

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 Perry Albanese
 Councilwoman Andrea Zapcic
 Councilwoman Heather deJong
 Councilwoman Marianna Pontoriero
 Councilman Arthur Halloran
 Council Vice President Lisa Crate
 Council President Vince Minichino

Also Present

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

This meeting began with a salute to the flag led by Cub Scout Pack 38 followed by a moment of silence.

Clerk Iannarone was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water, Vital Statistics and TNR Reports for the month of February 2022.

Motion by President Minichino and seconded by Councilwoman deJong to dispense with the reading of the minutes of February 22, 2022 Meeting and approve the same.

All Council Members voted AYE on Roll Call, except:
 Councilwoman Pontoriero ABSTAINED because she was absent; and
 Councilman Halloran ABSTAINED because he was absent.

Presentations:

50th Anniversary of the Older Americans Act Nutrition Program – Jim Sigurdson, Meals on Wheels of Ocean County

Mayor Ducey and President Minichino recognized Jim Sigurdson and the 50th Anniversary of Older Americans Act Nutrition Program. Mayor Ducey said Meals on Wheels does awesome work every day in Ocean County by feeding the seniors who are the most in need. He said for five decades this landmark law has helped to fund community-based organizations – like Meals on Wheels – the only federal program designed specifically to meet the nutritional and social needs of older adults. He presented the proclamation to Jim Sigurdson and proclaimed March 2022 as “March for Meals” and urged all citizens to honor the Meals on Wheels programs, the seniors they serve and the staff of volunteers who run these programs. President Minichino presented the resolution on behalf of the Township Council. Jim Sigurdson thanked the Mayor and Council and gave a brief history of the Meals on Wheels program.

National Library Week - Brick Branch Manager – Taya Petino

Mayor Ducey and Vice President Crate recognized Taya Petino, Brick Library Branch Manger for National Library Week. Vice President Crate presented the resolution to Taya Petino on behalf of the Township Council. Mayor Ducey said the Brick community is fortunate to be home of the Brick Branch of the Ocean County Library and their hard-working staff, who help provide opportunities for visitors to connect with new ideas through access to multimedia content, programs and classes in addition to their array of books. He presented the proclamation and proclaimed April 3 – 9, 2022 to be National Library Week and encouraged all residents to connect with their library by visiting online or in person to access the resources they provide. Taya Petino thanked the Mayor and Council and encouraged all to visit the library.

Budget Presentation:

Engineering – Elissa Commins, Township Engineer, said the primary functions of the Division of Engineering are to establish and maintain public infrastructure and assist with its integration to private property. They monitor the site construction and off-site improvements outside of a physical building envelope. Engineering currently employs six full time employees. The full-time staff includes one licensed professional engineer two NICET (National Institute for Certification in Engineering Technologies) Certified Inspectors, an engineering aide/road inspector, a clerk for engineering permit/inspection clerk and a secretary. They also budget for one seasonal employee, usually a local high school or college student. As a group, they provide professional assistance to township departments as well as technical support for homeowners, business

owners, realtors and developers. They also serve as the contact for various divisions of the NJDEP, the NJDOT and the Army Corp of Engineers. She said the office is also the designated Flood Plain Administrator, responsible for compliance with the rules and requirements of the National Flood Insurance Program. Based upon how well we comply with NFIP regulations and guidelines, our citizens are provided a discount on their flood insurance premiums. Brick Township Community Rating System has been at a Class 6, which provides a 20% discount to those insured through the NFIP. Effective in April, they will be advancing to a Class 5, providing our residents with a 25% discount on NFIP policies. She said most of the day-to-day operation of the Division of Engineering involves interaction with the public including homeowners, business owners and their representatives, contractors and licensed professionals looking for guidance with development. Our greatest efforts and goals moving into 2022 include:

1. Maintaining the Township's status within the Community Rating System (CRS) for discounted flood insurance premiums;
2. Assisting residents, realtors and developers with private property development;
3. Coordinating with Code Enforcement to facilitate better enforcement of engineering violations;
4. Coordination with public works for repairs and improvements to our existing infrastructure and maximizing the capital funds available to the greatest extent practical;
5. Developing a Flood Hazard Area Permit and software to help us organize it;
6. Developing a township-wide dredge material management masterplan;
7. Developing a township-wide flood mitigation strategy; and
8. Educating the public on flood risk and preparedness.

Engineer's salary and wage budget request for 2022 is \$210,000. While they salaries are fixed, the actual cost to the township are estimated. The funds recouped in the budget from inspections, escrow accounts and capital accounts will vary from year to year; therefore, the actual staffing cost to the Township fluctuate annually. They strive to keep our costs as low as possible. The overtime budget request for 2022 is \$30,000, which is consistent with last year. They provide inspections as requested by contractors or the administration, 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. 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 operating budget request is \$159,280; almost a 16% increase from 2021. Engineering's largest line item is for 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, masterplan updates, sound studies and general traffic consultations. If services are not required, these monies are not spent. This year's request is consistent with years prior.

Line items that are experiencing an increase in requested funding include:

1. General Hardware and Tools; They would like to order gas meters for use in confined spaces, such as crawl spaces, pipes and drainage structures prior to entry. This need to test oxygen levels for safe entry is an OSHA requirement. The one they currently use is still functional, but quite old.
2. Fines Permits and Licenses - This is due to a newer township policy where all DEP permit applications, renewals and licenses are being reviewed by and paid out of the engineering account. She said while this money is new to the engineering budget, it does not reflect a new cost to Brick, just a reallocation from prior departments.

President Minichino opened the public hearing on the Engineering Budget.

John Sluka, 950 Sylvia Court, questioned and stated his concerns with what was spent in the 2021 overtime budget;

Elissa Commins replied \$7,745.00.

Nan Coll, 18 Greenbriar Boulevard, questioned and spoke of the drainage issues on her property.

