

October 24, 2023

A 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.

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in the Asbury Park Press and The Ocean Star on January 27, 2023. 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))

**Present**

Councilman Perry Albanese  
Councilman Derrick Ambrosino  
Councilman Vince Minichino  
Councilwoman Marianna Pontoriero  
Councilwoman Melissa Travers  
Council Vice President Andrea Zapcic  
Council President Heather deJong

**Also Present**

Kevin Starkey, Township Attorney  
Lynnette A. Iannarone, Township Clerk  
Lisa Crate, Mayor  
Joanne Bergin, Business Administrator

The meeting began with the Pledge of Allegiance followed by a moment of silence.

Motion by Councilman Ambrosino and seconded by Councilwoman Pontoriero to dispense with the reading of the minutes from the October 10, 2023 meeting and approve same.

All Council Members voted AYE on the Roll Call.  
Councilwoman Travers abstained due to her absence.

Motion by Councilwoman Travers and seconded by Councilman Ambrosino to Adopt the following Resolutions.

All Council Members voted AYE on the Roll Call.

**Recognize Breast Cancer Awareness Month – October**

Councilwoman Pontoriero said this resolution recognizes October as breast cancer awareness month. The display of pink ribbons and pink clothing will help to raise awareness and support those courageously fighting breast cancer and honor the lives of those lost to the disease and tonight the ladies are Pretty in Pink and the gentlemen are Handsome in Blue in support.

**Authorize Acceptance of the “Best Practice Inventory”**

Council Vice President Zapcic advised this resolution authorizes the acceptance of the Township’s Best Practice Inventory as required annually by the State.

**Authorize Insertion of Chapter 159 – Safe and Secure Communities Program Grant – 2023**

Councilman Ambrosino explained this resolution authorizes the insertion of a grant in the amount of \$32,400.00 from the New Jersey Department of Law and Public Safety for the Safe and Secure Communities Grant Program. The Safe and Secure Communities Grant Program, enacted into law in 1993, is designed to provide municipalities with funding to add law enforcement personnel vital to effective police operations and other crime related strategies as warranted by the needs of the community. The program allows for the funding of additional officers or funding of law enforcement support personnel which would free-up officers for direct law enforcement activities. In Brick Township, these funds are used to offset police department salaries.

**Authorize Insertion of Chapter 159 – Ocean County Office of Senior Services – Title III C1 Caregiver Grant - 2023**

Council President deJong advised this resolution authorizes the insertion of a grant in the amount of \$27,215.00 from the Ocean County Office of Senior Services to help support the various programs and services offered by the staff at the Township’s Senior Services. Staff conduct intake, counseling, provide transportation, complete telephone wellness checks, develop plans for programs that increase mobility and physical activity, provide opportunities for socialization and recreation, and regularly perform outreach duties in the community.

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**Authorization to Bid – On-Site, Environmentally Safe Truck Wash Services**

Councilman Minichino stated this resolution authorizes the Township to go out for bid for on-site environmentally safe wash on Township owned vehicles and equipment by recapturing wash water runoff during the cleaning process and preventing it from contaminating soil and groundwater. The Department of Public Works does not have a “closed” system for the capture of wastewater when washing trucks and equipment, so they must contract out this service. The Township’s New Jersey Discharge Elimination System Storm Water Permit mandates the capture of the wastewater runoff to prevent the contamination of soil and groundwater. The Township spent \$120,000.00 in the current two-year contract which expires in January 2024 with Milspray Military Technologies.

**Authorization to Bid – Tree Trimming, Removal and Disposal Services**

Councilwoman Travers said this resolution authorizes the receipt of bids for tree trimming, removal and disposal services. This bid is for all necessary tree trimming, removal and disposal that cannot be done in-house. Work will include the removal of dead, dying, diseased, interfering, objectionable or weak branches and/or complete the removal of the entire tree including the grinding or removal of stump and all exposed roots to a depth of 6 inches below the adjacent existing ground level, remove chips and replace with fill dirt upon request. The Township had an approximate expenditure of \$52,000.00 during this current two-year contract period with Falkinburg Tree Expert Company. That contract will expire on January 28, 2024.

**Authorization to Bid – Purchase & Delivery of Front Load Dumpsters**

Councilman Minichino stated this resolution authorizes the receipt of bids for the purchase and delivery of 48 front load dumpsters. In the contract, the Department of Public Works will secure 48 steel 8-cubic-yard front load containers for various locations. The costs will be offset by a Recycling Tonnage Grant.

