

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 (Arrived at 7:07 pm)  
 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](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 March 2019.

Motion by Vice President Crate and seconded by Councilwoman deJong to dispense with the reading of the minutes of February 26, 2019 meeting and approve the same.

All Council Members voted AYE on Roll Call, except:

Councilman Mummolo ABSTAINED because he was absent.

#### **CERT Team – National Volunteer Week**

Mayor Ducey, Vice President Crate along with Safety Officer, Joseph Gilsenan recognized the CERT Team for National Volunteer Week. Mayor Ducey said every day volunteers make a difference in Brick Township by selflessly giving their time to make the community a better, safer and friendlier place for all. He said since 2009, they are fortunate to have the Brick Township Police Emergency Management CERT – Community Emergency Response Team – who are volunteers that are trained to be better prepared to respond to emergency situations, give critical support to first responders, help with non-emergency situations such as SummerFest, Trunk or Treat, the Memorial Day Parade. He said the CERT members are trained and supervised under the guidance of coordinators Joseph Pawlowicz and Joseph Gilsenan and he called up and named the members: Bernie Bujak, Douglas Chase, Tyler Connelly, Elizabeth Contreras, Judith Conway, Katherine Deal, Nancy DiMatteo, Phil Donohue, Diane Eaton, Robert Ferraro, Al Fasano, Susan Fimiani, Victor Finamore, Ryan Griffin, Judith Hromoko, Michael Hromoko, Joseph Jackson, Bruce Miller, Florence Ochs, Michelle Petrosino, Jamie Prioli, Steve Prioli, Bruce Rimmer, Rhonda Rimmer, Michael Shymko, Glenn Steinhandler, Susan Stephenson, Joy Witt, Tom Zdyrski. He presented the proclamation and proclaimed the week of April 7 – 13, 2019 to be Volunteer Week.

Vice President Crate presented a resolution on behalf of the Township Council.

Jamie Prioli, CERT President, thanked the community for all of the support and advised they are always looking for volunteers.

#### **National Public Safety Telecommunicators Week**

Mayor Ducey, Vice President Crate along with Deputy Chief Ling and Sergeant Kenny recognized the Brick Township Public Safety Telecommunicators. Mayor Ducey said dispatchers and other public safety telecommunicators represent a vital link between the public and the first responders, who are dependent upon the accuracy of information obtained by the telecommunicators from the calls received from citizens and also the public safety telecommunicators provide consistent excellence in customer service with the shared goal of protecting life and property, while also maintaining the highest level of professionalism even under the most extreme circumstances. He presented the proclamation and proclaimed the week of April 14– 20, 2019 to be National Public Safety Telecommunicators Week.

Vice President Crate presented a resolution on behalf of the Township Council.

Deputy Chief Ling said by far they have the best communication operators of any department around. He said as Chief Riccio always stated the men and women they are the real heroes behind the scenes, they are a major part of why the department runs as smoothly and effectively as it does every day. He said because of their professionalism and their expertise the citizens of Brick Township and the officers who work here are safer each and every day.

### **Budget Presentations:**

Tara Paxton presented the following budget:

**Division of Land Use** - The Division of Land Use consists of the Planning Board, Zoning Board, Zoning Office, GIS Mapping, Grant Management and General Land Use Planning.

#### **Planning Board:**

The Planning Board acts on development applications involving the subdivision of land or site plans for permitted uses. The Board Secretary processes the applications from beginning to end. The Board heard and approved 14 cases in 2018, collected \$20,250.00 in application fees and \$43,350.00 in Escrow fees. They have one Secretary that manages both boards with a part-time assistant.

#### **Zoning Board**

The Zoning Board of Adjustment can also act on applications involving subdivisions and site plans, the same as the Planning Board. However, the Zoning Board acts primarily on variances involving individual residential undersized lots or proposed structures that don't meet the height or setback requirements. The Zoning Board also hears matters involving uses that are not permitted in a particular Zone. In 2018, the Board heard 45 cases, approved 42, denied three, one withdrew and many are yet to be decided. The board collected \$31,975.00 in application fees and \$59,375.00 in Escrow fees.