Elissa Commins answered her concerns.

Sam Foster, 108 Teakwood Drive, questioned if any of the engineering employees were associated with Birdsall Engineering.

Kevin Starkey responded personnel matters are not discussed in public.

Jim Fozman, 456 Rhode Island Avenue, questioned the number of employees in the department; he stated his concerns with the roads in his neighborhood.

Elissa Commins explained the number of employees.

There were no further comments from the public.

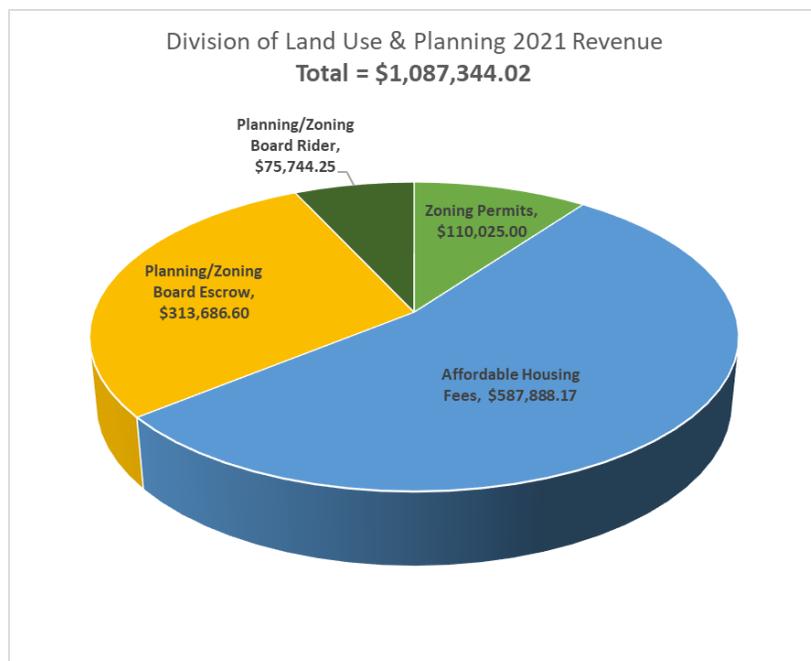
President Minichino closed the public hearing on the Engineering Budget.

Budget Presentation:

Land Use – Tara Paxton said the Division of Land Use consists of the Planning Board, Zoning Board, Zoning Office, GIS Mapping, Grant Management and General Land Use Planning. As we continued to adapt to the COVID-19 Pandemic throughout 2021. She said they are very happy to move back to public meetings for the Planning Board and Zoning Board of Adjustment in May and have had the busiest year at both boards that we have had in a very long time. They had a number of very controversial cases, for which our staff handled many inquiries and provided professional, timely responses. The staff continues to provide board members, applicants and their professionals and most importantly the public with unfettered access for reviewing of case files virtually by posting the files on the division and board web pages. They hold informal concept meetings frequently to provide guidance and feedback on development proposals. We have deployed utilizing the Microsoft OneDrive with the assistance of the IT Division to share large files and documents with the public and applicants and have continued our continuing education training to maintain Land Use Administrator, Zoning Officer and Board Secretary certifications.

Accomplishments: The most notable accomplishments in 2021 included the approval of the Township’s HUD CDBG Program Audit and CRS Class 5 achievement.

- They are extremely proud of the fact that we were reviewed by the HUD Newark Office in June and were pleased they determined our program to be well run and in compliance with all program requirements. No findings were reported, which was music to our ears.
- The second most notable accomplishment was the completion of our 5-Year FEMA NFIP CRS Cycle Review. This was a year-long task that involved many moving parts, involvement of a variety of different departments and coordination of hundreds of files, maps, reports and documents. We completed a full update of the Floodplain Management Plan, Repetitive Loss Area Analysis, Flood Warning and Response Plan, Public Outreach, On-line Surveys, Mailings, working with our Floodplain Management Planning Committee and Planning Board, Engineering Division, Public Works, Office of Emergency Management and Administration. Over 58 Elevation Certificates were reviewed and submitted for accuracy by the Engineering and Land Use Staff and served as pre-requisite to planning efforts. The result was improvement in

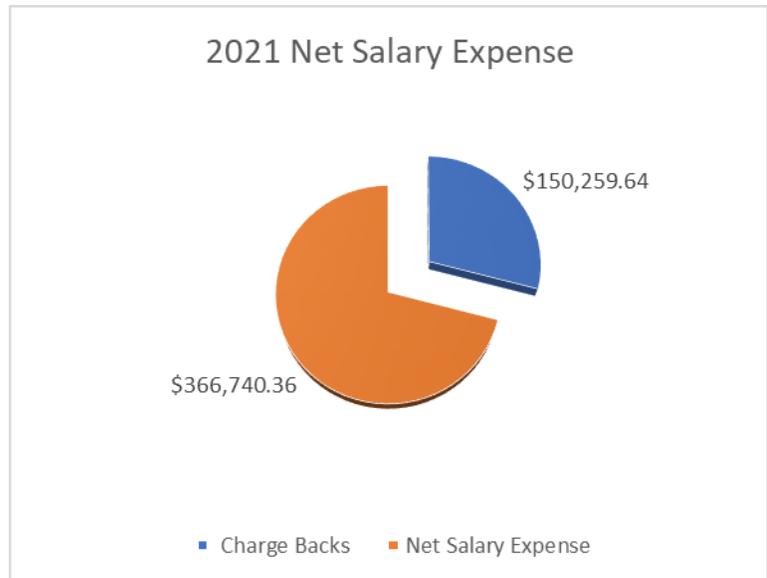


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Class rating from a 6 to 5, resulting in an increased discount from 20% to 25% for all flood insurance policy holders in the Township. She said they have seven full time employees with eleven Planning Board members and nine Zoning Board members. We serve as staff to the Planning Board, Zoning Board of Adjustment, Land Use Committee, Master Plan Committee, Environmental Commission,

