how well things are going at Traders Cove.

Dan Santaniello stated the difference is the BOE is all day and the children are transported by bus; whereas Recreation is only for 2½ hours and is state certified but transportation is not provided. Dan Santaniello explained how they plan to increase revenue there.

Vic Fanelli asked several questions on the Police Department budget increases and if the governor increases taxes how that will affect their fees.

Chief Riccio explained the increases in the budget to Mr. Fanelli.

Mayor Ducey stated it depends on what the legislation says when it comes out.

Joanne Bergin explained they do budget transfers near the end of the year depending on a department's needs. She stated they should put anticipated amounts in their budgets.

George Scott, 16 Queen Ann Road, said he spoke with Dan Santaniello who answered most of his questions. He spoke about various programs Recreation runs and congratulated Dan Santaniello and the staff on jobs well done. He asked if the revenue generated at Trader's Cove could be used to pay down the debt. He said he also spoke with the Police Chief who answered several questions and advised he supports a paramedic program.

Joanne Bergin responded anything the Township receives goes into anticipated revenues which is used to offset appropriations and part of paying down debt.

President Zapcic closed the public hearing on the Budget Presentations.

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

All Council Members voted AYE on Roll Call.

Introduction of the 2019 Municipal Budget

Mayor Ducey presented to the Council his sixth budget as Mayor of the Township of Brick. He stated the budget presented to you is a continuation of the work they have been doing to make town hall a more fiscally conservative place and to reverse the rampant spending and tax increases that had marked the previous decade in Brick Township. He said in the 10 budgets prior to this year's, the total increase in spending was nearly \$41 million with an average increase of \$4,086,038.00. He stated over this administration's first 6 budgets, total spending growth has been \$5.4 million, an annual average increase of \$905,000. He said had the spending habits and policies of the previous decade continued at their pace, this year's budget would have been over \$122 million. He said the budget he present tonight totals \$103,832,368. He is proud that they have stabilized budget growth while continuing to provide the citizens of Brick Township with the services they expect and deserve. They have also done this while making sure our Police Department has the manpower and resources they need to keep our citizens safe. He would like to say tonight that they had no spending increase this year. However, the reality of operating a town this size is that – absent wholesale cuts in services and

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public safety – it is exceedingly difficult, if not impossible, to not have spending increases. He stated they have tried to keep spending increases to a minimum. He reported they have made every effort to fill positions in-house to keep new hires to a minimum. For instance, they promoted employees in our public works, purchasing, planning, zoning, information technology, and tax assessor departments. He stated this year they experienced increases in the cost of gasoline, pension contributions and in the salary and wage budgets for dispatch, emergency medical services and police. All of these services are 24/7 operations and when there are vacancies, overtime may be needed to fill the shifts and that creates unanticipated increases. He said the revenue plan presented tonight calls for an increase of \$1,166,818 in the tax levy which equals just under a penny on the tax rate. This would equate to an increase in municipal taxes of \$26.47 for the year for the average assessed home in Brick of \$294,100.00. He stated this year's budget uses \$8,573,806 of surplus as revenue. It leaves a balance of over \$9.7 million. He said every year they stress how important it is to have a healthy surplus balance. A healthy surplus balance shows the fiscal health of a community. It is not a savings account that should be dipped into to offset the amount to be raised by taxes. It is a part of the budget that requires replenishment, which is why fiscally sound municipalities like Brick Township apply no more than half towards the budget. The more that is depleted, the more that needs to raise in next year's budget. He reported it was less than a decade ago that the township was using 99% of the surplus to balance the budget. It was two years later that they had to ask the residents to vote for a large tax increase or lose services. He said he will never put this township in that position. He is proud that they reversed that and brought fiscal conservatism to town hall. Another priority was to reduce the township debt. He stated the day he took office, the township's debt was \$168 million, an increase of \$86 million from 10 years earlier. Over the last six years, they have lowered debt by \$22.9 million and they will continue to work to reduce the debt. He commented he is proud of the work of the township department and division heads who lead by example and practice fiscal responsibility every day. He thanked our CFO for her hard work on this budget and the Council members who support this administration and who dedicate their time and resources to serving our residents. He said together, this team has created one of, if not the most fiscally conservative, governing body in Brick Township's history and he would argue the most fiscally conservative government right now in New Jersey. He stated Brick Township has become the model for a more fiscally conservative, responsible and stronger municipal government.