#### **GIS Mapping**

The GIS specialist works closely with the BTMUA and the Township's Consulting Surveyor to keep the Township's Computer Mapping current. He also makes the annual revisions to the tax map sheets and creates maps for various departments, such as Police and Recreation, working most closely with the mapping needs for Land Use and Engineering. The GIS specialist created all of the Flood Hazard Area Open Space Mapping and Spread Sheets that were submitted to FEMA and was approved as a major component of the Community Rating System (CRS) application and approval. She said this year, the GIS staff assisted in the Township's effort to change the policy at the National Level for the CRS crediting system by assisting us in demonstrating the historic transfer of property from the Township to the Federal US Department of Interior. These preserved lands were once owned by the Township and were discounted from CRS Open Space area calculations because they were able to demonstrate the geographic area and transfer of lands, they were able to change Federal Policy to include the acres of land that are located within the Special Flood Hazard Area in the overall preserved lands calculation. In addition, the GIS staff assisted in creating digital Community Development Block Grant forms, the creation of a CDBG Program Webpage on the Township's Website and updates to the official zoning map.

#### **Planning**

The Planner serves as the professional to both the Zoning and Planning Boards providing reports and attends the meetings. The Planner manages the Land Use Division, serves on various township committees, prepares Master Plans, Redevelopment Plans, Affordable Housing Plan, update the Land Use Ordinance, manage and coordinates most township grants, deals regularly with the development community and manages the administration of the Township's CDBG Program. The in-house Administration of the CDBG Program results in a combination of savings to the Township and an increase of availability of funds to the public of close to \$100,000.00 annually. She said two staff clerks assist in the management of the CDBG Program, namely the Housing Rehabilitation Program and the Public Services Program. The Township was awarded \$44,400.00 in 2018 Public Services Grants initiated the Disabled American Veterans building ADA Improvement Project and completed the repaving and sidewalk improvement of Lions Head Boulevard South utilizing 100 percent CDBG funds. In addition, housing rehabilitation projects continue to be administered by the Township and two outside agencies, totaling nearly 65 projects completed to date. She said the Land Use Division continues to work hand-in-hand with the Divisions of Engineering and Building to ensure the Township's continued participation in the NFIP's Community Rating System (CRS) program in 2018. She said they entered into the CRS Program at a Class 6 rating and are working hard to

maintain the level of achievement. The result of the Class 6 rating was a 20 percent savings on eligible flood insurance policies for Brick residents and they have received annual re-certification in October of 2018. She advised FEMA had estimated the total annual savings on Flood Insurance for Brick's participating property owners at a little over \$670,000.00. The Land Use staff manages a number of reports, studies and activities that are necessary to accomplish annually to maintain active status in the CRS Program including the Floodplain Management Planning Committee and the annual review of this plan. She said they also worked on the adoption of a Master Plan Re-Examination report that resulted in the rezoning of many areas of the Township and the creation of a new Village Zone that permits both commercial and residential uses on one site.

The planning staff continues to work towards obtaining grant funding and implementing projects and they have worked closely with the Engineering and Parks Divisions to implement the redevelopment of Birchwood Park and Bernie Cook Memorial Park. She stated they have applied to the Green Acres Program for continued funding under the Multi-Park Grant to improve Bayside Park. In working with the Brick Police Department, they closed out the Body Worn Camera Grant in the amount of \$112,500 and were awarded a \$469,281.00 pass-through grant from the School Violence Prevention Program from the US Department of Justice that they will be administering for the installation of security cameras and equipment by the Brick Township School District. In addition, the Recreation Division received an additional \$11,700.00 grant to continue with the 5<sup>th</sup> year of the NJDCA Recreational Opportunities for Individuals with Disabilities grant. The planners continue to assist the finance office and all other departments in the writing and administration of their grant programs.

#### **Staff**

She said they saw the retirement of our longtime Planner, Michael Fowler, in November of 2018 after 25 years of exemplary service and the Zoning Officer of 39 years, Sean Kinnevy. They now have six full time employees and one seasonal with eleven Planning Board members and nine Zoning Board members.

#### **Salary and Wages**

She said the Land Use budget for salary and wages decreased by 11 percent for 2019. The requested Overtime Budget of \$12,000.00 is \$5,000.00 less than last year which covered costs associated with the Assistant Planner and Zoning Officer's attendance at Zoning Board of Adjustment meetings and occasional after-hours work. Since the Planner is covering both boards and is now a division head, overtime is no longer needed.