Architectural Review Committee, Floodplain Management Planning Committee, ADA Coordinator, assist the Shade Tree Commission and Homes Now, Inc. Board. She said the Division of Land Use & Planning has five main revenue sources that help to offset the cost to tax payers for our operations. They collect permits and application fees. Zoning Permit Fees, Affordable Housing Fees, Planning and Zoning Board Application Fees and Escrow Fees. The Permit fees collected to offset the costs of staff time utilized processing application. Affordable Fees Housing Fees are assessed based on the value of the new added value to the structures and utilized to pay salary to staff and the Affordable Housing Administrator Consultant, and Escrow fees collected and charged based hourly rate of the professionals reviewing the application.

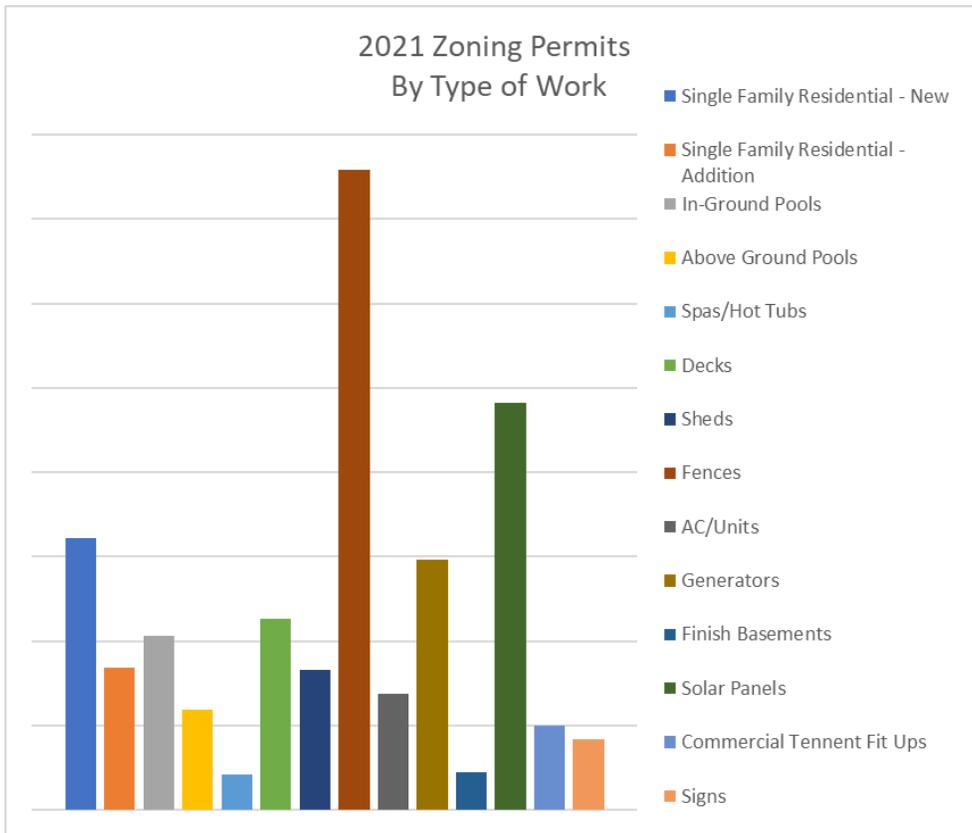
She said the Land Use budget for salary and wages increased by \$15,000 from 2021 to 2022 Budget Request of \$475,000 for the Land Use Staff and \$63,500 for the Boards. The requested Overtime Budget decreased. However, most overtime charges are made to the escrow accounts because they are related to Planning Board and Zoning Board cases. It is notable to mention that some of the Division Staff salary expenses are offset by utilization of grant funds from the CDBG allocation, Affordable Housing Trust Fund charges and



billing to the Escrow and Rider Accounts for each board. In 2021, the staff salaries were offset by \$100,100.00 for charges to the CDBG Administrative Line Item, by \$19,999.64 to the Planning Board and Zoning Board Rider Accounts and \$22,977.50 to the Planning Board and Zoning Board Escrow Accounts. In addition, \$7,182.50 was charged to the Affordable Housing Trust Fund. These funds are not taxpayer funded, but grant funded and applicant funded which result in a savings of \$150,259.64 for a net salary expense of \$366,740.36. She said the Land Use operating budget request increased by \$3,140 to cover additional continuing education classes for newly certified Land Use and Zoning Staff and an increase in the Expert Services line item to \$32,500 needed for Planning Studies and Plans. In 2022 they will continue to facilitate professional training for employees in land use and zoning courses offered by Rutgers University. Staff has continued 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 other budgeted items primarily cover attendance at required training, dues and printing supplies.

Zoning Office- Christopher Romano, Zoning Officer said the Zoning Office is staffed by two employees, the Zoning Officer and a Clerk. However, the entire staff is cross trained to answer basic zoning questions on the phone and at the counter as needed. In addition, six of the staff have received their Land Use Administrator and/or Zoning Officer certification from Rutgers Office of Continuing Education and annually receive continuing education credits to maintain their expertise.

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 or the Zoning Code.