**Authorize Award of Contract – 2024 SummerFest Concert Management**

Councilman Albanese advised this resolution authorizes the award of contract to La Guardia Associates, in the amount of \$25,200.00 for Entertainment and Production Services for the 2024 SummerFest concert series.

**Authorize Award of Contract – Computer & Printer Supplies**

Council Vice President Zapcic explained this resolution authorizes the award of contract for computer and printer supplies to the following vendors at an approved schedule of prices: GCS Imaging; MRA International; Ribbons Express and The Tree House. This contract will identify vendors the Township can use to maintain the Township’s computer system, printers, fax machines, etc. Bid notices were provided to 58 Perspective bidders. Sixteen picked up bid packages and 6 bids were received.

**Authorize Award of Contract – Upfit to Six (6) Ford Police Interceptor Utility Vehicles.**

Councilwoman Travers said this resolution authorizes an award of contract to Major Police Supply, in the amount of \$99,848.58 for the purchase and installation of various equipment for new police patrol vehicles. The Township is facilitating this purchase through the State of NJ Cooperative Purchasing Program.

**Authorize Approval of Annual Compensation for Board of Fire Commissioners, Districts Nos. 1, 2 and 3**

Councilwoman Pontoriero advised this resolution approves the compensation as approved by the Brick Township Board of Fire Commissioners for firefighters in District 1, 2 and 3. This resolution is in accordance with State law that requires municipal governing bodies to review and approve the annual compensation proposed for members who serve on a board of fire commissioners.

**Authorize Approval of Community Wildfire Protection Plan and Grant Application**

Councilwoman Travers stated this resolution authorizes the approval of a Community Wildfire Protection Plan and grant application. The Plan provides a list of projects for hazard reduction, structure ignitability, and outreach in the Implementation Strategy and Action Plan that prioritizes funding in areas outlined by the Township’s Fire Safety Bureau.

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**Bond Releases/Reductions:**

Clerk Iannarone advised of the following:

- Performance Bond Release for Block 379, Lot 4 for a Site Improvement Bond release \$195,089.00; Cash Performance Bond release \$21,676.56 and Engineering Inspection Fees release \$3,834.30

**Tax Collector:**

Business Administrator Bergin advised of the following:

- Senior Citizen Deductions for:
  1. Block 377.08, Lot 24
  2. Block 380.06, Lot 9
  3. Block 870.05, Lot 69
- Overpayment 2023 – Block 702, Lot 9

Council President deJong opened the public hearing on the Resolutions.

John Sluka questioned the truck wash services cost of \$140,000.00 and asked if that could be done in-house. He also questioned the Senior Tax Deductions.

Council President deJong advised that they do not have the facilities to do the truck wash in-house.

There were no further comments from the public.

Council President deJong closed the public hearing on the Resolutions.

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

There were no comments from the public.

Council President deJong closed the public hearing on the Computer Bill Resolution.

Motion by Councilwoman Pontoriero and seconded by Councilman Ambrosino to Adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

**Computer Bill Resolution in the amount of \$11,051,690.98.**

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

There were no comments from the public.

Council President deJong closed the public hearing on the Manual Bill Resolution.

Motion by Councilman Minichino and seconded by Councilman Ambrosino to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

**Manual Bill Resolution in the amount of \$1,858,687.32.**

**Ordinance on First Reading: Amending Section 288-40 to Exclude Vehicles Over 4 Tons on Van Zile Road** – This ordinance was postponed till next meeting.

**Ordinance on Second Reading: Amending Chapter 288, Speed Limit on Herbertsville Road**

Clerk Iannarone read the Title of the Ordinance into the Record.

Councilman Ambrosino advised that in July, the Township received correspondence from Ocean County Engineer John Ernst in response to complaints received from multiple residents regarding speeding on Herbertsville Road. Two speed surveys were conducted along Herbertsville Road in January in the vicinity of Sawmill Road and Albermarle Road. The County's speed study and analysis included field measurement of vehicle speeds, review of 85<sup>th</sup> percentile and average speeds, and review of the number of vehicles exceeding the speed limit by 5 mph and 10 mph. In addition, they

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utilized the Federal Highway Administration speed management safety methodology to determine a recommended speed limit based on various factors. The existing speed limit on Herbertsville Road is 45 mph. The collected data supports lowering the speed limit to 40 mph from Maple Avenue to Lanes Mill Road. For the Township to agree to reduce the speed limit along Herbertsville Road from Maple Avenue to Lanes Mill Road, an ordinance must be presented to the County. The County will then install and maintain the required signage.