#### **Operating Budget**

The Land Use operating budget request increased from \$20,000.00 in 2018 to \$20,050.00. In 2019 they will continue to facilitate an increase in professional training for employees in land use and zoning courses offered by Rutgers. Since the division has lost two long-time knowledgeable employees, staff has requested cross-training to be able to assist and support the boards, planner and zoning officer at the front counter when residents are requesting information. The Professional Services Line Item is increased modestly to provide continued FEMA CRS recertification activities and Master Plan Updates in concert with the Engineering Division for Stormwater Management Planning. The other budgeted items primarily cover attendance at required training, dues and printing supplies

Chris Romano presented the following budget:

**Zoning-** The Zoning Office processes applications for development that may or may not have required a Board approval. Zoning applications can range from a request to build a 90 sq. ft. shed to the development of a major shopping center. The Zoning Officer looks for consistency with Board approvals and the Zoning Code.

#### **Zoning Permits & Fees**

The Zoning Office permit fees totaled 1,435 permits in 2018 earning a total of \$94,695.00. The fees are \$75.00 for principal structures and \$50.00 for accessory structures.

#### **Site Development & Review**

This office is involved with all development applications from the initial informal meeting requests with applicants through the permitting process. They are also involved in the site inspection and development compliance in concert with the Engineering, Fire Code, and Building Divisions. He said as Tara stated, there were 14 Planning Board and 45 Zoning Board Cases. He advised he also attends all of the Zoning Board of Adjustment Meetings.

#### **Staff**

He said they have two full time employees a Zoning Officer and a Zoning Clerk. He said Sean Kinnevy retired after 39 years of service, leaving the office short of one person to answer questions at the counter and field phone calls. He said in addition, the Township planner would

also assist when busy and are experiencing high volumes of resident inquiries. With Sean and Michael Fowler both retired, they are technically short staffed by two. Land Use Staff has requested additional land use and zoning cross training so that they can step in and assist when needed. They are requesting funding in the training line item to accommodate this cross training request that will benefit Zoning and the Division as a whole.

Councilman Fozman questioned Mrs. Paxton if she still will be writing grants now that she has taken on the position of Planner; he asked for clarification on the stormwater management update and asked if the New York Avenue and Greenbriar I flooding event would be part of that management.

Tara Paxton said yes she will still be involved with the grants and advised she has developed a good relationship with the various departments to take on some of the administration of the grant(s); she said they have a stormwater management element in the master plan that is required by the NJ Municipal Land Use Law and it has not been updated since/around 2005 or 2006 and there is also a Municipal Stormwater Pollution Prevention permit that requires that element and both of them need to be renewed annually; she said the stormwater management has specific requirements – it's more of a roadmap for where the stormwater facilities are, how they are mapped, how many detention and retention basins the Township has; she said for New York Avenue and Greenbriar I it would be more of an issue for the engineering department to handle, not part of the stormwater management.

President Zapcic opened the public hearing on the Land Use and Zoning Budget Presentations:

Vic Fanelli, 24 Meadow Point Drive, asked for clarification on what escrow fees are; he questioned if the School's pass-through grant has a match requirement.

Tara Paxton gave him an explanation on escrow fees and replied that a match is required of the Board of Education pass-through grant.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Land Use and Zoning Budget Presentations.

Dan Newman presented the following budget:

**Division of Inspections** The Division of Inspections is empowered to enforce the New Jersey adopted Uniform Construction Code as well as local ordinances relating to property maintenance, and the occupancy or re-occupancy of rental units. The Division therefore has two budgets, one dedicated to the enforcement of the Uniform Construction Code (budget 195) and one dedicated to Municipal Code Enforcement of the property maintenance code and rental inspections.

**Uniform Construction Code Budget**

The purpose of the Uniform Construction Code is to protect the health, safety and welfare of the people; also, the Code is designed to encourage innovation in construction, including the use of modern technical methods and the elimination of obsolete construction regulations that increase the cost of construction. The number of permits issued in 2018 was 3,547 permits with an additional 967-permit updates, for a total of 4,514 permits. The number of inspections performed in 2018 was 20,476.