The 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. In 2021, they processed 1,937 permit applications and brought in \$110,025.00 in revenue from issuance of permits. The permit fees for principal structure review is \$75 and for accessory structures it is \$50. He said as Zoning

Officer, he spends a lot of time responding to requests regarding permissible uses, nonconforming uses and preparing written responses for zoning determinations. I work with the Code Enforcement Officers and the Engineering staff to enforce, property maintenance code, zoning code, site plan compliance and tree clearing issues. He said The Zoning Officer serves as staff to the Zoning Board of Adjustment, attends all of the meetings and prepare completeness reports to the Board for all small bulk variance applications. The Zoning Officer also contributes to use variance and site plan reviews through collaboration with the Planner and Board Engineer. He said 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 2021 the Board heard 84 cases, approved 64, denied 0, and many are yet to be decided. The board collected \$26,043.00 in application fees and \$193,582.08 in Escrow fees. It should be noted that each board more than doubled the amount of cases that were heard in 2020 and triple the amount heard in 2019. Tara Paxton said 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 38 cases in 2021, collected \$49,731.25 in application fees and \$120,104.52 in Escrow fees with 0 denials and 33 approvals. We have one Secretary that manages both boards with a part-time assistant. They also held a number of Master Plan Hearings including the Municipal Public Access Plan, Floodplain Management Plan, Plan Endorsement Visioning Hearing and reviewed land use ordinances for consistency with the Master Plan. She said 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 other departments, such as Police, Public Works and Recreation, working most closely with the mapping needs for Land Use and Engineering. The GIS specialist created and maintains all of the Flood Hazard Area Open Space Mapping and Spread Sheets that were submitted and approved as a major component of our Community Rating System (CRS) application and annual re-approval and the 5-Year Cycle review for which we achieved a Class 5 rating. This effort was year-long and was a technical achievement. This year, they GIS staff continued assist in the maintenance of a CDBG Program Webpage on the Township's Website and continued updates to the official zoning map. The GIS staff also embarked on a large project involving a municipal-wide Public Access Plan, required by NJDEP to identify all of the publicly accessible waterfront areas of the Township for which they are now working on providing signage of public access sites with the sign and parks divisions. We also worked on the completion of the mapping for the Adopt-A-Spot Program, Plan Endorsement, data management for a Township-wide CDBG mailing, CRS Repetitive Loss Area Mailing and many more projects too numerous to name. She said the Planner serves as the professionals to

both the Zoning and Planning Boards providing reports and attends the meetings. The Planner is the Affordable Housing Liaison, manages the Land Use Division, serves on various township committees, reviews and provides the Boards with reports on every subdivision, site plan and use variance application, prepares Master Plans, Redevelopment Plans, Affordable Housing Plan, provides recommendations for land use ordinance changes to the Council Land Use Committee, manages and coordinate most township grants, deal regularly with the development community and manages the administration of the Township’s CDBG Program.

She said the in-house Administration of the CDBG Program results in a combination of savings to the Township. \$100,100.00 was brought in through grant revenue that covered partial salaries of six staff members in 2021. Two staff clerks assist in the management of the CDBG Program, namely the Housing Rehabilitation Program and the Public Services Program and one clerk in the finance office handles the majority of the financial management of the program. Additionally, one staff person handles all of the required environmental reviews for each CDBG funded grant project and activity.



In 2021, the Township received the FY 2021 Grant award of \$311,300. We received \$79,500 in grant requests and awarded \$54,000.00 in Public Services Grants to 10-15 non-profit agencies that provide services to the residents of Brick, including homelessness prevention, counseling, services to seniors, individuals with disabilities, abused women and children and nutrition projects. They also completed five housing rehabilitation projects administered by the Township Staff and just awarded three new single-family homeowner rehabilitation contracts in 2022. This program continues to be administered by the Township in addition to two outside agencies, through Northern Ocean Habitat for Humanity who completed 6 more housing rehabilitation projects and Hands for All who completed 5 emergency rehabilitation projects totaling 107 rehabilitation projects completed to date.



Last Report Data as of 3/4/22

- Brick Memorial HS: 10
- Brick Township HS: 19
- Lake Riviera MS: 24
- Veterans Memorial : 32
- Drum Point ES: 1
- Emma Havens Young ES: 24
- Lanes Mills ES: 4
- Midstreams ES: 0
- Osbornville ES: 2
- Veterans Memorial ES: 18
- Herbertsville Preschool: 0
- Warren H. Wolf Preschool: 0
- Total BTCP referrals: 134

In addition, the Township is continuing to administer two more allocations from HUD, CDBG program from the CARES Act to respond, prepare for and protect from the Coronavirus. They received \$177,866 in the first allocation and an additional \$494,766 in the second allocation, making the total grant funding in 2020 \$974,941. The CARES Act removed the Public Services cap limitation for the Coronavirus funds, allowing the Township to award non-profit agencies \$124,435 in grants to assist the public in need who had been affected by COVID-19. The second grant award allowed us to target the neediest by providing a \$200,000 grant for Rent/Mortgage/Utility one-time payment assistance and one grant to provide Youth and Family counseling through subrecipient contracts with providers for \$199,000. Both of these grant allocations are being funded through 2023.

She said she is happy to report that more than five families have been helped by the Rent program and 134 students and their families have been helped through the counseling grant.

The planning staff continues to work towards obtaining grant funding, and implementing projects. This year, we submitted two NJ Green Acres Division of NJ Department of Environmental Protection grants for supplementary Multi-Park Development Project funding that earned the Township an additional \$1.1 Million in revenue for a total of \$3,100,000 in direct grant funds for a multi-year Multi-Park project that included the Bernie Cook, Birchwood and Bayside Park



