

May 3, 2016

A combined Caucus/Public meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:00 p.m.

Present

Councilwoman Andrea Zapcic
Councilman Arthur Halloran
Councilwoman Heather deJong
Councilwoman Lisa Crate
Councilman Jim Fozman
Council Vice President Marianna Pontoriero
Council President Paul Mummolo

Also Present

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

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 8, 2016. 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 Councilwoman deJong and seconded by Councilwoman Zapcic to dispense with the reading of the minutes of the April 5 and April 19, 2016 meetings and approve the same.

All Council Members voted AYE on Roll Call, except:

Councilman Fozman ABSTAINED on April 19, 2016 Minutes because he was absent.

Brick Township High School Drama Club

President Mummolo, Councilwoman Zapcic and Mayor Ducey recognized the Brick Township High School Drama Club for receiving the largest honor at the Ocean County Teen Arts Festival Salute to Ocean County and won the grand prize of \$5,000 and are called the "Best of the Best". Cheryl Best, Club Advisor; Dennis Filippone, Principal; and Mr. Barresi, Assistant Principal accepted the resolution and proclamation and Mayor Ducey proclaimed May 4, 2016 as Brick Township High School Drama Club Day.

Cheryl Best thanked the Mayor, Township Council and parents for their support along with Mr. Filippone and Mr. Barresi. She said the students will be moving on to Nationals in State Competition on June 1, 2016.

Jeanette Wehner - Teacher of the Year

President Mummolo, Councilwoman Crate and Mayor Ducey recognized Jeanette Wehner, for named the Teacher of the Year. Mayor Ducey read from the proclamation and proclaimed May 5, 2016 to be Jeanette Wehner Day.

Municipal Budget Hearing

Motion by Councilwoman deJong and seconded by Councilwoman Zapcic to suspend the regular order of business to accommodate the budget hearing

All Council Members voted AYE on Roll Call.

President Mummolo announced this is the time fixed for the public hearing on the 2016 Municipal Budget. The budget was introduced by the governing body on March 22, 2016 and was advertised in the Asbury Park Press on April 19, 2016 together with notice of hearing for May 3, 2016. He outlined the procedure for the Public Hearing and announced the Budget will not be adopted at this time due to the status of the Essential Services Grant.

Mayor Ducey explained he introduced the budget in February and at that time he mentioned a couple of highlights. He said the township is still feeling the impact of Sandy. He stated this year they had to pay down emergency notes and this year they had to pay \$6.9M because they borrowed over \$30M and have to pay it back over 5 years which by itself raises taxes 6.7¢ on the \$1 and then another loss because of Sandy \$367M worth of ratables that have not come back yet. He said they have not received the Essential Services Grant yet and they are not sure if they are going to get it. He stated taxes should be going up 11.3 cents but they are not because of the different cuts they have made. He commented things that have gone up are outside the control of municipal government. He noted the items that have gone up. He stated

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there are two things that are positives even though they are spending more than \$100,000.00; the State Recycling Tonnage Grant and the Special Emergency Authorization. He said these two items are positives because they are receiving more money back than they are spending. He stated they also have decreases over \$100,000.00 that has kept the rate down. He said they are down \$11.3M since he has become Mayor. He said no services are being impacted.

President Mummolo opened the public hearing on the 2016 Municipal Budget.

There were no comments from the audience.

President Mummolo closed the public hearing on the 2016 Municipal Budget.

Motion by Councilwoman Crate and seconded by Councilman Fozman to close the Public Hearing on the Budget.

All Council Members voted AYE on Roll Call.

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

All Council Members voted AYE on Roll Call.

Recognize Brick Township High School Drama Club

Recognize Jeanette Wehner – Teacher of the Year

Recognize Older Americans' Month – May

President Mummolo stated this resolution recognizes Older American's Month by recognizing and celebrating the contributions of the more than 23,000 residents over the age of 55 in our community.

Authorize Emergency Temporary Appropriations

President Mummolo stated this resolution authorizes emergency temporary appropriations as needed until the adoption of the budget.

Authorize Receipt of Bids – Computer & Printer Supplies

President Mummolo stated this resolution authorizes the receipt of bids for computer and printer supplies as needed to maintain the Township's computer system, printers, fax machines, etc.

Authorize Receipt of Bids – Professional Medical Services

President Mummolo stated this resolution authorizes the receipt of bids for professional medical services as needed to provide pre-employment physicals, "fit for duty" testing and drug/or alcohol collection services for new and existing employees.

Authorize Document Imaging Services Use of Proprietary Language

President Mummolo stated this resolution authorizes the proprietary language included in the vendor contract for Document Imaging and Indexing Services. He explained the Alchemy Software is proprietary software requiring licenses to insure that all images produced by the outside vendor be completely 100 percent compatible with the Township's Alchemy databases. He said it is essential that only Alchemy software be used for the production of digital images by an authorized Alchemy vendor and that this can only be accomplished through the means of a proprietary bid.

