

June 6, 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](http://www.bricktownship.net)).

This meeting began with the salute to the flag followed by a moment of silence.

**Mayor's Presentation: Employee Recognition: TJ Ventorino, Joe Brancato and Darren Gisinger**

Mayor Ducey said in late April it looked as though there was not going to be any beach season in Brick Township because the State was unable to secure all the needed easements for the Army Corp of Engineer Project. He said they had an extra bad storm season, while the steel revetment wall put in place by the state protected homes and infrastructure, much of the sand on the beach washed away. He said the wall was acting as a bulkhead with water lapping against the wall at high tide, and drop-offs of five (5) to 19 feet. He said on April 29 he told the commissioner of the DEP, Bob Martin, that they were not going to provide a beach without help and asked for sand, for machinery, and for manpower to create safe access and noted Brick got the sand. He said he knew they had a chance as long as the right people were in place. He said the Department of Public Works Utility crew is made up of employees that are dedicated to the Township and would move mountains in this case sand in order make the township better. He said he called on DPW supervisors Charlie Duddy and Ken Somers to identify the resources and the manpower to make this happen. With the work of DPW employees TJ Ventorino and Joe Brancato put in 100% of their time, effort and their best work forward in covering the steel wall and creating a beach and then in mid-May Manchester Mayor Palmer offered to lend us an extra front loader and with that additional machine Darren Gisinger was able to join the effort to help create a beach for Brick Township. He thanked the Mayor of Manchester and their Public Works Department because without that extra machine it would have not been done in time. He said these three men are the reason Brick Township has a beach this summer. He said he is so proud of their men and everyone on the utility crew who picked up the slack on the other jobs. He presented each of them a certificate of commendation for all their hard work.

**Brick Township Police Appreciation Week**

Mayor Ducey, President Mummolo along with Vice President Pontoriero called upon – Chief Riccio and Deputy Chief Mazza along with police officers to recognize Brick Township Police Appreciation Week. Mayor Ducey said there is a National Police Week but he felt they deserved to have their own week. He said it has been very eventful year for the police department there have been unfortunate incidents and some great things, but these are some things our police officers have to go through on a daily basis dealing with stressful events. He said a good thing was the appointment of Chief Riccio, the beginning of the Neighborhood Watch Program, foot patrols and bike patrols. He urged everyone to put up a blue light to support the police for the week of June 19<sup>th</sup> – 25<sup>th</sup>. He said the health and safety of the residents of Brick Township is critical to the well-being of the community. He presented the proclamation and proclaimed Sunday, June 19<sup>th</sup> – Saturday, June 25<sup>th</sup> to be Brick Township Police Appreciation Week.

Vice President Pontoriero said she is honored to present the resolution on behalf of the Township Council.

Chief Riccio thanked everyone for honoring the department and it means so much to all of us in the law enforcement community because in these times it's become more common place to make villains of the police who are sworn to protect the community and put their lives on the line

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doing so. He said he is fortunate to have been given the privilege of leading one of the greatest police departments in the State, if not the Country. He said it is made that way by its officers. He said he is proud to say Brick Township Police Department is made up of some of the most dedicated and hard-working police officers that he has had the pleasure of working with during his 30 years in law enforcement and thanked the men and women for all of their hard work and service to the citizens of Brick Township. He thanked the Mayor, Council and Business Administrator for their continued support without that he said they would not have the resources necessary to be successful and also thanked the community for their support.

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

All Council Members voted AYE on Roll Call.

**Recognize Brick Township Police Appreciation Week – June 19 – 25<sup>th</sup>**

President Mummolo stated this resolution recognizes the week of June 19 through June 25 as Brick Township Police Appreciation Week.

**Recognize Michael Blandina – Ocean County Columbus Day Grand Marshal**

President Mummolo stated this resolution recognizes Michael Blandina as Grand Marshal for the 25<sup>th</sup> annual Ocean County Columbus Day Parade that will take place on October 9, 2016.

