

A Public meeting of the Township Council was held in the Municipal Building at 6:00 p.m. and was called to order at 6:00 p.m.

Present

Councilwoman Andrea Zapcic\*  
 Councilman Vince Minichino\*  
 Councilman Paul Mummolo\*  
 Council Vice President Arthur Halloran\*  
 Council President Lisa Crate

Also Present

Mayor John G. Ducey  
 Kevin Starkey, Township Attorney\*  
 Lynnette A. Iannarone, Township Clerk  
 Joanne Bergin, Business Administrator  
 (\*Present via Zoom)

Absent:

Councilwoman Marianna Pontoriero

Clerk Iannarone announced adequate notice of this meeting was provided and published in The Ocean Star on February 12, 2021 and March 5, 2021. 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.

President Crate thanked everyone for participating in this evening's Township's Major Diversion of Parkland Scoping Hearing, which is being held in accordance with NJDEP Green Acres requirements. She said this hearing has been advertised as a public meeting of the Governing body specifically to provide a public overview of the Township's diversion application and to solicit feedback from the public. She advised this meeting is available through the Zoom application, where you can see and hear tonight's meeting, and participate during the public comment period as you would if we were all together in person. To ask a question or comment, please click on your device and a bar will appear on the bottom of your screen. One of the icons posted there is a "Raise your hand" button. Click that to indicate you have a question. The "Raise your Hand" icon can also be found by clicking on the "More" option. We can see that on our end and will call on people one at a time. Questions and comments are also welcome by email. The address is [publicmeetingquestions@bricktownship.net](mailto:publicmeetingquestions@bricktownship.net). We are checking that email throughout the meeting. She explained this hearing is required for the Township to legalize a diversion that occurred in 2002, when the Township gave an easement and a .124-acre roadway dedication to the County of Ocean in conjunction with the Brick Boulevard expansion project. The property provided by the Township is the PAL property, which we own and rent to the PAL. The PAL property is encumbered parkland and therefore requires a diversion to provide a portion to Ocean County for the Brick Boulevard expansion project. She said Township Planner Tara Paxton is with here via Zoom to provide the details on the requirements to complete the diversion application for consideration by the State House Commission.

Tara Paxton explained that the purpose of the hearing is to accept public comment on a major disposal or diversion of parkland that is under consideration and described the proposed disposal or diversion, including the lands affected, the total acreage of parkland to be affected and the project for which the disposal or diversion is sought:

- Roadway Easement Dedication: 0.124 acres
- Stormwater Drainage Basin Easement: 2.464 acres

She advised public need for this project would fulfill, the significant public benefit it would yield, or the exceptional recreational and/or conservation benefit it would provide:

- Compliance with Green Acres Stewardship regulations
- Diversion of property that provided a public benefit for the traffic improvements replaced by high quality environmentally valuable lands at the Beaton Tract
- Release of funds for development projects

She discussed why this was a diversion of parkland and explained that because the stormwater facility and easement were constructed as part of a transportation project and not a

recreation project, this caused the diversion of the parkland. If this had been the construction of a stormwater basin to support a parking lot at a recreational field for users of the park to utilize, it would not be deemed as a diversion. In 2002, before the construction of the roadway expansion, this was not understood by the administration serving at the time. She discussed past and ongoing efforts to identify alternatives to the proposed disposal or diversion considered by the local government unit or nonprofit and the reason(s) for rejecting any alternatives, and, to the extent known, the compensation that the local government unit or nonprofit would provide for the proposed disposal or diversion:

- Alternatives were discussed in memos between Green Acres staff and Township staff for replacement lands in 2010 and 2011. Acceptable replacement lands were identified on March 20, 2011 memo at a 2:1 land area replacement.
- The Township of Brick utilized general revenue bonds to purchase the lands in partnership with Ocean County Natural Lands Trust. Township of Brick Ordinance 1094-03 funded a contribution towards the acquisition of the Beaton Tract. Ocean County Natural Lands Trust Portion was purchased with Natural Lands Trust Funds. The properties were appraised and certified by the Green Acres Program in 2010. The value of the PAL property was established at \$140,000/per acre. The purchase price for the Beaton Acquisition was \$1,257,500 in 2010 and was closed on July 6, 2011. The Township's participation in the acquisition was \$600,000.

President Crate opened the public hearing on the Township's Major Diversion of Parkland Scoping Hearing.

There were no comments from the public.

President Crate closed the public hearing on the Township's Major Diversion of Parkland Scoping Hearing.

Motion by Vice President Halloran and seconded by Councilman Minichino to Adjourn the meeting at 6:11 p.m.

All Council Members voted AYE.

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Lisa Crate  
Council President

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Lynnette A. Iannarone  
Township Clerk