Authorize Receipt of Bids – Document Imaging Services

President Mummolo stated this resolution authorizes receipt of bids for document imaging services.

Authorize Receipt of Bids – Trader's Cove Marina Transient Boaters Facility

Mayor Ducey stated this resolution authorizes the receipt of bids for the Trader's Cove Marina Transient Boaters Facility.

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Authorize Receipt of Bids – Contract 1 – Firing Range – Fabrication, Delivery & Installation of Target & Bullet Collection System

President Mummolo stated this resolution authorizes the receipt of bids for the manufacturing, delivery and installation of a target and bullet collection system for the police firing range at the DPW Yard. He said the system is unique in what it does and is being separated from the site work needed.

Authorize Receipt of Bids – Contract 2 – Firing Range – Site Work Only

President Mummolo stated this resolution authorizes a second contract for site work only at the DPW Yard as needed for the construction of a new firing range for the police department.

Authorize Award of Bid – Printing Services

President Mummolo stated this resolution authorizes the award of bid for printing services on an item-per-item basis to the following companies: Concept Printing, Nyack, NY; Maguire Brothers, Wall, NJ; TC Squared, Kenilworth, NJ; and Uner Barry Publications, Bayville, NJ.

Authorize Award of Bid – Normandy Beach Roadway & Drainage Improvements

President Mummolo stated this resolution authorizes the award of bid for the Normandy Beach Roadway and Drainage Improvements to Esposito Construction, Matawan, in the amount of \$301,279.45. The Roads are: Normandy Drive, Broad Drive, Broad Avenue and Ellison Drive.

Authorize Renewal of 5th Year Contract – EMS Billing & Collection

President Mummolo stated this resolution authorizes the award of a fifth year contract to Revenue Guard, Matawan, NJ, for EMS billing and collection services. He said in this agreement, Revenue Guard collects a 9 percent commission of the total revenue collected.

Authorize Award of Negotiated Bid – Beer & Wine Garden Concession

President Mummolo stated this resolution authorizes award of negotiated bid in the amount of \$4,900.00 to Windward Tavern for beer and wine concession at the Summerfest concerts and car show.

Authorize Addition to Alternate Municipal Prosecutor Pool

President Mummolo stated this resolution authorizes the addition of Robert A. Rothstein and Rebecca Kolas of the firm of Rothstein, Mandell, Strohm & Halm be added to the alternate municipal prosecutor pool.

Authorize Negotiation – Demolition of Structures – Block 1374 Lot 27 – 126 South Beverly Dr.

President Mummolo stated this resolution authorizes the Business Administrator to begin negotiations for the demolition of 126 South Beverly Drive. He said at the last meeting, the council rejected all bids on this project as the lowest bid exceeded the budget.

Authorize Execution of Amended Agreement with County of Ocean – Traffic Signals Various Locations

President Mummolo stated this resolution authorizes the execution of an amended agreement with the County of Ocean for the new traffic lights needed at Burnt Tavern Road and Lanes Mill Road. He said in this agreement, the county will convert these lights to a battery backup installation and provide maintenance and the township pays for the electric usage and battery replacements.

Authorize Suspension of Noise Ordinance – Relay for Life Event at Brick Township High School

President Mummolo stated this resolution authorizes the suspension of the Township's noise ordinance for the Relay of Life event at Brick Township High School on May 20 and 21, 2016.

Authorize Special Events Permit – Plyoga for Saloyia

President Mummolo stated this resolution authorizes a special event permit at Anytime Fitness, 34 Lanes Mill Road, from 9:30 am to 12:30 pm Sunday, May 15, 2016 for a zumba fund-raising event.

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Authorize Special Events Permit – Soldiers Not Forgotten Live Concert

President Mummolo stated this resolution authorizes a special event permit at Anytime Fitness, 34 Lanes Mill Road, from 2 to 6:30 pm Sunday, July 17, 2016 for a Soldiers Not Forgotten Live Concert.

Bond Releases/Reductions

Clerk Iannarone advised the following:

- Performance Bond Release – Block 468 Lots 10 & 11 and Block 671 Lot 3 - Off Brick Blvd. in the amount of \$1,050.00 to Exxon Mobile Corporation.
- Inspection Fund Release – Block 1217 Lot 991 – Hillside Avenue in the amount of \$125.29 to Eric Plackis.
- Inspection Fund Release – Block 1026.18 Lot 23 – Route 88 East in the amount of \$909.96 to Pediatric Care Physician, LLC.