Councilman Fozman stated they have a capital surplus that was supposed to be used to pay down debt to surplus and asked if they could use a portion of that to offset the .9 percent so taxpayers would not be charged anything this year.

Mayor Ducey stated the money has been put into the budget already.

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

All Council Members voted AYE on Roll Call.

Recognize National Library Week – April 7 – 13th

Vice President Crate stated this resolution recognizes National Library Week and all that libraries and librarians do in providing more opportunities for the community by delivering new services that connect closely with the needs of the residents.

Authorize Receipt of Bids – Janitorial Services

Councilman Fozman stated this resolution authorizes the receipt of bids for janitorial services for the Municipal Complex, Civic Center, Department of Public Works, Senior Center, Drum Point Complex Office, Cultural Arts Center and the EMS Annex. He said the current two-year contract will expire on May 31, 2019 and was awarded to All Clean Building Services, Lawrenceville. He reported to date, they have spent approximately \$135,000.00 under this contract.

Authorize Receipt of Bids – Summerfest Food Vendors

Councilwoman deJong stated this resolution authorizes the receipt of bids for vendors to provide food and refreshments during the 2019 Summerfest events. She said last year, this bid for concession brought in \$6,683.00 for this service.

Authorize Receipt of Bids – Beer & Wine Garden Concession

Councilman Mummolo stated this resolution authorizes the receipt of bids from vendors who currently have the appropriate ABC licensing to provide a beer & wine garden concession during

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various 2019 events. He said last year the successful bidder paid the Township \$6,150.00 to provide this service.

Authorize Receipt of Bids – Fireworks Exhibitions

Councilwoman Pontoriero stated this resolution authorizes the receipt of bids from vendors who currently have the appropriate licenses to provide aerial fireworks shows for the 2019 Summerfest and Fall Fest events. She said last year the Township scheduled a total of five (5) fireworks exhibitions. She reported the total cost to the Township was \$19,995.00.

Authorize Receipt of Bids – Mobile Ice Cream Truck

Councilman Fozman stated this resolution authorizes the receipt of bids from vendors who currently have the appropriate certificates to provide a mobile ice cream truck to travel between Windward Beach and Traders Cove Marina for the 2019 summer season. He said last year the successful bidder paid \$802.00 to the Township to provide this service.

Authorize Receipt of Bids – Uniforms for Various Departments

Joanne Bergin stated this resolution authorizes the receipt of bids for uniforms for various departments. This bid covers purchase and delivery of T-shirts, hats, polo shirts, golf shirts and sweat shirts for various programs such as the recreation basketball leagues, softball leagues, Summerfest, lifeguard and summer camp counselor T-shirts, etc. She said this bid is also used for purchasing departmental uniform shirts for Public Works, Tax Assessor, Code Enforcement and others. She stated the Township has an approximate expenditure of \$33,000.00 during the current two-year contract period, which will expire on May 23, 2019 with Dot Designing and Keyport Army and Navy as current vendors. She reported in addition, Public Works Department has spent approximately \$9,500.00 with Aramark Uniform Services since June 1, 2016 under a separate bid which will now be integrated in this bid.

Authorize Receipt of Bids – Normandy Beach Outfall Pipe Replacement

Councilman Halloran stated this resolution authorizes the receipt of bids for the replacement of an outfall pipe in the Normandy Beach section of Brick. He said the pipe is failing and in need of replacement and is essential to the flow of water to prevent localized flooding.