**Staff**

The portion of the Divisions staff dedicated to the enforcement of the UCC in 2019 includes eight full-time clerical positions that include permit intake personnel, inspection scheduling and plan review. These folks are the front line staff that deals with the public and contractors on a daily basis and do a great job. They have restructured the permit process and made significant progress in terms of communicating with applicants in regards to the status of permits and providing windows for inspections. They also have a part-time employee who assists with filing permits.

**Inspection staff includes:**

**Building:** A full time Subcode Official, Two full time building inspectors, One part-time building inspector who primarily performs plan review one or two nights per week as needed. Usually no more than 5 hours a week.

**Plumbing/Mechanical:** One full time Plumbing Subcode Official, Two full time plumbing inspectors, One part time inspector. Less than 10 hours a week as he is needed.

**Electrical:** One full time Electrical Subcode Official, Two full time Electrical inspectors

**Fire:** They continue to utilize the services provided through a shared service agreement with the Fire Bureau to provide fire inspection and plan review services.

**Elevator:** One Part time elevator inspector.

**Revenue**

Much of the revenue from permit fees is based on the value of construction of the projects undertaken in the Township. The value of construction for 2018 was \$91,569,550. The revenue generated by the permit fees was \$2,792,542.00. Additional revenue from items such as penalties, ongoing inspections of public swimming pools, variation applications and yearly testing of backflow detection devices brought the grand total for revenue to \$2,897,196.00. Expenditures for salaries in the 2018 budget was \$1,371,263.61. This year, they are requesting in the budget \$1,421,000.00. He said the overtime required in 2018 was greatly reduced and have expended a total of \$35,518.64 in overtime. This was down 68.5 percent from the previous year. They are requesting a reduction from \$100,000.00 to \$75,000.00 for overtime. He said the operating expense request is decreasing by 5 percent to \$106,625.00 and they expended \$513.00 but are requesting \$1800.00 for 2019 for training and conferences. This line item is primarily used for The Building Safety Conference. However this requested increase is related to the need to send one individual to NJ Step training recommended by the State. The clerical staff supervisor retired and an individual staff member was promoted to replace that supervisor. The NJ Department of Personnel provides NJ Step training for Civil Service promotions that includes new supervisory responsibilities.

Line item 243 they spent \$3,844.34 and are requesting a reduction to \$3,000. That is less than requested in 2018 however not as low as in previous years. A code change cycle is underway. New Codes are adopted every three years. Many of the new codes have been purchased. However some including the IBC and the IRC will be issued in a NJ version. The NJ versions are not available yet when they will be required to purchase them. He advised Line item 246 he is requesting additional money for protective clothing including hard hats. Many of the protective clothing items need to be replaced. It has been years since they purchased protective clothing. Line item 253 also has a significant change. In the past, any item that would last more than five years would be added to the capital request. However that means that the cost was spread out over years. Items that have a value of \$5,000.00 or less really should be incorporated into the operating budget not placed in the capital budget. This line item budget request is being increased to pay for the replacement of four office chairs, a dilapidated file cabinet, and an old storage cabinet with broken handles. In the past, these types of purchases would be part of the capital request so now that will be paid out of the O&E budget.

**Code Enforcement/Property Maintenance/Rental Inspections**

The purpose of the municipal codes is to protect the quality of life of the residents, and ensure property owners provide safe housing when their units are rented. The code enforcement staff includes four full-time inspectors and one part-time inspector. Supervisory help continues to be provided by the Zoning Officer. In addition, one clerk is assigned to the code enforcement office to provide support for the inspectors and to carry out clerical functions. The code enforcement permit clerk deals with in-person and telephone complaints, passes those on to the code enforcement officer for that zone and logs all activity. Code Enforcement officers conducted 1,551 rental inspections in 2018 at 1291 properties. Fees collected in 2018 for rental inspections totaled \$136,200.00. This is consistent with 2017 when \$135,150.00 in rental fees was collected. The inspectors also investigate properties based on complaints or spot checks of properties. These inspections generated 4,553 violation notices for violations of municipal code. This is an increase of 575 violation notices or 13 percent from 2017. The inspectors are also working diligently to identify vacant and abandoned properties. They document the conditions of the properties and send violations as appropriate. They are presently evaluating 872 homes that are in pre foreclosure. After properties pending foreclosure are evaluated an additional 184 homes where the water is turned off will be visited to determine if they are vacant or abandoned. The total budget request for Other Code Enforcement salary and wages is \$315,000.00. Overtime used in 2018 was only \$522.95, therefore, reducing the request for funding for overtime by 40 percent. The code enforcement officers work diligently with Municipal Court staff for the once-a-month code court which has proven to be very efficient and an effective use of time. This day is dedicated to property maintenance code violations which no longer get caught up in the regular Municipal Court calendar. He said code enforcement staff also plays a vital role in assisting the Property Maintenance Board. There is an increase in line item 224 for uniforms. They are requesting \$500 this year when it appears that no request was made last year. However line item 202 was used for uniforms last year. The request for funding is the same as last year, \$500 it is just placed in a different line item in the budget. The request for O&E for this