projects. We also were awarded a \$770,000 grant for the improvement of Mallard Point Park. They were happy to work in partnership with Ocean County Natural Lands Trust and the Trust for Public Land for the purchase of the Gilbert Property in 2021 to preserve 9.3 acres on Freedom Road and West Drive. Ocean County Trust for Public Lands and the Trust for Public Lands purchased the property for \$1,250,000; the Township contributed \$400,000. In addition, Ocean County Natural Lands Trust acquired a 13.24-acre parcel between Cherry Quay Road and Hooper Avenue, known as the Osprey Point Project for \$2,850,000, The Township participated in the acquisition by agreeing to encumber a Township owned lot of 1.24 acres on the Green Acres Recreation and Open Space Inventory as a contribution towards the project. Some of the more fun projects the Land Use & Planning Staff works on is the management of the Michael P. Fowler Community Garden at the Haven's Homestead and Dealaman Farm site. There are 13 garden beds available for the community to "rent" at \$20 per bed and our staff coordinates with the Parks Division to clean and maintain the beds, keep the water running and prepare them for planting by "renters" in the Spring. A grant for the construction of a new pollinator garden has been prepared for by our staff and the Environmental Commission and submitted the Sustainable Jersey Program for \$2,000 to fund this new improvement. She said as part of the permit review process, an Affordable Housing Fee is assessed for additional living space for residential structures, new single-family homes, multi-family units and commercial properties. This fee is authorized and required by the Fair Housing Act and the NJ Council on Affordable Housing. The Township Zoning Staff calculates the Affordable Housing Fees and it is collected in two parts, an estimate of 50% of the added assessed value of the permitted improvement at time of permit pick up and then the remaining 50% actual assessed value calculated by the Tax Assessor at time of Certificate of Occupancy issuance. These funds are then utilized to offset salary for the planning staff and to pay for the contract with the Affordable Housing Administrator Consultant. 85% of the fund is swept into a Trust Fund Account for use in affordability assistance, creation of new units, marketing of units and monitoring of existing affordable housing units approved in the Township's Affordable Housing Plan. 15% is retained and managed by the Finance Office for Administrative purposes. In 2021, the Affordable Housing Administrator, Homes Now, Inc. received a contract amount of \$ 494,720.00. The Township Planner oversees compliance, reporting and correspondence with the Affordable Housing Master, consultants and Administrator to ensure the more than 880 deed restricted units are maintained in accordance with the Fair Share Act Regulations.

President Minichino opened the public hearing on the Land Use/Zoning Budget.

Vic Fanelli, 24 Meadow Point Drive, stated his concerns with a recent special Planning Board Meeting.

John Sluka, 950 Sylvia Court, questioned the units of Affordable Housing

Tara Paxton replied they have 880 deed restricted Affordable Housing units which includes apartments, houses, group homes and nursing facilities.

Nan Coll, 18 Greenbriar Boulevard, asked for clarification of the fair housing act with regards to Green Briar II.

Tara Paxton gave her an explanation of the fair housing act.

Mark Vasquez, 40 Lonna Court, questioned who writes the grants; he questioned how much time is spent on these grants.

Tara Paxton replied she writes most of the grants with the assistance of the department that is requesting the grant; and she said that the time varies by application.

There were no further comments from the public.

President Minichino closed the public hearing on the Land Use/Zoning Budget.

Budget Presentation:

Building Department – Dan Newman, Construction Code Official, said 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 our property maintenance code and rental inspections (budget 196). 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 2021 was 3081 permits, a 10% increase from 2020 with an additional 904 permit updates, an increase of 8%, for a total of 4272. He said he anticipates a large number of permits in 2022. From January 1, 2022 through February 28, 2022 they issued 22% more permits than during the same time period in 2021. If the trend continues they will issue more than 5,000 permits in 2022. The number of inspections performed in 2021 was 19,201, an increase of 12% from 2020. The portion of the Divisions staff dedicated to the enforcement of the UCC in 2022 included seven full-time clerical positions. One clerk from 2021 was transferred for a portion of the year to a different Division but returned to the Division of Inspections on November 1, 2022. They also had a long-term member of our clerical staff retire on September 30, 2022. The clerical duties include permit application intake, data entry, inspection scheduling, shepherding the applications through the plan review process, processing any violation notices, and once approved by the subcode officials, issuing the permit. The clerical staff are the front-line staff that deals with the public and contractors on a daily basis and do a great job.

Our Inspection staff includes:

- *Building Subcode*
 - A full time Subcode Official
 - Two full-time building inspectors
- *Plumbing/Mechanical*
 - He said he presently serve as the Plumbing Subcode Official
 - They have three full-time plumbing inspectors
- *Electrical*
 - They employ one full-time Electrical Subcode Official
 - They employ two full-time Electrical inspectors
 - In 2021 they had two electrical inspectors working part-time. However, in July of 2021 one of the part-time inspectors left. The other part-timer accepted a full-time position.
- *Fire*
 - They continue to utilize the services provided through a shared service agreement with our Fire Bureau to provide fire inspection and plan review services
- *Elevator*
 - They employ one part-time elevator Subcode.

Revenue:

He said 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 2021 was \$118,235,214. The revenue generated by the permit fees was \$2,329,469. That is consistent with the amount collected in 2021. Additional revenue from items such as penalties, ongoing inspections of public swimming pools, variation applications and yearly testing of backflow detection devices brought our grand total for revenue to \$2,692,428. The expenditure for salaries in the 2021 budget was \$1,404,114.19. The request for 2021 salaries is \$1,668,500. In 2021 they expended a total of \$44,526.21 in overtime. We are requesting \$60,000 for 2022. He said his office works diligently to limit and when possible to reduce overtime. However, the amount of overtime for construction inspectors fluctuates significantly. Workload is part of the reason but the majority is for inspectors being dispatched to emergencies like structure fires and car accidents when the accident damages a building. After hours he responds to most of those incidents and because he is salaried and does not receive overtime; but when he is not available the other inspectors are entitled to receive overtime.

