

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

Councilman Bob Moore
Councilwoman Andrea Zapcic
Councilwoman Susan Lydecker
Councilman Jim Fozman
Council Vice President Heather deJong
Council President Paul Mummolo

Also Present

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

Absent

Councilwoman Marianna Pontoriero

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 9, 2015. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

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

Motion by Vice President deJong and seconded by Councilwoman Zapcic to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Recognize Brick Township Rotary Dog Fest Event

Mayor Ducey said on Sunday, September 20th the Rotary will be holding their annual Dog Fest event.

Authorize Insertion of Chapter 159 – Zoning Code Officer Grant. – 2014

President Mummolo stated this resolution authorizes the insertion of a grant in the amount of \$29,065.00 as provided by the Department of Community Affairs for the Zoning Code Enforcement Grant.

Authorize Insertion of Chapter 159 – Hazard Mitigation Grant – 2015

President Mummolo stated this resolution authorizes the insertion of a grant in the amount of \$250,000.00 as provided by the State of New Jersey Office of Emergency Management Hazard Mitigation Grant Program, which will be used to install generators as needed in specific critical locations in the event of an emergency.

Authorize Receipt of Bids – Pedestrian Improvements to Lanes Mill & Midstreams Roads

Mayor Ducey explained this resolution allows the receipt of bids for pedestrian improvements to both Lanes Mill Road and Midstreams Road. He said it is a design for safety of children and their routes to school. He mentioned the Township received a grant from NJDOT for this project.

Authorize Award of Bid – Purchase & Delivery Liquid Deicing Agent

President Mummolo said this resolution authorizes the award of bid to Reed Systems Ltd, Ellenville, NY for the purchase and delivery of liquid deicing agent at a cost of \$1.05 per gallon. This is a unit price bid not to exceed \$20,000.00 per year. This award is for two years commencing September 25, 2015 and ending on September 24, 2017.

Authorize Award of Bid - Purchase & Delivery of One Street Sweeper

Councilman Fozman said this resolution authorizes the award of bid to Granturk Equipment Company, Bridgeport, PA., in the amount of \$216,565.89 and noted this bid was \$43,000.00 lower than the amount that was requested in the capital budget.

Authorize Award of Bid - Purchase & Delivery of Two 2016 or Newer Automated Side Loader Garbage Trucks

Councilman Fozman said this resolution authorizes the award of bid to Hunter Jersey Peterbilt, Clarksburg, NJ. He said each truck will cost \$261,000.00 for a total amount of \$522,000.00 and

noted there is a five year warranty, 100,000 mile extended warranty on the Peterbilt. He said this bid came in \$20,000.00 lower than the amount requested in the capital budget.

Authorize Award of Alternative Process Contract – Public Safety E-Ticketing System

President Mummolo explained this resolution authorizes the award of alternative process contract to Advanced Public Safety, Deerfield Beach, Florida, for the purchase of Virtual Partner Software and associated hardware for the Public Safety E-Ticketing System and noted the one-year contract amount is \$15,488.91. He said this contract allows the Township to purchase additional E-Ticketing printers and software for our police vehicles and noted in order to purchase additional equipment and licensing the Township must go through the company that writes and licenses the software.

Authorize Award of Alternative Process Contract – Public Works Asset Management System Software

Councilman Fozman advised the software is PubWorks that will track all the data for work performed by Public Works and mentioned the various operations. He said the total cost for this is \$24,250.00 and noted this contract came in \$28,000.00 lower than the amount requested in the capital budget.

Authorize Award of Negotiated Bid – Bricktoberfest Food Vendors

President Mummolo said this resolution authorizes the award of bid for food truck concession for Bricktoberfest to Tony's Italian Sausage, Hazlet, NJ and noted the bid amount is \$501.00. He said Tony's will provide no less than six food trucks with a maximum of twelve trucks that offer a variety of specialty foods including German food.

Authorize Award of 2nd Year Contract – Employee Dental Program

President Mummolo stated this resolution authorizes the award of the Year 2 contract for the Township's Employee Dental Program to Delta Dental of NJ, Parsippany. He said the Township Personnel Director recommended the renewal based on her review that year one was successful. The contract period will begin on October 1, 2015 and end on September 30, 2016.

Authorize Award of Three Year Contract – Telephone Services

President Mummolo explained this resolution authorizes a three year contract with Spectrotel of New Jersey, Neptune, NJ to provide Verizon telephone services. He said the Township currently utilizes Verizon for its telephone services. He stated the Township IT Director has pursued resellers of Verizon services which have been authorized by the NJ Board of Public Utilities to do business in the State and by pursuing these reseller's services, the Township will realize a savings of approximately \$10,000.00 per year on its phone services.