budget is \$152,925.00, an increase from last year of \$460.00.

Elissa Commins presented the following budget:

**Division of Engineering** - The primary functions of the Division of Engineering are to establish and maintain public infrastructure as well as coordinate private development within and adjacent to the Township. Engineering handles aspects of the physical development of a property, from plan review to field inspection; essentially, they monitor the construction outside of the actual building envelope. Additionally, Engineering is responsible for compliance and enforcement of NJDEP rules and regulations with respect to local development, including but not limited to the Coastal Area Facilities Review Act or CAFRA, Freshwater Wetland Regulation, Storm Water Management, Flood Hazard Areas, Dredging and Sediment Technology and Solid & Hazardous Waste. The Township Engineer is also the designated Flood Plain Manager responsible for compliance with the rules and requirements of the National Flood Insurance Program. Based upon how well they comply with NFIP regulations and guidelines, the citizens are provided a discount on their flood insurance premiums. Brick Township Community Rating System is at a Class 6, which provides a 20 percent discount to those insured through the NFIP. Engineering also has an enforcement aspect to the Division that may issue violation notices and summons to those in violation of the Township's Code Section 168 - Engineering Permits and Standards, Section 196- Flood Damage Prevention and Section 245, Subdivision and Land Development. Most of the day-to-day operation of the Division of Engineering involves interaction with the public including homeowners, business people, contractors and licensed professionals.

She said the greatest efforts and goals moving into 2019 include:

1. Maintaining the Township's status within the Community Rating System (CRS) for discounted flood insurance premiums;
2. Assisting residents who are continuing to recover from Sandy and those residents scheduled to be newly remapped into a flood zone;
3. Maximizing the capital funds available to the greatest extent practical in order to complete necessary repairs and perform preventative maintenance to the Township's infrastructure;
4. Developing a township wide dredge material management masterplan; and
5. Utilize the permit and project software to improve efficiency and minimize delay.

**Engineering Operations:**

Engineering currently employs five full time employees, with one vacancy and has the ability for one seasonal employee. Engineer's salary and wage budget for 2019 is \$295,000.00 which represents a 23 percent increase from last year. Previously the department had a full-time inspector whose salary was funded through charge backs. That person has retired. They are interviewing candidates for this position and need to allocate the cost in the salary and wage budget as they cannot determine at this point what work assignments will be divided to what staff members. They do expect charge backs, either to the staff or outside consultants, but at this point cannot identify that with certainty and, therefore, need the salary and wage budget to include the full-time hire. The cost of the salary and wages for a given year are estimated, due to the charge-backs to escrow accounts and capital accounts. The actual offset the staffing costs fluctuate from year to year. She said the operating budget request is \$159,875.00 which is a 45 percent increase from 2018 which is largely due to the need to temporarily outsource responsibilities until such time that the vacancy be filled. She said additionally the actual costs of the various membership dues associated with the staff's licenses and certifications, as well as state agency permit fees have increased. The majority of the Engineering operating budget requested is in line item 207, Expert Services. This is money that the department reserves to pay engineers, architects or other professionals for services that cannot be capitalized, such as stormwater permitting compliance, flood mapping appeals, ADA compliance consultation and general traffic consultations. She advised if services are not required, these monies are not spent. The overtime budget request for 2019 is \$35,000.00, which is a 12.5 percent decrease from last year. While a decrease is anticipated, overtime is necessary due to the volume of construction being done in the Township and the completion of escrow inspections that are completed outside of normal operating hours. Essentially, they provide inspections as requested by contractors, outside of the normal operating hours of the township, provided the overtime hours worked can be charged to escrow projects that can be billed for the associated cost, such as capital projects or inspections associated with developers' accounts. These chargebacks to the operating budget are reflected in the actual Salary and Wage line items and not shown as an offset to the overtime line items. The increases requested for the 2019 Operating Budget reflect the need to outsource tasks until the vacancy can be filled coupled with a temporary loss of chargebacks from providing these services in-house, general increases in

state permitting fees and requirements, the costs associated with required continuing educational requirements and specific renewals to bi-annual licenses and certifications that shall be required during 2019.