Expenditures:

The operating expense request is increasing slightly from \$100,060 to \$104,050. This increase is primarily due to the increase in line item 243. In 2020 they did not spend any of the money requested in line item 204. They are requesting \$1000 for 2022. This line item is for training and conferences. This line item is primarily used for the Building Safety Conference. This is an important conference providing training that fulfills an inspectors Continued Education. The Building Subcode Official, clerical staff and himself attends this conference. Due to the

pandemic, in 2020 and 2021 it was cancelled. From line item 224, Uniforms, we expended \$460.25 In 2021 they purchased jackets with the Township logo. They anticipate replacing some shirts in 2022. When an inspector arrives at a home they carry ID cards but are also wearing items like jackets, hats, or shirts that help identify them as Township Employees. This places the residents at ease. Line item 243 we spent \$371, however they are requesting \$5,000. They are presently going through a model code adoption process. All new model codes should be adopted in 2022. They will need to purchase new model code book editions and any referenced standards including but not limited to, residential, building, plumbing, electrical, fuel gas, mechanical, barrier free, and energy codes. Most codes have been published by the International Code Council. In New Jersey the new editions of the ICC codes will be adopted with changes, and a New Jersey version of the code will be published. For Line item 246 is for protective clothing, like hard hats, gloves etc. They anticipate the need to replace only a small amount of these items this year. Line item 268 was used to purchase credit card readers. They do not expect to purchase any additional readers this year.

Code Enforcement/Property Maintenance/Rental Inspections:

He said with the Code Enforcement/Property Maintenance/Rental Inspections (Budget 196) The purpose of the municipal codes is to protect the quality of life of our residents, and ensure property owners provide safe housing when their units are rented. The code enforcement staff includes three full-time inspectors. In addition, supervisory help is provided by our acting Code Enforcement Supervisor. 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. The clerical staff passes those concerns/complaints on to the code enforcement officer that covers that zone and logs all activity. In addition, the clerk processes rental certificate applications. One Code Enforcement officer does investigations during weekend hours. The idea is for code enforcement to be accessible and available for weekend complaints, which as you can imagine occur frequently. The newest hire was brought on with the new schedule and will not generate overtime for work on Saturdays. He said Code Enforcement Officers conducted rental inspections on 833 properties. The initial inspections discovered deficiencies. Following repairs 108 reinspection were performed in 2021. The total number of inspections therefor was 941. This generated revenue of \$83,600. He said the inspectors also investigate properties based on complaints or spot checks of known problem properties. These inspections generated 1,696 violation notices for violations of the municipal code. 1519 have been closed. 177 remain open. 49 have been issued summons to appear in municipal court. He said the Property Maintenance Review Board is an active body that meets monthly with few exceptions. Their work remains essential as the Township works to ensure the property maintenance code is followed both for safety reasons and the overall aesthetics of our neighborhoods. The staff works diligently to prepare cases to be presented to the board, make factual findings, and then implement the Board's orders. Individuals that respond to Code Enforcement violations or respond to orders of the Municipal Court Judge generally are not summoned to appear before the Property Maintenance Review Board. He said the overtime used in 2021 was \$51.10. Considering the lack of expenditure for overtime it is appropriate to reduce the budget request for overtime by 50%. The request has been reduced to \$2,500. It is still important to have money in this line item in case of emergencies. He said the request for Operating & Expenses is relatively consistent with 2021. The request for the 2022 budget is \$151,650 a decrease of \$200. He said the request for line item 204 is for training and conferences. The pandemic caused most continuing education classes to be canceled. Hopefully training course will be available this year. The request for line item 243 is being reduced to \$150. They spent \$282.75 from this line item in 2020. The expenditures from this line item are limited to the purchase of additional Property Maintenance Code Books. The request for Line item 256-Printing and Binding is also being reduced from last year. In the last two years we have instituted changes that allow the use of more online forms and have reduced the request to \$175 from \$250.

President Minichino opened the public hearing on the Building Department Budget.

John Sluka, 950 Sylvia Court, questioned the expenditure for salaries in 2021 and the request for \$1.6 in 2022; he stated his concerns with request of \$60,000.00 in overtime.

Joanne Bergin responded they spent \$1.4 last year and they are requesting \$1.6 for 2022.

Dan Newman and Joanne explained the reasoning for the overtime.

Nan Coll, 18 Green Briar Boulevard, complimented Mr. Newman on his budget presentation.

Vic Fanelli, 24 Meadow Point Drive, asked for an explanation on the agenda item for the shared services agreement with Mantoloking for Code Enforcement Services.

Dan Newman and Joanne Bergin explained with the Code Enforcement services entails for Mantoloking.

There were no further comments from the public.

President Minichino closed the public hearing on the Building Department Budget.

Ordinance on First Reading: Cap Rate Ordinance

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

President Minichino stated this ordinance allows the Township to establish a cap bank for future use. He said the ordinance allows for increases to budget appropriations, and allows the Township to bank any unused monetary balance. He 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 for the next two succeeding years and noted the ordinance is simply precautionary - it is not funded through a tax increase, since it is only used in subsequent years should they need to fund a one-time expenditure. He advised the monies available by this cap rate ordinance may be used to offset costs of any future disasters and the need for any future emergency appropriation. He said they are not generating cash, they are creating the ability to raise money should they need it and if the funds are not needed in the succeeding two years, the bank is simply dissolved.

Motion by Councilwoman Zapcic and seconded by Councilman Halloran 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.

CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Ordinance on First Reading: Amend Chapter 245 – Placement of Small Cell Facilities and Wireless Poles in the Public Right-of-Way

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

Councilman Halloran stated the Council's Public Safety Committee recommended this ordinance in an effort to regulate 5G infrastructure that was researched by the Township's telecommunications expert. He explained the ordinance is necessary to give the Township the ability to have some say in the 5G technology that is coming into municipalities across the State. He said according to federal law, municipalities cannot stop the technology, the only actions municipalities can do is regulate the equipment. He said this proposed ordinance allows the Township to drive the aesthetics. He advised the cell carriers are looking to rent space on private properties and the Township has no control other than requiring site plan approval. He advised an ordinance allows the Township to establish parameters for the design, height, etc.