Authorize Hartford Plan Amendment

President Mummolo explained this resolution authorizes the Township to adopt and implement a deferred compensation plan provided by The Hartford – Plan Document Identifier: 80-PD-Hartford-100511 – Service Agreement Identifier: 81-SA-Hartford-060412. This resolution is needed as a matter of IRS compliance. He said Hartford has been the Township's 457 and tax deferred plan provider and was purchased by Mass Mutual. He explained this resolution is needed to formalize the new plan number that has been approved by the State. He said although Mass Mutual is the insurance company in charge of the plan it is still considered a Hartford Plan.

Authorize Execution of Shared Services Defense Agreement – Affordable Housing Fair Share Analysis

Mayor Ducey said this resolution will authorize a shared services agreement with Rutgers University. He said they will prepare the fair share analysis undertaken by Dr. Robert Burchell, Principal Investigator to defend the standpoint that they have met – and exceeded – the number of affordable housing units in the Township. He said the Township will join with other communities in the preparation of this analysis and rebuttal report that will be specific to Brick and noted our share for this will be \$2,000.00.

Authorize Shared Services Agreement – Ocean County Prosecutor's Special Operations Group

President Mummolo said this resolution authorizes a shared services agreement between the

Township and the County of Ocean for the Ocean County Special Operations Group for 2015. He said this allows shared services of local police in conjunction with the Prosecutor's Office for officers who are assigned to the Prosecutor's Special Operations Group which includes the Ocean County Gang, Gun and Narcotics Task Force.

Endorse the Sustainable Land Use Pledge

Councilwoman Lydecker explained this resolution along with the next three resolutions will help earn the Township points to get the next level in the Sustainable New Jersey which would be the Silver category. She said with each step there are more opportunities to bring grant monies and programs at little or no cost to the Township to help a more sustainable environment in Brick. She said as an example some of the things the Township can do with planning and zoning is to make proper transportation choices for those who ride a bike or walk to the places, natural resources such as open space and green design.

Support Responsible Pet Ownership Programs in the Community

Councilwoman Lydecker said this resolution reiterates the support the Township has for responsible pet ownership programs in the community.

Adopt Energy Conservation Policy

Councilwoman Lydecker said this resolution will adopt behavioral polices for employees to help reduce energy uses by implementing every day activities such as turning off computers, lights, minimize paper use. She said it is all about recycle reduce, reuse.

Adopt Green Building Practices for Civic, Commercial and Residential Buildings

Councilwoman Lydecker said this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the desire to promote a sustainable community.

Authorize Rotary Club – Pet Friendly Event at Windward Beach Park

President Mummolo said this resolution authorizes the Brick Township Rotary Club's Sixth Annual Dog Fest event at Windward Beach, which is scheduled for September 20th.

Authorize Placement of Tax Liens for Property Clean-ups

Clerk Iannarone advised this resolution will authorize tax liens for removal of debris and property clean ups at the following locations:

- **301 Dory Lane, Block 44.09/Lot 8 in the amount of \$328.56**
- **11 Spark Drive East, Block 291/Lot 10 in the amount of \$45.49**
- **125 Algonquin Trail, Block 1020.02/Lot 26 in the amount of \$4,490.51**
- **204 Winchester Drive, Block 902.26/Lot 16 in the amount of \$76.99**
- **564 Alabama Avenue, Block 1413.11/Lot 86 in the amount of \$79.62**
- **112 Alhama Drive, Block 211.35/Lot 13 in the amount of \$204.35**

Authorize 2015-2016 Taxi Cab Business Renewals:

President Mummolo said this resolution authorizes taxi cab renewals to the following:

- | | |
|---------------------------------|----------------------------------|
| a. Ace Taxi | d. Leisure Hack |
| b. Brick Taxi | e. Mantoloking Taxi, LLC. |
| c. Laurel Transportation | |

Tax Collector:

Tax Overpayments – 2006

Joanne Bergin reported there are tax overpayments for the year 2006 for 1596 West Princeton Avenue, Block 821 Lot 15 in the amount of \$981.30 and 429 Harris Avenue, Block 1068.118 Lot 13 in the amount of \$13.76.

Tax Overpayments – 2007

Joanne Bergin reported there are tax overpayments for 2007 for 1673 Route 88, Block 835 Lot 31 in the amount of \$5.14.

Tax Overpayments – 2015

Joanne Bergin reported there are tax overpayments for 2015 for 550 Labana Court, Block 1429.02 Lot 2C0550 in the amount of \$657.91

State Tax Appeal Granted – Block 547 Lot 6 – 451 Brick Boulevard

Joanne Bergin stated this is for state tax appeal granted for 451 Brick Boulevard, Block 547 Lot 6 in the amount of \$11,213.57.

President Mummolo opened the public hearing on the Resolutions

Vic Fanelli, 24 Meadow Point Drive, asked if the contract for telephone services if for voice line only and questioned if there is a penalty clause if Verizon does not provide a good response time.