President Zapcic asked Ms. Commins for clarification on how this chargeback relates to this vacant position in the engineering department; she said does the ability to chargeback on a particular job relate to the skillset of the inspector is that factoring into the search.

Elissa Commins replied Ken Shafer was the supervising road inspector and his time was estimated at over 80 percent chargeable and his salary/wage was recaptured into the budget by every hour he charged to a job so in absent of having someone available to do that she is outsourcing a lot of the work to CME Associates who also is billing us, but paying them as opposed to seeing that money recovered in the budget and the salary is still available in the Salary/Wage line item anticipating of hiring someone to fill the vacancy; she advised the chargeback rate they use is directly proportional to the salary, which is directly proportional to the skillset.

Councilwoman deJong asked Mr. Newman for an update on how Pro Champs is working out with the abandoned properties.

Dan Newman responded with the 872 properties referenced in his budget presentation are properties Pro Champs developed a registration for. He said they have had some difficulty with getting some of the banks to provide the Township the address, however, in consultation with them they are rolling out a newer/updated version of their software that should help with that in providing more teeth in their way they function. He said they have been doing well in collecting and noted they have collected \$567,900.00 worth of registration fees.

Councilman Fozman questioned how much money did the Township receive out of the \$567,900.00; he questioned what the registration fee is per home; he questioned the monies that come in does it go into the operating budget or into the fees of the building department; he questioned a bill resolution item and an increase in salaries.

Dan Newman replied that is the amount the Township received in 2018; he explained the process and collection of the fees - \$400.00 to the Township and \$100.00 to Pro Champs; he advised the monies received from Pro Champs goes into the Operating Budget; he gave an explanation on the bill resolution item; he explained the increase in salary is due to the new contracts.

Councilman Fozman questioned the salary of the employee that retired in the Engineering Department and questioned the use of CME Associates and what they charge; he questioned the increase in expert services; he reiterated his question earlier on New York Avenue flooding event and questioned if there are plans to improve New York Avenue; he questioned if there was a report available on the Green Briar I flooding event; he questioned line item #287.

Elissa Commins responded she was not sure of the retired employee's salary and advised her goal is to increase what they can do in house without increasing staff every year and advised salary/wage line item decreases every year by the way of chargebacks and noted she has lost a key component in completing that; she advised CME charges the same chargeback accounts the Township does – they just do not recover the money; she explained the reason for the increase in the expert service line item; she advised it is a stormwater issue and drainage issue which is incorporated into the Capital Improvement Program whether they are completed by DPW or bid out to contractors and noted those isolated incidents are not things that are actually identified in the stormwater management element of the master plan and advised yes she would like to replace the pipe that goes from the school property in between the two properties right to New Avenue and believes it is undersized and is causing a large part of the problem; she advised she does not have any information from the County or from the independent engineer.

President Zapcic opened the public hearing on the Inspections and Engineering Budget Presentations.

John Sluka, 950 Sylvia Court, asked Ms. Commins for clarification on the money being asked for in order to pay CME for an open position and the open position's salary being paid for in the

same budget.

Elissa Commins and Joanne Bergin explained in detail about the salary & wage and chargebacks and the intent is to fill the vacant position.

Vic Fanelli, 24 Meadow Point Drive, asked for clarification on the dredging master plan; he stated his displeasure with overtime budget request in the building department; he spoke about the inspection of properties

Elissa Commins said that they are planning to develop a dredging master plan which would speed up and streamline the process for residents and the plan would include a town wide survey of water depths, permitting clearances and an established list of disposal locations for sand. She said by law, Brick is responsible for dredging the marina at Traders Cove and near its outfall area and there are channels that the DOT maintains and then there are areas where nobody seems to want to take responsibility.

Dan Newman explained the process of rental property inspections.