Tax Collector

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 382.31 Lot 21 – 231 Essex Pl in the amount of \$7,476.87.
- Tax Overpayments – 2015. Block 1385.07/Lot 10, 640 Winding River Road, in the amount of \$404.23; Block 268/Lot 13, 115 Bayview Drive, in the amount of \$101.40; Block 382.33/Lot 56, 113 Courtshire Drive, in the amount of \$621.65.
- Tax Overpayments – 2016. Block 1133.03/ Lot 8, 51 Cleveland Avenue, in the amount of \$2,175.08; Block 382.33/Block 56, 113 Courtshire Drive, in the amount of \$631.53; Block 1052/Lot 12, 112 Harding Drive, in the amount of \$389.24.
- State Tax Appeal Granted – Block 943 Lot 87 – 785 Princeton Avenue in the amount of \$2,987.75, which is a two-year appeal.
- State Tax Appeal Granted – Block 943 Lot 88 – 787 Princeton Avenue in the amount of \$1,389.75, which is a two-year appeal.

Authorize Acceptance of Memorandum of Agreement – PBA

Authorize Acceptance of Memorandum of Agreement – Teamsters

Authorize Acceptance of Memorandum of Agreement – TWU

Joanne Bergin explained on December 31, 2015 contracts expired for all four bargaining units: PBA, TWP, Teamsters Supervisors and Teamsters Crossing Guards. She stated employees covered under these contracts represent 94 percent of the township's 410 full-time employees. She said they have been in active negotiations since October 2015 although all contract renewals are important these are particularly crucial due to the sunset of the Chapter 78 Pension and Health Benefits Reform Law that mandates employee contributions and health benefit provisions. She said since the Chapter 78 law sun set this past year the employee contributions to healthcare costs became negotiable. She stated with the Chapter 78 contributions the employee share as a receivable in the 2016 budget is \$1,982,600.00 which represents approximately 13 percent of the total healthcare costs of \$14,917,600.00 a significant cost and essential receivable. She said in 2016 the township's healthcare costs increased by 35 percent for prescription and 9 percent for major medical. She reported tonight council is being presented with four contracts to ratify; for all bargaining units the township negotiated the continuance of the Chapter 78 Healthcare Contribution Schedule. She stated had any lesser been negotiated it would have necessitated a budget amendment for this year and created a financial going into the next 3 years of these contracts. She reported the contracts were negotiated in good faith and they worked hard to come to agreements that provided fair compensation to the workforce while being fiscally responsible and diligent. She stated as part of the negotiations the township agreed to a 3 percent annual increase across the board for all four bargaining units for a total cost of \$852,927.77 in the 2016 budget and no amendments are needed to fund the cost of contract increases.

President Mummolo opened the public hearing on the Resolutions.

George Scott, 16 Queen Ann Road, commented Archives does a great job with the imaging services. He spoke about grants received for Trader's Cove and hopes they do not go over budget for the transient boaters' facility. He thought they could reduce the contract on the EMS billing and collection but after discussion was satisfied. He talked about the demolition at South Beverly Drive and commented something has to be done with the banks in getting them to do the work they should be doing.

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Nan Coll, 18 Greenbriar Boulevard, asked how long Alchemy has been used and how often does it upgrade.

Joanne Bergin responded that in 2010 they invested in the upgrade that brought the software to particular PCs that the employees were able to use and scan but Alchemy has been around for longer than that. She stated the software is only for this one specific purpose so it has been since 2010. She said there is an annual maintenance contract where they come in and do small upgrades which is about \$200.00 a year.

Nan Coll stated she is well aware of the work being done on Burnt Tavern Road with regard to the traffic lights and thinks there has to be serious coordination between State, County and local government with anything involving roads and traffic signals.

Richard Morrill, 10 Queen Ann Road, stated he has photos of the house at 8 Queen Ann Road. He said all of the decking, insulation inside the house has been removed and there is still mold and mildew inside the house. He commented the bulkhead itself is taking away his property.

President Mummolo stated he is well aware and they are trying to do their best. He commented there are several homes in town that need to be demolished and they are trying to get a handle on it.

John Sluka, 950 Sylvia Court, asked for an explanation of the Anytime Fitness Live Concert.

President Mummolo closed the public hearing on the Resolutions.

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

There were no comments from the audience.

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

Motion by Vice President Pontoriero and seconded by Councilman Halloran to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED on New Jersey Press Media; and
Councilman Fozman ABSTAINED on the BTMUA.

2016 Computer Bill Resolution in the amount of \$19,818,877.14

President Mummolo opened the public hearing on the Manual Bill Resolution

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call.

2016 Manual Bill Resolution in the amount of \$1,521,872.12

President Mummolo opened the public hearing portion of the meeting.

Nan Coll, 18 Greenbriar Boulevard, continued discussion on Burnt Tavern Road stating administration/council needs to represent the public and have a liaison to the freeholders where a county road intersects with a township road. She said that there is poor street lighting at Greenbriar II.