Joanne Begin responded anything the Township uses Verizon for and there is an exit clause in the contract which would be implemented if they were not getting good response time and noted this was recommended by the IT Director.

Vic Fanelli asked for clarification on the resolution for the shared services with the County for Special Operations group and questioned how many officers, who is paying their salary and if this was a full time job. He stated his concerns with sending these officers out of Brick for an extended amount of time.

Joanne Bergin replied the Township pays their salary, but if they are required to do overtime as part of the task force the County pays the overtime and the Township would pay overtime if they requested it and noted there are approximately six officers. She advised the officers are trained for period of time which could be several months. She clarified these officers are not out of the Township. She advised a lot of what the task force is working on is in Brick and noted the Township benefits greatly having them on the task force.

Stephen Cancel, Sawmill Road, stated his concerns with the special operations task force.

There were no further comments from the audience.

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 deJong and seconded by Councilwoman Lydecker to adopt the following Resolution:

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

2015 Computer Bill Resolution in the amount of \$10,040,010.07

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

All Council Members voted AYE on Roll Call, except:
Councilman Moore ABSTAINED on Township Payroll

2015 Manual Bill Resolution in the amount of \$1,553,152.75

Ordinance on First Reading: Amend Chapter 145 – Waiver of Fees for Construction – Accessibility by Disabled Persons

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

President Mummolo explained this ordinance came about as a result of an Eagle Scout project

which was discussed at a previous Council meeting. The Eagle Scout proposed to construct a ramp at a church to provide handicapped access and requested that the Township waive the building fees. He said the Township Code provides for the waiver of fees for such improvements on public property, and on private "residential" properties but does not include Churches or other community gathering places. The ordinance is based upon a statute which authorizes such an ordinance; however, the statute does not require the limitation to "residential" properties and permits the waiver on all public or private properties.

He advised the Land Use Committee reviewed the ordinance and suggested this ordinance on the basis that the Code should provide for the waiver of such fees for projects undertaken to promote accessibility for all disabled persons, including existing public structures, private residential structures and places of assembly.

Motion by Councilman Fozman and seconded by Councilman Moore 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 CHAPTER 145-5, ENTITLED "WAIVER OF FEES FOR CONSTRUCTION TO PROMOTE ACCESSIBILITY BY DISABLED PERSONS"

Ordinance on First Reading: Amend Chapter 145 - Waiver of Fees for Construction – Renovation of Existing Vacant Commercial Structures.

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

Mayor Ducey said he spoke about Brick Empty Store Front Revitalization Program at a previous council meeting and thought it would kick off sooner, but the State wanted to review the program. He advised Brick is the first town in the entire State to come up with this idea. He said the idea is to fill empty store fronts and one thing the Township can do is control the fees. He explained the Township is encouraging any new business to fill vacant commercial space under 5,000 square feet that has been vacant for at least a year and advised all Township permit fees will be waived and noted the various permit fees.

Motion by Councilman Fozman and seconded by Vice President deJong 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 TO ADOPT CHAPTER 145-6, ENTITLED "WAIVER OF FEES FOR CONSTRUCTION TO PROMOTE THE RENOVATION OF EXISTING VACANT COMMERCIAL STRUCTURES"

Ordinance on Second Reading: Vacating a Portion of Lorraine Place

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

President Mummolo explained the ordinance will grant a 15-foot street vacation to the property located at the corner of Sullivan Road and Lorraine Place (Lot 15), which is a paper street. The property owner made the request to allow additional room as needed to install a swimming pool and to assist in addressing the ongoing problem of vandalism and other inappropriate activities occurring on the dirt trail that currently exists. He advised granting the vacation allows the Township to retain 20 feet in the center of the roadway and 20 feet on the opposite side, which provides adequate space for emergency vehicle access. He said the request received unanimous approval from the Land Use Committee.

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 Councilman Fozman and seconded by Vice President deJong 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 VACATING A PORTION OF LORRAINE PLACE**

**Ordinance on Second Reading: Authorize Acceptance of the Donation of Property –
Block 673 Lot 23**

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

President Mummolo explained the Land Use Committee is recommending the Council accept the donation of Block 673, Lot 23, which is a 6.9-acre parcel behind the Dodge Dealer on Route 70. He said he visited the site with Township Planner and confirmed it is appropriate for donation. He advised the builders of Nobility Crest had to acquire a wetlands parcel to dedicate to the Township as part of their agreement for the development underway behind the Shop Rite and noted this is the lot they purchased for \$13,500.00 to satisfy the CAFRA requirements. He said the property is deed restricted by the State under existing CAFRA restrictions and noted no disturbance or building is allowed; and it's currently marshland. The site is in a flood hazard area and will earn the Township much needed points in the CRS program.