Councilman Fozman asked if the Traders Cove soil report came in yet.

Elissa Commins advised they have not received the report back yet and advised she will get an update.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Inspections and Engineering Budget Presentations.

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

All Council Members voted AYE on Roll Call.

#### **Recognize National Volunteer Week – April 7 – 13<sup>th</sup>**

Vice President Crate stated this resolution recognizes the numerous service clubs that improve the quality of life for the residents. In recognition of National Volunteer Week, they are highlighting the Community Emergency Response Team program, otherwise known as the CERT Team, established in 2009 to help train citizens to be better prepared to respond to emergency situations. CERT members give critical support to first responders and provide immediate assistance to victims during emergencies while also supporting non-emergency projects.

#### **Recognize National Public Safety Telecommunicators Week – April 14 – 20<sup>th</sup>**

Vice President Crate stated this resolution recognizes the work done by the men and women who serve as public safety telecommunicators for the Township of Brick.

#### **Authorize Award of Contract – New World Public Safety Software Suite**

Councilwoman deJong stated this resolution authorizes an award of contract to Tyler Technologies, Troy, Michigan in the amount of \$167,020.68 to provide maintenance and support services for the New World Public Safety Software Suite used by the Police Department for dispatch. She advised the service falls under N.J.S.A. 40A:11-5 of the Local Public Contracts Law as an approved exemption which allows for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software.

#### **Authorize Special Events Permit – Rosalita's Cinco De Mayo Event**

Councilman Halloran stated this resolution authorizes a special events permit for Rosalita's to conduct a Cinco De Mayo event on Sunday, May 5<sup>th</sup> between the hours of noon to 12 am at the restaurant on Cedar Bridge Avenue.

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

Councilman Fozman stated this resolution authorizes the placement of tax lien for a property cleanup at 506 Nebraska Avenue, Block 1399.24 Lot 95, in the amount of \$942.66.

**Bond Releases/Reductions:**

Clerk Iannarone advised the following

- Inspection Fund Release – Atlantic Property Development – N. Bay Drive in the amount of \$187.76.
- Inspection Fund Release – Josantos Construction – Captains Drive in the amount of \$674.44.

**Authorize Denial for Release of Performance Guarantees – New Visions Phase 1**

Vice President Crate stated this resolution authorizes the denial for a release of the performance guarantees for Nobility Crest/New Visions Phase 1. At the request of the applicant, the engineering department conducted an inspection of site improvements to ascertain the status of improvements by the Performance Guarantees. She advised the Brick Township ordinance requires as-built drawings be submitted before the guaranty is considered for release. As each partial release is applied for, as-built drawings of the bonded improvements shall be submitted to the Township Engineer. She said the as-built plans have been submitted; however there are several outstanding punch list items that have yet to be addressed. She advised the engineer's recommendation that a full release of performance guarantees is not warranted until the punch list items are properly addressed.

**Authorize Denial for Release of Performance Guarantees – New Visions Phase 2**

Councilman Mummolo stated this resolution authorizes the denial for a release of the performance guarantees for Nobility Crest/New Visions Phase 2. At the request of the applicant, the engineering department conducted an inspection of site improvements to ascertain the status of improvements by the Performance Guarantees. He advised the Brick Township ordinance requires as-built drawing be submitted before the guaranty is considered for release. As each partial release is applied for, as-built drawings of the bonded improvements shall be submitted to the Township Engineer. He advised the as-built plans have not been submitted and therefore, no release can be approved.

**Authorize Denial for Release of Performance Guarantees – New Visions Phase 3**

Councilman Halloran stated this resolution authorizes the denial for a release of the performance guarantees for Nobility Crest/New Visions Phase 3. At the request of the applicant, the engineering department conducted an inspection of site improvements to ascertain the status of improvements by the Performance Guarantees. He advised the Brick Township ordinance requires as-built drawing be submitted before the guaranty is considered for release. As each partial release is applied for, as-built drawings of the bonded improvements shall be submitted to the Township Engineer. He advised the as-built plans have not been submitted and therefore, no release can be approved.

**Tax Collector:**

Joanne Bergin advised the following:

- Tax Overpayments – 2018 Block 134 Lot 15 in the amount of \$212.48.