Authorize Receipt of Bids – Fall Fest Food Vendor

Councilwoman deJong stated this resolution authorizes the receipt of bids from vendors to provide food and refreshments for the 2019 Fall Fest event. She said last year the successful bidder paid the Township \$2,000.00 to provide this service.

Authorize Waiver of the Noise Ordinance – BTMUA Drilling Project

Councilman Mummolo stated this resolution authorizes a waiver of the noise ordinance for the Brick Township Municipal Utilities Authority for the drilling of two observation wells on the BTMUA Water Treatment Plant campus. He said the waiver is required to allow the contractor to drill the wells continuously for 24 hours per day. He reported each well should take approximately four weeks for a total of eight weeks. The scheduled drilling and well development dates are from April 1, 2019 to July 3, 2019. He said the BTMUA will be providing advance notice to nearby residents and the Contractor will erect a sound barrier to reduce the impact to neighboring residents.

Authorize Execution of Memorandum of Understanding – Homeland Security Grant

Councilwoman Pontoriero stated this resolution authorizes the execution of a memorandum of understanding between the Township of Brick and the County of Ocean for the FY17 Homeland Security Grant as awarded to the County from the State of New Jersey Department of Law and Public Safety. She said the County will reimburse the Township an amount not to exceed \$9,135.00 for the purchase of SCUBA equipment for the Police Department's water rescue/diving team.

Authorize Placement of Tax Liens for Property Clean-ups

Joanne Bergin advised of the following:

- Block 378.22 Lot 22 – 125 Queen Ann Road in the amount of \$500.30.
- Block 378.42 Lot 4 – 49 Bay Way in the amount of \$2,363.81.

Authorize Special Events Permit – Bike MS: Coast the Coast

Councilman Halloran stated this resolution authorizes a special events permit for the National MS Society to conduct a Bike MS: Coast to Coast event scheduled for Saturday, May 18

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between the hours of 9:30 am and 4:30 pm along Route 35, specifically the northbound and southbound bike lanes.

Authorize Special Events Permit – Church of Epiphany Feast of the Assumption

Vice President Crate stated this resolution authorizes a special events permit for the Epiphany Church Feast of the Assumption on August 15, 16, 17 and 18 at the Church located on Thiele Road between the hours of 5 and 10 pm.

Bond Releases/Reductions

Clerk Iannarone advised of the following:

- Performance Bond Reduction – Suzanne Dudas – Mantoloking Road returning \$18,577.40 to the applicant.
- Inspection Fund Release – Urban Edge Properties – Chambers Bridge & Route 70 in the amount of \$1,333.12.
- Inspection Fund Release – French & Parrello – Herbertsville Road in the amount of \$1,589.78.

Tax Collector

Joanne Bergin advised of the following:

- Tax Overpayments – 2018-2019, for a total amount of \$4,813.95.
- Redemption of Tax Sale Certificate.

Authorize Extension of the Noise Ordinance – Weidener Construction Utility Work

President Zapcic stated Weidener Construction is the contractor for White Castle and has requested a two week extension of the noise ordinance due to unforeseen delays with County permits.

President Zapcic opened the public hearing on the Resolutions.

George Scott, 16 Queen Ann Road, asked for clarification of the observation wells. He spoke of his concerns with 49 Bay Way which has not been demolished as yet.

Councilman Mummolo responded the MUA is required by DEP to put in these test wells to monitor the quality of water. He stated once the wells start they cannot be stopped.

Kevin Starkey responded there was litigation in federal court over this; the homeowner tried to stop the foreclosure from proceeding. He said they are taking this action tonight because this property is fire hazard and this is action they can take quickly. He said the expenditure of \$2,363.00 will be a lien against the property that the Township will recoup. He stated they do not always know what is going on with these properties.

President Zapcic closed the public hearing on the Resolutions.

Councilman Fozman had several questions on the computer bill resolution.

Mayor Ducey, Joanne Bergin and Kevin Starkey responded to his concerns.