**Authorize Emergency Temporary Appropriations**

President Mummolo stated this resolution authorizes emergency temporary appropriations as needed until they have an adopted budget.

**Authorize Award of Bid – Sale of NJ Renewable Energy Credits**

President Mummolo stated this resolution authorizes the sale of the Township's Solar Renewable Energy Credits through a public auction. He explained bids were received for credits generated from the township's rooftop and parking lot solar panels totaling a revenue amount to the Township of \$123,371.30.

**Authorize Application – 2015 Recycling Tonnage Grant**

President Mummolo stated this resolution authorizes the Township to apply for the 2015 Recycling Tonnage Grant as they do every year. He said the funds received from this grant will be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**Authorize Receipt of Bids – 2016 Local Road Paving & Drainage Program – Parts of Midstreams Section**

Mayor Ducey said this resolution authorizes the receipt of bids for traditional mill and overlay with base improvements and drainage modifications on Carroll Fox Road and Hunters Road.

**Authorize Receipt of Bids – Roadway Improvements – Hinslea Manor**

Mayor Ducey said this resolution authorizes receipt of bids for traditional mill and overlay with base improvements and drainage modifications in the Hinslea Manor area off Herberstville Road including Schoolhouse Road, Hardean Road, Meadow Run, Sateroja Road, Croy Road and Flagg Road.

**Authorize Receipt of Bids – Forge Pond Tennis Courts Reconstruction**

Mayor Ducey said these courts are very bad shape and need to be redone. He advised they tried to do shared services with the school but they declined so the Township will be using some of the Green Acres money to repair the courts. He said this resolution authorizes the receipt of bids.

**Authorize Rejection of Bids and Re-Bid – Firing Range – Bullet Trap Installation – Contract 1**

President Mummolo stated this resolution authorizes the rejection of bids for the police firing range project, specifically the bullet trap collection system component of the project. He explained the low bidder was rejected due to missing paperwork and the other two proposals were above our engineer's estimates. He said they will take a look at revising the bid specs for better cost efficiency and re-advertise.

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**Authorize Change Order No. 1 – Janitorial Supplies**

President Mummolo stated this resolution authorizes a change order within the janitorial supply contract after the purchasing department identified an error made on the original award. He said as a result, the bid for trash can liners will go the lowest bidder, General Linen & Paper, Point Pleasant.

**Authorize Change Order No. 1 – Final – Boiler & Electric Heater Replacement at Municipal Complex**

President Mummolo stated this resolution authorizes a change order increasing the contract to Eagle Construction Services, Burlington, in the amount of \$4,949.39 as needed to complete the boiler and electric heater replacement project at the Municipal Complex.

**Authorize Change Order No. 1 – Angela Hibbard Park Improvements Project**

President Mummolo stated this resolution authorizes a change order increasing the contract to Precise Construction, Freehold, in the amount of \$64,839.50 as part of the Angela Hibbard Park Improvement project. He said additional work was required to connect the water service, as well as additional fencing and the pickle ball net system and lining.

**Authorize Change Order No. 1 – Final – Improvements to Bay Harbor Project**

President Mummolo stated this resolution authorizes a change order decreasing the contract to Albert Marine Construction, Waretown, in the amount of \$2,175.60 as part of the Bay Harbor Beach project.

**Authorize Rejection of Bids and Re-Bid – HVAC Services – Municipal Complex**

President Mummolo stated this resolution authorizes the rejection of bids for HVAC services at the Municipal Complex. He explained the low bid was rejected due to failure to acknowledge an addendum and none of the other bidders possessed the required certifications and are non-compliant. He said that they will re-advertise for these services.

**Authorize Award of Bid – HVAC Services – All Other Township Facilities**

President Mummolo stated this resolution authorizes the award of bid for HVAC services for all other township facilities to West Jersey A/C & Heating, Pennsauken. He advised this is a two-year contract commencing June 7, 2016 and ending June 6, 2018.