John Sluka, 950 Sylvia Court, read his letter regarding the parking construction project. He spoke about toxic fumes, trucks, size of trees, etc.

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George Scott, 16 Queen Ann Road, stated it does pay to come to these meetings and pay attention. He said in the past he has complained about not going after the money from French's Land Fill and stated he received some good news the other day; the bankruptcy court entered an order granting Brick Township relief from the automatic stay to allow them to file an action against Birdsall's insurer. He said hopefully they will collect on that money.

Kevin Starkey state he is happy to give credit where credit is due; it was a very creative idea and looks like it may work. He said they are commencing an action against Birdsall's insurance carrier and will keep the public informed.

George Scott talked about the loss of ratables. He commented a lot of houses in his area were ruined and are being raised or brand new houses are being built. He said they had state inspectors coming around but he believes that program has ended. He spoke of one house in his neighborhood that has been vacant for 6 years. He said that they cannot sit back and let this go on and on.

Joanne Bergin responded the state not charging the Township for those inspectors has ended; the inspectors are still here but the Township is paying for their time.

President Mummolo commented they are making it quicker now for the banks to foreclose. He thinks a big problem is that it is a big process for banks to foreclose.

Richard Morrill, 10 Queen Ann Road, showed pictures of the house. He stated the house at 8 Queen Ann Road has a lot of standing water and there are concerns about the Zika virus. He said 12 Queen Ann Road to his left the bulkhead is caving in. He stated something needs to be done about these houses.

President Mummolo closed the public hearing portion of the meeting.

Joanne Bergin thanked Scott Pezarras, Maureen Laffey-Berg and Sarah Zimmer for all their hard work with the budget and the hard work they do every day. She thanked the employees for their support.

Mayor Ducey said the pink ribbons around town hall are for Meridian's Paint the Pink Campaign for breast cancer awareness. He thanked the police department under the leadership of Chief Riccio for the excellent job with the added police district for foot and bike patrols in Maple Leaf, Sawmill and Herbertsville Park area. He commented it gives the police a chance to make arrests and interact with the bad guys on a closer basis. He stated Ocean Medical Center is building a state-of-the-art cancer center. He had the opportunity to be with Congressman MacArthur at Senior Services at the VFW. He mentioned some upcoming events.

Councilwoman Zapcic announced some upcoming events and congratulated the Brick Township High School Drama Club for a fabulous job and to the teacher of the year.

Councilman Halloran congratulated the Drama Club and Teacher of the Year. He attended the beach cleanup and said that there were about 60-70 people who turned out. He said they have come across some situations in the building department where people are calling in and asking about the status of their permits. He said they are finding that there are some misunderstandings and misinformation that is being given to residents about their status and in some cases the misinformation is deliberate; when some of the contractors cannot get the work done in a timely fashion are telling their clients it is the township that's at fault. He stated now they have someone assigned directly to communicate the status of permits.

Councilwoman deJong echoed the sentiments of Councilwoman Zapcic and Councilman Halloran about the Brick Township High School Drama Club and wished them luck in State Competition. She congratulated Teacher of the Year Jeanette Wehner. She thanked all of the groups that came out to the Clean Ocean Action Beach Sweep, Rachel's Cleanup at Windward Beach and Boy Scout Troop #175 for the Monarch Butterfly Eagle Scout Project.

Councilwoman Crate congratulated to Teacher of the Year, Jeanette Wehner. She stated she had a chance to stop by Windward Beach Saturday for Scout Troop Monarch Butterfly Project.

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She spoke about the Neighborhood Watch Meeting and stated how impressed she is with all the things the police department is doing in the Maple Leaf area.

Councilman Fozman talked about the recycling posters in town hall by the Brick Township school children. He said one of the biggest complaints with recycling is plastic bags. He spoke about the Neighborhood Watch meeting at Herbertsville Fire House; 37 people attended. He talked about the after school program at Maple Leaf for anyone who doesn't have someone at home after school. He said the MUA Watershed Contest at schools for a motto and mascot. He congratulated the Drama Club and Teacher of the Year. He thanked Joanne Bergin, Scott Pezarras for their budget negotiations.

Vice President Pontoriero thanked all who came out the Neighborhood Watch Meeting; she will be at the next meeting. She congratulated the Teacher of the Year and the Drama Club.

President Mummolo thanked Scott Pezarras, Maureen Laffey-Berg and Sarah Zimmer for putting the negotiations together. He thanked and congratulated the Brick High School Drama Club. He attended the Challenger Dance with the Mayor on Friday night; it was a great time for all of the kids. He spoke of Rachel's Cleanup at Windward Beach and the Monarch Mountains Project.

Motion by Councilman Halloran and seconded by Councilman Fozman to Adjourn the meeting at 8:35 p.m.

All Council Members voted AYE.

Paul Mummolo
Council President

Lynnette A. Iannarone
Township Clerk