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 and Community Services, Inc;
Councilman Mummolo ABSTAINED on Meridian Occupational Health

2019 Computer Bill Resolution in the amount of \$19,168,421.33

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

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There were no comments from the audience.

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

Motion by Councilwoman Pontoriero 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 \$1,643,594.45

Ordinance on Second Reading: Amend Chapter 245-313C - Signs

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

Councilman Mummolo explained the sunset provision in Township ordinance regulating the use of flags, streamers and no more than two feather flags expired on December 31, 2018. He said the general regulations state that the use of flags, streamers and no more than two feather flags (with a maximum height of ten feet) is prohibited other than for a period of 60 days from the date of opening a new establishment or the closing of an established business. He stated additional flags, streamers and no more than two feather flags (with a maximum height of ten feet) shall be allowed four times a year thereafter for a period not to exceed 10 consecutive days provided that a minimum of 30 calendar days has lapsed between promotional campaigns and a permit has been obtained from the Township, along with a \$30 fee. He reported the Land Use Committee recommended this amendment to remove the sunset provision and make this an ordinance that does not expire or need to be renewed.

President Zapcic opened the public hearing on the Ordinance.

There were no comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Halloran 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 THE TOWNSHIP CODE OF THE
TOWNSHIP OF BRICK ARTICLE XXXVI. SIGNS, TO DELETE §245-313C**

President Zapcic opened the public hearing portion of the meeting.

Melanie Briggs, Summit Avenue, spoke about the Buy in Brick Program; she spoke about the demolition of five houses and why they need to be demolished.

John Sluka, 950 Sylvia Court, read this letter regarding the parkway construction project and the need for a sound wall along with reforestation in many areas in Brick.

Michele Spector, 808 Jenny Court, spoke about the issues regarding the parkway construction project and letters she has written to Trenton and calls she has made.

Councilman Fozman asked her to email him everything she has.

Diana Diaz, 409 Raleigh Road, requested additions to the agenda for the next two council meetings to include discussion of the ban on recreational marijuana more specifically to the cultivation, manufacturing and testing of such; the other item would be the zoning for such a facility. She had 84 pages of a police report from a facility in Woodbridge with many complaints. She expressed her concerns about a facility like this being in a residential area.

President Zapcic responded that the ordinance is permanent.

Councilman Fozman suggested she attend a Planning Board meeting.

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Bill Truex, 404 Adamston Road, reiterated the concerns of Diana Diaz regarding the marijuana growing facility. He read some quotes from the newspapers that the co-owners made.

Vic Fanelli, 24 Meadow Point Road, commented he is frustrated in getting half answers or no answers to simple questions. He understands George Scott's aggravation regarding the demolition of homes. He spoke about \$3M that Councilman Fozman questioned. He expressed his displeasure with the police presence and said its overkill based on what might happen.

Kevin Starkey replied that's not a bad thing. They do not want to spend public money unless they have to. He said typically this process results in those private property owners or banks that take them over and do it themselves.

Joanne Bergin commented the CFO will provide that information.

Mayor Ducey stated the answer is the CFO looked at it, she made the recommendation on sound fiscal advice.

Joanne Bergin stated that they asked the police department to do an assessment of town hall to insure the safety of the public as well as employees.

Marcel Diaz, 409 Raleigh Road, stated he sent a video of how he and his wife were verbally attacked while walking out of the February 26 meeting. He commented people smoking medical marijuana should not be driving cars. He commented the police should have done more with the incident.

Joanne Bergin responded probable cause requires the police to see some activity while they are driving the vehicle that would cause them to get pulled over.

Bill Truex commented the police presence is directly related to the marijuana incident and ongoing security concerns since the marijuana proposal has been brought to the council and zoning board.

Councilman Halloran responded that's not true; they had a lot of concerns with security prior to that meeting.

Melanie Briggs, Summit Avenue, questioned why there was never any discussion about a meth treatment center.