**Authorize Adoption of Flood Warning & Response Plan**

Councilman Halloran explained this resolution authorizes the adoption of a Flood Warning & Response Plan as needed for compliance with the National Flood Insurance Program and as needed for the Township to participate in the Community Rating System, which results in savings for all the taxpayers who have flood insurance. He said these plans have been in progress for many months under the direction of the Township's Planning Board, who worked with the Township's Division of Land Use and Planning, Administration, Engineering, Public Safety, Public Works and Emergency Management Staff to develop a plan that ensures timely identification of impending flood threats, disseminate warnings to appropriate floodplain occupants and coordinate flood response activities to reduce the threat to life and property. He explained the Flood Warning and Response Plan describes the methods and warning devices used to disseminate emergency warnings to the general public, including specific flood response actions that are taken at the different flood levels and will be utilized as an annex to the Emergency Operations Plan and is required to be adopted by the governing body. He noted the plan was funded through a grant from the NJDCA, Post Sandy Planning Grant Program.

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

President Mummolo stated this resolution authorizes the placement of tax liens for property cleanups at 165 Smith Circle in the amount of \$212.82 and 412 North Lake Shore Drive in the amount of \$18.33.

**Authorize Special Events Permit – Ocean Medical Center 5K Run/Walk**

President Mummolo stated this resolution authorizes administrative approval of a special events permit for a 5k run/walk on June 5 between the hours of 7:30 am and 10:30 am at Ocean Medical Center.

**Authorize Special Events Permit – Epiphany Church - Feast of Assumption**

President Mummolo stated this resolution authorizes a special events permit to conduct a Feast

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of the Assumption at the Jersey Shore on August 18, 19, 20 and 21 between the hours of 5 and 10 pm at Epiphany Church on Thiele Road.

**Authorize Special Events Permit – Berry Fresh Farms – Scary Rotten Farms**

President Mummolo stated this resolution authorizes a special events permit for a Scary Rotten Farms Haunt from September 23 through October 31 between the hours of dusk and 11 pm at the farm on Brick Boulevard.

**Prohibit Smoking at Summerfest, Kids Night Out and Fall Fest Events**

President Mummolo stated this resolution prohibits smoking at Windward Beach and Park during the 2016 SummerFest series, Kids Night Out, Movies in the Park and Fall Fest on June 30, July 7, July 14, July 21, August 2 and October 15 (rain date October 16). Smoking is prohibited at Windward Beach, Traders Cove, Herberstville Park and Angela Hibbard Park during the Movies in the Park scheduled events as well.

**Bond Releases/Reductions:**

Clerk Iannarone advised the following:

- Performance Bond Release – Eagle River Consulting – 535 Mantoloking Road in the amount of \$14,006.52 and the cash performance bond in the amount of \$1,556.28.
- Performance Bond Release – Fellowship Chapel – 170 Duchess Lane in the amount of \$116,963.59 and the cash performance bond in the amount of \$12,995.96.
- Performance Bond Release – GHU Properties LLC – 1600 Route 70 in the amount of \$19,769.24 and the cash performance bond in the amount of \$9,884.62.

**Authorize Tax Collector to Prepare & Mail Estimated Tax Bills**

President Mummolo stated this resolution authorizes the tax collector to prepare and mail estimated tax bills for the Township's third quarter installment of 2016 taxes.