Motion by Councilwoman Pontoriero and seconded by Councilman Ambrosino to Adopt the following Ordinance on Second Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on the Roll Call.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, TO LOWER THE SPEED LIMIT ON HERBERTSVILLE ROAD**

Council President deJong opened the public hearing portion of the meeting.

John Sluka read his letter from October 20, 2023 regarding the harm created by the New Jersey Turnpike Authority and the need for walls and trees to be planted in various areas throughout the township. He stated there have been numerous articles regarding how air pollution is harmful to one's health. He asked the elected officials to speak up and act now to stop the premature deaths and suffering of its residents. He also said that children are being woken up during the night from the loud noises of vehicles on the Parkway and their grades are suffering. Many who may not have the resources to relocate.

Nan Coll said she will continue with her stream of consciousness comments. Last meeting there were comments about the debate held in Lions Head South that was cancelled. The debate should not be held in an adult homeowners' association community, it should be held in the high school auditorium so everyone could attend enabling all to see the candidates and vote for the best qualified person, not a party-line. She said the council is not listening to us and aren't doing anything to address problems such as Mr. Sluka's. She wanted to know if the council members receive a manual for training or use their own thought process.

Mark Vasquez said the council has yet to reprimand the Mayor for the mailer with photos of the Mayor sitting on a police bike. He referenced an incident that occurred after the last meeting with Councilman Ambrosino. He said that they are spreading lies about John Catalano. He asked where is the Sandy and COVID money and noted that 12 percent of the taxes are going to parks. He asked how they are fiscally responsible and said they are great at rubber stamping. He said he was frustrated. He said he's resident and a Republican. He had a question for the attorney about speaking about politics on the dais. He asked if the mayor and council receive pay and benefits. And, is it appropriate for the Mayor to take pictures with the police for her campaign.

Attorney Kevin Starkey said it's been a tradition to not politick at town hall. He said there is a small salary for the council members and mayor and that the police are employees of the town just like the clerk and business administrator.

Justin Delaney spoke of taxes and that no one wants to raise taxes but the last few weeks there has been misinformation from Team Crate about a 24 percent tax increase and tying Assemblyman John Catalano to it. He said that is not true. During the era of the Joe Scarpelli administration the recreation and police departments grew but used one shot revenues and surplus and for the first time in the history of Brick, the Township had to issue tax anticipation notes to pay its bills and that never happened before. Steve Acropolis inherited the issue which brought about the referendum. He said it was a 12.69 percent tax increase and it brought back the surplus and increased our ratings. The Democrats kept the rate but constantly using the surplus is dangerous. The referendum was held on April 27, 2011 and if things do not change it will go back to this. John Catalano was not appointed to the council until August 2011 and anyone should be ashamed to smear the credibility and legacy of a sitting Assemblyman. He said that they owe him an apology and noted he tried to clear up this issue on the Team Crate

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Facebook page but his comments were removed and he was blocked.

Charles Bacon stated over the course of the last 3-4 meetings a lot has been brought up. He said he's been coming to meetings including Board of Education meetings longer than any of you have been seated on the council. On August 9, 2016, a new CFO was to be appointed and at that time he questioned how the candidate was vetted and what was the process. At that time, the mayor did not answer. None of his questions could be answered but he was able to google some of his answers. He said he knew some of the people that applied and questioned why someone not qualified was chosen. The reply given was that they could not discuss it because it was a personnel issue but the person was not appointed until August 15<sup>th</sup>. You should tell the residents what happened to that individual.

Mary Lou Powner stated she was a councilwoman in the 1990's for eight years and asked the attorney when the tradition of no politicking started because she remembers many speaking politics. She continued by saying there's an unease in this township and its beginning to look like the places we moved away from, urban areas, and it did not use to be that way. She said you now have to watch your back in parking lots and lock your doors. There's a fear and a change and it's coming because of progressive democrats. She said that they have rising crime and asked if they are a sanctuary town. Are our police officers able to call ICE? Maybe the town should challenge it legally. She said that the commercial properties are run down and asked if they need another vape shop or fast-food restaurant? She said that they have a growing renter's population and they are not joining the fabric of the community. The failing schools are an issue.