Mayor Ducey responded the state gives very little leeway of what can and cannot ban from a town so porn shops (except for the one that was grandfathered) can be banned and the marijuana. He said marijuana is not a permitted use in our town and it was passed by council. He said other medical facilities, meth clinics the state has not given us the ability to do anything; depending on where they want to build it doesn't even go before a board because it's a permitted use, it's a medical use.

Kevin Starkey commented probable cause is sometimes very difficult to determine that's why it's left often in the discretion of the police to determine.

There were no further comments from the audience.

President Zapcic closed the public hearing portion of the meeting.

Councilman Fozman asked timeline for the street light on New York Avenue. He will get papers for a petition for a light on Rhode Island Avenue. He asked if any upgrades were planned for New York Avenue pertaining to the flooding.

Joanne Bergin responded JCP&L has confirmed through email that they have the request but would not commit to a timeline. She said she does not have any papers on Rhode Island Avenue request and suggested they write a letter/petition for the street light. She then explained the procedure for obtaining a street light.

Councilman Fozman spoke about the flooding on New York Avenue. He also asked about the engineering report for Greenbriar I flooding. He spoke of the waterway between Laurel Square

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and Van Zile Road and the stream behind Burlington Coat Factory.

Joanne Bergin responded there are no cost estimates for a project like that; there are many areas in Brick with flooding issues.

Mayor Ducey responded the county is still working on the engineering report for Greenbriar I.

Joanne Bergin responded they generally try to clean what impacts the stormwater systems for the town because that will greatly impact the residents.

Kevin Starkey stated they are not sure of the ownership for that waterway.

Councilman Fozman commented the minutes of the July 24, 2018 Public Works Committee Meeting were not the minutes approved by him and were changed by the new committee in February.

Vice President Crate spoke on the issue with minutes discussed by Councilman Fozman.

Kevin Starkey cautioned Councilman Fozman not to read his minutes and stated personnel issues did not belong in minutes.

Joanne Bergin responded all they wanted to do was find out the truth about the allegations in his minutes.

Councilman Fozman stated the people from Nejecho Beach emailed him regarding an update on dredging.

Councilwoman deJong responded Elissa Commins sent an email explaining the expectations of what the residents should have and all council members were copied. She stated Township does not own Godfrey Lake but they take care of that area and asked how that is different from any dredging.

Mayor Ducey explained there is a townwide offer that the town does the survey work for the lagoon area in any neighborhood that needs it and the homeowners are responsible for finding a drying out area as well as paying for the actual dredge. He said the state prefers the town takes the lead on those projects.

Councilman Fozman thanked Nancy Bonta Voitko for her presentation as well as Dan Santaniello and Chief Riccio.

Councilwoman Pontoriero thanked Dan Santaniello and Chief Riccio for thorough and well thought out budget presentations.

Councilwoman deJong gave a update on the Buy in Brick Program; she wished the spring sports teams good luck.

Councilman Mummolo congratulated the students of the month; he thanked Dan Santaniello and Chief Riccio for their presentations; he spoke of the August 14, 2018 Public Safety minutes that were accidentally erased and of the anonymous letter received shortly after that.

Councilman Halloran thanked Dan Santaniello and Chief Riccio for their presentations and thanked the students; he announced April 13, 2019 Clean Action Beach Sweep at Brick Beach III.

Vice President Crate stated in her opinion they have a stellar public works department who go above and beyond to keep this town clean; she announced April 13, 2019 is the 9th Annual Green Fair and the theme is Make One Change at Brick Township High School.; she spoke of a special event, Brick Fallen Heroes on April 27, 2019 at Windward Beach.

President Zapcic spoke of DART Prevention Coalition, a county non-profit similar to B-MAC, presentation called Changing the Script to be held at Ocean County College on April 4, 2019 to address the overlap of youth sports injuries and early exposure to prescription opiates.

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Motion by Councilman Halloran and seconded by Councilman Mummolo to Adjourn the meeting at 10:21 p.m.

All Council Members voted AYE.

Andrea Zapcic
Council President

Lynnette A. Iannarone
Township Clerk