Motion by Councilwoman Pontoriero and seconded by Vice President Crate 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 CHAPTER 245
OF THE TOWNSHIP CODE TO ADD A NEW ARTICLE TO BE ENTITLED
"PLACEMENT OF SMALL CELL FACILITIES AND WIRELESS POLES IN THE PUBLIC
RIGHT-OF-WAY"**

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

All Council Members voted AYE on Roll Call.

Introduction of the 2022 Municipal Budget

Mayor Ducey said one of the most important duties of the Mayor is to prepare an annual budget to fund the operation of the municipal government and its many functions. This is a duty that he as well as the Township's financial team – take very seriously. Every year, they begin the budget with the same goal in mind - that goal is to create a budget that adequately funds the services that the people of Brick Township deserve with an emphasis on public safety while at the same time keeping our tax rate as stable as we can while not jeopardizing the long-term financial health of our community. He said with this budget they are confident achieves that goal and continues the record of fiscal conservatism that this administration and council has established over the past eight years. He thanked the Business Administrator Joanne Bergin and the Chief Financial Officer Maureen Laffey-Berg for their work on this budget. He stated the following:

- The municipal budget consists of two major components – the spending plan and the revenue plan.
- This year's proposed spending plan totals \$111,254,968.72.
- The proposed spending plan includes a number of significant increases including an increase in \$500,000 in pension contributions, an increase of \$529,000 in police salary and wage, an increase of \$587,443 in bond principal payment and an increase of \$1,580,000 in insurance costs. There is also anticipated increases in materials, goods and resources that we have to anticipate based on the state of the country at this time. They also have contractually-obligated increases that are included.
- He said they have worked with the Department and Division heads to go over the budget to look for opportunities to stabilize or reduce costs. This is something done every year.
- He said he is proud of this administration and council's record on spending management.
- In the 9 years since he took office as Mayor, the Municipal budget has increased \$12,820,429 – an average of approximately \$1.4 million a year.
- In the 9 years prior to the start of this administration, the budget increased \$40,860,383. This equates to an average increase of \$4.54 million a year.
- The average annual spending increase for this administration is roughly 68% lower than the average increase of the previous administrations over a comparable time period.
- The revenue that funds this plan includes grant funding, state aid funding, fees and taxes.
- This year's revenue plan utilizes a tax levy of \$80,547,357.
- The proposed local purpose tax rate – the portion of the total tax rate that is used by the municipal government – is 76.6 cents per \$100 of assessed value. This is an increase of 1.9 cents.
- For the median assessed value home in Brick Township (\$251,800), this equates to an increase of roughly \$4 per month – about 13 cents a day.
- He said this is for the portion of the tax bill that is controlled by the Council and Mayor.
- This is the portion of your total tax bill that funds the Brick Township Police Department and Police EMS, garbage and recycling collection, senior services and senior programs, road maintenance, maintenance of parks and recreational facilities, leaf collection, Brick Recreation, all statutorily mandated services and more.
- This makes up about one-third of your total tax bill. The remaining two-thirds is controlled by the Brick Township Public Schools, the County Government and various County agencies, your local fire district and open space funds that were approved by voters.
- He said when you contrast the tax levy growth previous administrations to the growth under this administration, the numbers speak for themselves.
- In the 9 years prior to the start of this administration, the tax levy grew 75% - a total growth of \$27,956,654. This was an average of \$3.1 million per year.
- Since 2014, the tax levy has grown a total of \$15,628,464 – roughly \$1.7 million per year.
- They have cut the annual tax levy increase by 44% from previous administrations.
- With regards to revenues – revenues outside of taxation – including grants, fees and state aid – are beyond our control. The tax levy is impacted when there are inconsistencies in revenues outside of taxation or if they are reduced.
- This year's revenue plan includes \$9,950,000 in funds from the township surplus.
- This administration and Council have succeeded in rebuilding the township's surplus following years of near complete depletions. The anticipated surplus balance will be \$13,733,718. This is over \$10 million higher than the surplus balance left just a decade

ago and more than \$13.7 million more than 12 years ago when the township used 99.42% of the available surplus to balance the budget.

- He said every year he stresses the importance of having a healthy surplus balance as it is an indicator of fiscal health for a municipality.
- He said another fiscal priority of his was reducing the Township's outstanding debt. He said when he took office on January 1, 2014, the township's debt stood at \$168,335,337.
- The Township's debt had grown 86% from January 1, 2007.
- He said when he took office, he made reducing the Township's debt one of his top priorities.
- Over the past eight years, they have succeeded in reducing the Township's debt by over \$30 million – a reduction of over 18%.
- He said like having a healthy surplus, lowering our outstanding debt is making Brick Township a more financially strong community and will help secure lowering borrowing costs in the future.
- He said, again, he is proud to present this year's proposed municipal budget. The Township's financial team worked hard to ensure that this budget is in line with the Council and my fiscally-conservative philosophy.
- He said it is a philosophy that has helped reverse the unrestrained spending practices of the decade previous to our taking office and has set our township firmly on a more fiscally-responsible and strong path.

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

All Council Members voted AYE on Roll Call.

Recognize 50th Anniversary of the Older Americans Act Nutrition Program

Councilman Halloran stated this resolution recognizes the 50th anniversary of the Older Americans Act Nutrition Program. He said Meals on Wheels has been serving older residents of Ocean County for 50 years and annually serves nearly 240,000 meals through delivery and at congregate sites.

Recognize National Library Week – April 3 – 9, 2022

Vice President Crate stated National Library Week is a time to celebrate the Nation's libraries, library workers' contributions and promote library use and support. She said the theme for this year is "Connect with Your Library".

Certification of Compliance – United States Equal Employment Opportunity Commission

Councilwoman Pontoriero stated this resolution certifies compliance with the United State Equal Employment Opportunity Commission's Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964. She advised this is a requirement by the Division of Local Government Services as part of the 2022 municipal budget submission.