Art Hasselbach said that he's been involved in politics in Middlesex County for 40 years and has owned property here for 20 years. He said this town is reactive and not proactive until an election. The street lights are outdated and the engineer should be requesting better and additional lights. Lights deter crime. He also said he has never seen a police car come down his street and that should be a priority and they should have rolling patrols. He said they had a zero-tax increase because they used surplus but in the next few years, taxes will increase and people will have no recourse. He said he was sorry he moved to Brick.

James Palmisano stated for the record, the Catalano Team sent a letter to Judge Ducey as a courtesy and copied Judge Hodgson questioning the use of the Crate Team using his name and photo. He read from the letter saying that information on their Facebook page is misleading and violates judicial regulations. A new page should be created to prevent any confusion. He said they could file an official complaint on Rule #1:17 (which prohibits judges' involvement in politics.) They asked for it be handled in a timely manner to ensure the integrity of the electoral process in Brick. The former Mayor replied that he cannot be involved in politics being a judge and blind copied the assignment judge of Ocean County and he will not respond to any further correspondence. A copy was also sent to Mayor Crate however she consistently uses the fact that she's associated with the former Mayor. He said none of their campaign material says that they are democrats and asked if they are denouncing they are democrats and what they stand for? He said that democrats stand for open borders, excessive taxes, releasing criminals without bail, windmills on the shore, critical race theory and ending gas.

Melanie Briggs stated the drug drop-off box was her idea in 2014 because she went to the mayor and advised him that residents were coming in with bags to drop off medicines but the township only collected twice a year because it was too expensive. She also told the mayor that the court window closed at 3pm. She said when she returned to work after having surgery the drug box was in and drop off box for the court was installed. She also said the screen on the wall and the 5- minute clock for the meetings were her suggestions too. She felt these were important things for citizens. She said the referendum was up to the people to make that decision and they stood up to keep the services and staff.

Michelle Genrich (sp?) of Seaview Village thanked the Mayor and Council for finally having their two main streets, Seaview and Mariner paved but asked if the potholes on the other streets can be filled.

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Council President deJong said they can have public works come out to fill the potholes.

Lynn Wick of 17<sup>th</sup> Avenue said she is a lifelong resident of Brick and in over 50 years her street has never been resurfaced and questioned why she is paying taxes. The newer section of her neighborhood got taken care but the older sections should get done first. She said she is pulling weeds out in the road. She also advised the intersection at Burnt Tavern and Walsh Avenue has conflicting yields. It should have a stop sign and it would solve a lot of problems. She added that the roads are not very pedestrian friendly. The roads have evolved but she would like to keep a small-town feel. She thanked the council for allowing her to speak.

Council President deJong said she will follow-up with engineering regarding the paving and Traffic Safety about the intersection.

There were no further comments from the public.

Council President deJong closed the public hearing portion of the meeting.

Mayor Crate said she attended a few events. The new Senior Center grand opening was held last week. It was wonderfully attended and said its bright and beautiful and the township workers did a wonderful job! She mentioned she had the opportunity to tour the Town Square senior memory care facility for their Octoberfest. It was the first one in the state and is a great asset to Brick.

Attorney Kevin Starkey said there has been a lot of politics going on tonight and someone read a letter sent to Judge Ducey. He cannot defend himself so I will defend him. It was threatening to say a judicial ethics complaint could be filed. Judge Ducey was mayor and nominated and appointed as judge and as such cannot be involved in politics. Mayor Crate is entitled to say she's following in his footsteps as mayor and Judge Ducey cannot be involved in politics. Those two things can co-exist. He said he's known Judge Ducey for a long time and he is one of the most ethical and responsible people he knows and he does not deserve to get a letter threatening him. He's a good person and great man and I encourage you to keep him out of it.

Councilman Albanese said in these last couple of months there has been a lot of mudslinging and he doesn't like it, he said that he has conservative values and that's where he stands.

Councilwoman Pontoriero thanked the Brick Police Officers and Karen Wall and Dan Nee for covering the story about the Newark man who was apprehended and charged with various crimes. She thanked the officers for all of their hard work and said that she appreciates having this individual off the streets.

Council President deJong would like to expand on the ribbon cutting at the Senior Center on Aurora and thank the in-house construction for all the obstacles they had to overcome but were able to get it ready for Election Day because it is used as a polling place. She said she was excited for Zulma and her staff to have a home of their own and she looks forward to their first event. She thanked everyone for coming out this evening.

Motion by Council Vice President Zapcic and seconded by Councilman Ambrosino to Adjourn the meeting at 8:21 p.m.

All Council Members voted AYE.

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Heather deJong  
Council President

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Lynnette A. Iannarone  
Township Clerk