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 deJong and seconded by Councilwoman Lydecker 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.

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND
STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE
DONATION OF PROPERTY KNOWN AS BLOCK 673, LOT 23 FOR NO
CONSIDERATION**

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

Steve Brill, 86 Jenny Court, stated his displeasure with the Turnpike Authority and the planting of the trees.

Nan Coll, 18 Greenbriar Boulevard, spoke of the wall the Authority constructed near Jersey Farms and Cherrywood Farms Condominiums.

Mayor Ducey advised the County Engineer explained the reason for the wall at that location at a council meeting some time ago; the wall was planned from the very beginning of this project.

Vic Fanelli, 24 Meadow Point Drive, said he attended the council meeting at the Normandy Beach Association and mentioned when he parked his car the area was dry and when he went out to his car later it was in four inches of salt water and asked what the status regarding putting flapper valves in the storm drains.

President Mummolo advised there has been some discussion regarding the flapper valves and noted there are problems with them they clog very easily.

Mayor Ducey responded the water cannot recede with a flapper valve; the water would be trapped there and would not be able to get out at high tide. He advised they will be raising the

roads there.

Julie Gurney, Ivanhoe Road, stated her concerns with the vacant land behind Pioneer Hose that is being sold. She said she has heard the prospective buyer is looking into putting in 33 homes there and noted that area is already heavily congested with traffic and adding more homes would make it worse than it is. She said there are many animals that live in the woods there. She said there is hearsay that Pioneer Hose wants to add on to the firehouse or build a new one and said she understands their building is old and stated she does not want them to knock down the woods. She asked if there was anyway the Public Trust for Lands could purchase this property or could the Township purchase it with green acres funding.

Mayor Ducey said early this year the Township applied for \$5M for parks projects and received only \$1.1M and noted Colorado Park is about \$1M, Angela Hibbard is about \$1.4M and Lake Riviera is about \$1M. He reiterated the Township applied for all those parks plus the tennis courts and all they got was \$1.1M and no money for acquisitions. He said that the application would go to the Planning Board not to the Township Council or Mayor.

President Mummolo advised nothing has been presented to the town and noted he did look into this property and advised there is a 50 foot buffer that will stay in its existing state which runs behind all the existing homes on Church Road. He said anyone within 200 feet of the project will be notified if it comes into Planning Board that would be the venue for you to voice your opinion.

Michele Spector, 808 Jenny Court, commented she received an OPRA request from the Turnpike Authority regarding the amount of accidents from MP 88 to MP 95.7 – 2014 was 476 and so far though July its 260. She stated her displeasure with the Turnpike Authority and the DEP.

Stephen Cancel, Sawmill Road, commented on police salaries and emphasized on having community policing - police officers on foot patrol.

Mayor Ducey said he attended St. Dominic's 50th Anniversary Event today and congratulated the six new police officers. He mentioned many upcoming events for September. He advised the last date for the Farmer's Market is September 12th and said the Farmer's Market will return on October 3rd for the Bricktoberfest event.

Councilman Moore commented kids are back in school to watch for the buses and children in the streets. He mentioned Friday is the 911 Remembrance Ceremony at Windward Beach.

Councilwoman Zapcic mentioned the upcoming BMAC Golf Tournament on Saturday. She said they are in the process of rolling out BMAC programs for year which include attendance at all back to school nights, locker nights and the mentoring program at Maple Leaf. She spoke of the program Parenting an Athlete aimed at parents of young athletes to help with nutrition, sleep, dangers of performance enhancing drugs as well as mood altering drugs and alcohol. She mentioned basketball registrations can be done online or in person at the Recreation Office.

Councilwoman Lydecker thanked Councilwoman Zapcic for all she has done for BMAC. She thanked the council for passing the Sustainable Brick Pledges and said that they will go a long way to help further the initiative to create a healthier and more enjoyable and sustainable environment for years to come.

Councilman Fozman said he had the honor of presenting the Mayor's Trophy for the best in show at the Stronger then the Storm Car Show and noted there were over 120 cars entered in the show. He mentioned the various events he has attended. He advised the last date to re-open your Sandy Flood Claim is September 15th.

Vice President deJong mentioned the new business in the Buy-in-Brick Program. She thanked the Parks, Recreation and Police Department for doing such a great job this summer for all of the different programs the Township had.

President Mummolo said he attended the police swearing in ceremony. He spoke about the No Knock Policy. He mentioned the upcoming events that he will be attending. He urged Sandy

victims who are raising their homes to be careful choosing contractors and make sure they get references.

Motion by Councilman Fozman and seconded by Councilwoman Lydecker to Adjourn the meeting at 8:30 p.m.

All Council Members voted AYE.

Paul Mummolo
Council President

Lynnette A. Iannarone
Township Clerk