**Tax Collector:**

Joanne Bergin advised the following:

- Tax Overpayments – 2016. Block 879, Lot 8, Cherokee Lane, in the amount of \$309.97; Block 878 Lot 3, 305 Princeton Avenue, in the amount of \$2,310.59; Block 982, Lot 20, 638 Harbor Road, in the amount of \$901.24; Block 1192.16, Lot 25, 11 Daniel Court, in the amount of \$484.28; Block 383.16, Lot 16, 258 Pine Tree Road, in the amount of \$1,293.35.
- Redemption of Tax Sale Certificate – Block 869 Lot 5 – 1867 Route 70.
- State Tax Appeal Granted – Block 868 Lot 1– 905 Route 88 in the amount of \$28,458.00, which is a two-year appeal..
- State Tax Appeal Granted – Block 1170 Lot 24 – 495 Jack Martin Blvd in the amount of \$10.67.
- State Tax Appeal Granted – Block 1321 Lot 1 – 3825 River Rd in the amount of \$1,267.70.
- State Tax Appeal Granted – Block 1321 Lot 1 – 3825 River Rd in the amount of \$1,463.73.
- Reimburse Lienholder for Tax Sale Premium - Holdings 88, LLC for the premium payment amount of \$92,000.

**Authorize Class I Officers to attend Monmouth County Police**

President Mummolo stated this resolution authorizes two Class I officers to attend the Monmouth County Police Academy.

President Mummolo opened the public hearing on the Resolutions:

Nan Coll, 18 Greenbriar Bouelvard, stated her displeasure with not giving enough information on the resolutions.

George Scott, 16 Queen Ann Road, stated his pleasure with the Sale of NJ Renewable Energy Credits and the change order for Angela Hibbard Park.

There were no further comments from the audience.

President Mummolo closed the public hearing on the Resolutions.

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

George Scott, 16 Queen Ann Road, asked questions on several of the bill items for clarification and explanations.

Joanne Bergin gave him an explanation of each.

There were no further comments from the audience.

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

Motion by Vice President Pontoriero and seconded by Councilwoman deJong to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:  
Councilwoman Zapcic ABSTAINED on NJ Press Media and  
Councilman Fozman ABSTAINED on BTMUA

### **2016 Computer Bill Resolution in the amount of \$9,088,387.81**

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

All Council Members voted AYE on Roll Call.

### **2016 Manual Bill Resolution in the amount of \$1,503,772.64**

### **Ordinance on First Reading: Amend Chapter 445 – Trailers and Storage Containers**

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

President Mummolo said this ordinance went before the Land Use Committee and is to assist businesses. He said at this time businesses are not allowed to have any type of trailer or storage unit. In fact businesses could be fined on a daily basis if they have trailers or storage units. As everyone knows they want to be business friendly so they decided to take a look at allowing the trailers/storage units. He explained the committee decided that businesses should be allowed to have trailers/storage units in the M-I Light Industrial Zone. He said trailers will be permitted for a period of one year, renewable for one year periods and the maximum number of permitted trailers and/or storage containers used as outdoor storage facilities is based on existing lot square footage. Trailers will require initial inspections and annual inspections thereafter. He said contents of the trailer shall be directly related to the approved use and operations of the business on the developed site. He stated storage of materials unrelated to the normal operation of the business are considered a violation. An initial registration fee of \$300 per trailer is required, as is a renewal fee of \$150.00. The fee is necessary to offset the inspection costs. He said hopefully this system will assist businesses in the industrial park so that they can perform their functions and run their businesses more effectively.

Motion by Councilwoman deJong and seconded by Councilwoman Zapcic 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.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, SO AS TO AMEND CHAPTER 445 "TRAILERS" WHICH SHALL NOW BE ENTITLED "TRAILERS AND STORAGE CONTAINERS".**

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**Ordinance on Second Reading: Amend Chapter 437 – Towers and Wreckers**

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

President Mummolo said this ordinance went before the Public Safety Committee. He said in November, the Police Department held a meeting with all of the Township towers to get their input about updating the ordinance for Towers and Wreckers, Chapter 437. He said research was brought to the meeting about surrounding towns' fees and conditions. The current ordinance has not been updated since 2007. The fees and conditions in this ordinance have not changed in the past nine years; and an update is needed to ensure the fees are fair for the public and the tow companies and the proposed changes are in line with surrounding town's fees.