**Authorize Addition to the Alternate Prosecutor Pool**

President Zapcic stated his resolution authorizes the addition of Suzanne Brennan, Esq., of the firm Grace, Marmero & Associates, LLP to be added to the Alternate Prosecutor Pool.

Councilman Fozman questioned how many attorneys are in the alternate prosecutor pool.

Kevin Starkey responded one firm.

President Zapcic opened the public hearing on the Resolutions.

There were no comments from the audience.

President Zapcic closed the public hearing on the Resolutions.

Councilman Fozman had several questions on the computer bill resolution.

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

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

**2019 Computer Bill Resolution in the amount of \$1,879,210.32**

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 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 \$1,647,262.46**

**Ordinance on Second 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.

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 Fozman and seconded by Councilwoman Pontoriero 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.

**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)**

Councilman Fozman had several more questions pertaining to the budget.

Joanne Bergin addressed his concerns.

President Zapcic opened the public hearing portion of the meeting.

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

Melanie Briggs, Summit Avenue, mentioned she heard on the news the Governor found \$50M to help the Sandy people.

Mayor Ducey said yes \$53M from the Federal Government and hopes Brick residents see some of that money.

Jessie Armstrong, Route 88, expressed his displeasure with the ban on medical marijuana.

Mayor Ducey advised the ban was for recreational and explained the reason for the ban.

Vic Fanelli, 24 Meadow Point Drive, stated his displeasure with council's side talk.

Roxanne Jones, W. Princeton Avenue, spoke about California's fiscal problems to the point they are considering new taxes on soda, tires, bottled water.

There were no further comments from the audience.

President Zapcic closed the public hearing portion of the meeting.

Mayor Ducey announced good news the Zoning Department granted a permit for a tenant fit up for Traders Joe's at Brick Plaza and noted it has been a long time coming; spoke about the new Mayor's shows; he said he attended the Mayor's Legislative Day and met with representatives from the Governor's office and spoke to them about the Evergreen Woods wall; he announced some upcoming events and the ribbon cuttings he attended; he announced May 11<sup>th</sup> will be construction drop off day at the "hill".

Councilman Fozman touched on the surplus in the budget; he spoke about the monies coming in for the Foodtown site and noted the project has been approved by the Planning Board; stated his displeasure not receiving any monies yet from the Bogan issue; he thanked the CERT Team and the Telecommunicators; he also thanked Tara Paxton, Chris Romano, Dan Newman and Elissa Commins for their budget presentation; he spoke about the Neighborhood Watch Program and thanked Chief Riccio and his department as well as all the residents involved; he stated his support of the Public Works Department; he stated his pleasure with Traders Joe coming to Brick.

Mayor Ducey responded \$5.5M for the Foodtown site and advised it is not sold yet so they cannot use that money in this years' budget.

Kevin Starkey stated they will need State approvals such as CAFRA which they do not have yet and noted they will be closing some time in the near future and since it has not closed yet they cannot use the money in this years' budget; he gave an update on the Bogan issue.

Councilwoman Pontoriero thanked the members of the CERT Team; spoke of April being Head & Neck Cancer Awareness Month and advised Sloan will be offering free screenings.

Councilwoman deJong gave an update on the Buy in Brick Program; she gave kudos to Ed Moroney for a great job he did on the Recreation brochure; she thanked Mayor Ducey for working so hard on getting Trader Joes to come to Brick Township.

Councilman Mummolo congratulated the Telecommunicators and the CERT Team and thanked the all for their budget presentations.

Councilman Halloran also thanked the Telecommunicators and CERT Team along with the department heads for their budget presentations; he announced the upcoming Beach Sweep on April 13<sup>th</sup>.

Vice President Crate spoke about the upcoming Green Fair and Brick's Fallen Heroes Ceremony and urged all residents to come out to both events.

President Zapcic thanked the CERT Team and Police Dispatchers for everything they do to help

make Brick Township a better place for all of us to live; she thanked Tara Paxton, Chris Romano, Dan Newman and Elissa Commins for their budget presentations; she thanked Ed Moroney for a wonderful job on the Recreation brochure which was all done in house.

Motion by Councilwoman Pontoriero and seconded by Councilwoman deJong to Adjourn the meeting at 9:37 p.m.

All Council Members voted AYE.

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Andrea Zapcic  
Council President

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Lynnette A. Iannarone  
Township Clerk