Authorize Receipt of Bids – Nejecho Lagoon Dredge and Windward Beach Nourishment Project

Mayor Ducey stated this resolution authorizes the receipt of bids for the Nejecho Lagoon Dredge/Windward Beach Nourishment Project. He explained this is the first project approved by the NJDEP as part of the Township-wide dredge permit initiative that the Township's staff and professionals have been working on for two years. He said the goal is to complete the dredge project shortly after the dredge season starts on June 1.

Authorize Receipt of Bids – Mobile Ice Cream Truck

Councilwoman Pontoriero stated this resolution authorizes the receipt of bids for a mobile ice cream truck. She said the Township awards this bid annually for ice cream sales in high-traffic Township parks such as Windward Beach and Trader's Cove throughout the spring and summer.

Authorize Award of Bid – Purchase & Delivery of Sign Materials – Remaining Items

Councilman Albanese explained that this resolution authorizes the award of bids for the purchase and delivery of sign materials needed for the Township's sign shop to Creative Visual Systems and Garden State Highway Products. Bid notices were provided to 33 prospective bidders from the bidders list and seven requested bid packages. Two bids were received and both were awarded. This award includes a not to exceed amount of \$70,000 per year.

Authorize Award of Contract through New Jersey Cooperative Purchasing Program – Six 2022 Ford Utility Interceptors

Councilwoman deJong stated this resolution authorizes an award of contract to Winner Ford in the amount of \$187,110.60 for six Ford Utility Interceptors for the Police Department fleet. She advised Winner Ford is a State contract vendor.

Authorize Close Out Change Order #1 – Pinewood Park Parking Lot Improvements

Councilwoman Zapcic stated this resolution authorizes a close out change order decrease in the amount of \$11,723.45 with S&G Paving for the Pinewood Park parking lot improvement project. She said the close out change order reflects decreases in original contract quantities required to complete the project.

Authorize Execution of Agreement – Life Guarding Services for Curtis Point Property Owners Association and Ocean Club at Mantoloking Condominium Association

Councilman Halloran stated this resolution authorizes the execution of life guarding services with Curtis Point and Ocean Club at Mantoloking Associations. He said as in the past, the Township provides the lifeguard services for these beaches and all costs are covered through these agreements.

Authorize Execution of a Shared Services Agreement with the Borough of Mantoloking for Code Enforcement Services

Councilwoman deJong stated this resolution authorizes the execution of a shared services agreement with the Borough of Mantoloking for code enforcement services. She said in this agreement, Brick Township code enforcement officers will respond to property maintenance violations on a part-time, as needed basis in the Borough of Mantoloking and be reimbursed for those services to cover the costs.

Authorize Motor Vehicle Sales License Transfer – AAM Auto Sales to Weisleder All American Commercial Center

President Minichino stated this resolution authorizes a motor vehicle sales license transfer in name change only from All American Mazda to Weisleder All American Commercial Center.

Authorize Motor Vehicle Sales License Transfer – AAM Auto Sales to Weisleder All American Certified Used Vehicle Sales

Councilman Albanese stated this resolution authorizes a motor vehicle sales license transfer in name change only from All American Mazda to Weisleder All American Certified Used Vehicle Sales.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Inspection Fund Release for W&F Developers, Inc on Brick Boulevard in the amount of \$250.00
- Inspection Fund Release for Ocean Heart Group on Route 88 in the amount of \$452.70.
- Inspection Fund Release for Winding River Village Association Village in the amount of \$685.37

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes for Block 1427 Lot 6 C4501 in the amount of \$1,827.65.
- Issue Duplicate Tax Sale Certificate #2020-0003.

President Minichino clarified the decorum of the meeting.

President Minichino opened the public hearing on the Resolutions:

Nan Coll, 18 Greenbriar Boulevard, commented on President Minichino remarks.

Vic Fanelli, 24 Meadow Point Drive, spoke of the comparison he did of the police budget for 2020 and for 2022; he questioned why the salaries and overtime will be going up; he spoke about the number of officers increased and the number of calls last year and two years ago went down by

6,600 and questioned if the number of calls go up you hire more people – when the number of calls go down are you to do the opposite and not backfill people or cut the overtime budget.

Mayor Ducey said they added officers to help the overtime because it is a big portion of the budget; he explained what minimum manpower is – if they don't have enough officers on the street they have to call more officers in and that officer would get overtime.

There were no further comments from the public.

President Minichino closed the public hearing on the Resolutions.

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

There were no comments from the public.

President Minichino closed the public hearing on the Computer 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.

2022 Computer Bill Resolution in the amount of \$13,265,922.71

President Minichino opened the public hearing on the Manual Bill Resolution.

There were no comments from the public.

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

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

All Council Members voted AYE on Roll Call.

2022 Manual Bill Resolution in the amount of \$1,763,813.83

President Minichino opened the public hearing portion of the meeting.

John Sluka, 950 Sylvia Court, he stated his concerns with no left turn signs posted yet at the new Wawa on Route 88; he read his letter regarding the parkway construction project and the need for a sound wall and various reforestation in various areas in Brick.

Nan Coll, 18 Greenbriar Boulevard, stated her dissatisfaction with the information that is given on the resolutions; she stated her displeasure with Comcast.

Vic Fanelli, 24 Meadow Point Drive, commented on President Minichino remarks on the decorum of the meeting specifically the five-minute rule.

There were no further comments from the public.

President Minichino closed the public hearing portion of the meeting.

Council Members thanked everyone for their departmental budget presentations.

Motion by Councilman Halloran and seconded by Councilwoman deJong to Adjourn the meeting at 9:41 p.m.

All Council Members voted AYE.

Vince Minichino
Council President

Lynnette A. Iannarone
Township Clerk