President Mummolo opened the public hearing on the Ordinance.

There were no comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

Motion by Vice President Pontoriero and seconded by Councilman Fozman 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 AND SUPPLEMENTING THE TOWNSHIP CODE CHAPTER 437 ENTITLED "TOWERS AND WRECKERS"**

President Mummolo opened the public portion of the meeting.

Nan Coll, 18 Greenbriar Boulevard, spoke of today being the anniversary of "D" Day the landing at Normandy. She reiterated her request to hold separate caucus and public council meetings and advised her displeasure with a five minute time limit on the resolutions.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and spoke of the dead trees at Evergreen Woods.

Michele Spector, 808 Jenny Court, said she received a letter from the property manager at Evergreen Woods and he advised the trees that were planted were ordered by the Turnpike Authority and provided by the "Authority" contractor. She said the association did not select the individual trees that were planted and the association landscaper only provided his expert opinion on type of plantings that were best suited for the area. She stated her displeasure with their community being excluded from getting a sound wall.

There were no further comments from the audience.

President Mummolo closed the public hearing portion of the meeting.

Mayor Ducey spoke about the Relay for Life and thanked the Township staff for helping the Mayor's Miracle Marchers raise almost \$6,000.00. He spoke about the events he attended and mentioned the upcoming events in town. He said he attended the Memorial Day Ceremony was held in the court room because the parade was cancelled due to the inclement weather and said there was a great turnout and a very touching ceremony to be part of. He spoke about DARE Officers and the various things they do to help teach the 5<sup>th</sup> graders about alcohol and drug abuse. He spoke about the two new parks ribbon cutting ceremonies.

Councilwoman Zapic advised the Garden Club is holding their "Secret Gardens of Brick Tour and Tea" on July 12th and announced the various places where tickets may be purchased. She expressed her heartfelt and sincere thanks to the Police Department for the wonderful job that they do.

Councilman Halloran expressed his sincere thanks to the Police Department for their

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tremendous service they do. He congratulated the DPW workers for their work with getting the beaches in working condition.

Councilwoman deJong thanked the Police Department and the DPW workers who saved the beach season. She announced two new businesses for the Buy in Brick Program.

Councilwoman Crate also thanked the Police Department for the work they do. She spoke of the DARE Program. She quoted "People who feel appreciated will always do more than what is expected" and thanked the DPW workers for all that they do. She said the beach replenishment that took place in order for everything to be ready for summer was nothing short of extraordinary.

Councilman Fozman congratulated the employees from Public Works for what they do. He thanked the work of the recycling coordinator and advised recycling is up tremendously and stated his pleasure with the tonnage grant. He thanked the police department for the great job they are doing. He said he regularly goes to Herbertsville Park and said it is great to see the police bike patrol there. He spoke about the Neighborhood Watch Program.

Vice President Pontoriero thanked the Police Department and urged all residents to get a blue light to show support of the Brick PD. She congratulated the DPW workers. She thanked the police for supporting the neighborhood watch program and will be an ongoing program and there is no limit to when you can register and urged residents to sign up on the Township website. She mentioned that she attended a Housing Authority meeting and some of their residents showed interest also to a neighborhood watch program.

President Mummolo congratulated the DPW workers and thanked all the workers at DPW and thanked the police department for what they do and urged residents to put blue lights out June 19<sup>th</sup> through June 25<sup>th</sup> to show support of our police department. He advised he attended the ribbon cutting with the Mayor for the DeCamp Wildlife Trail and urged residents to go out and visit the trail. He said he attended Relay for Life was a great time and a great turnout for that.

Motion by Councilwoman Zapcic and seconded by Councilwoman deJong to Adjourn the meeting at 8:40 p.m.

All Council Members voted AYE.

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Paul Mummolo  
Council President

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Lynnette A. Iannarone  
Township Clerk