

April 11, 2017

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 7:08 p.m.

Present

Councilman Paul Mummolo
Councilwoman Heather deJong
Councilwoman Lisa Crate
Councilman Jim Fozman (Arrived at 7:14 pm)
Council Vice President Andrea Zapcic
Council President Arthur Halloran

Also Present

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

Absent

Councilwoman Marianna Pontoriero

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 13, 2017. 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 led by Webelos Pack 163 followed by a moment of silence.

Motion by Councilman Mummolo and seconded by Councilwoman Crate to dispense with the reading of the minutes of March 7th and March 21, 2017 meeting and approve the same.

All Council Members voted AYE on Roll Call, except:

Councilwoman deJong and Vice President Zapcic ABSTAINED on March 7th because they were absent.

PILOT Check Presentation – Homes Now, Inc., to the Township of Brick

Casey Duffy, Assistant Executive Director of Homes Now, Inc. presented a check in the amount of \$81,588.84 to the Township of Brick for their payment in lieu of taxes (PILOT) for Chambers Bridge Residence. She said Chambers Bridge Residence is a 186 apartment complex serving low income seniors with set aside for 23 individuals with developmental disabilities. She said to date the Chambers Bridge Residence has paid over \$1M to the Township in annual service charges under the PILOT agreement.

National Library Week – Brick Branch – Carolyn Belvin

Mayor Ducey, President Halloran along with Councilwoman Crate recognized the Brick Library for National Library Week. Mayor Ducey said libraries have long served as trusted and treasured institutions, and library workers and librarian's fuel efforts to better their communities, campuses and schools and noted this years' theme is "Libraries Transform". He presented Carolyn Belvin with the proclamation and proclaimed April 9 – 15, 2017 as National Library Week. Councilwoman Crate presented the resolution on behalf of the Township Council.

Carolyn Belvin thanked the Mayor and Township Council and spoke about the summer reading program.

National Public Safety Telecommunicators Week

Mayor Ducey, President Halloran, Vice President Zapcic, Councilman Fozman along with Chief Riccio recognized Brick Township Telecommunicators for National Public Safety Telecommunicators Week. Mayor Ducey said everyone knows that they have an awesome Police Department here in Brick Township and they do a great job every day, but they would not be able to get where they are going if it was not for the dispatchers. He said National Public Safety Telecommunications Week enhances public awareness and promotes education regarding important public safety issues and dispatchers and other public safety telecommunicators represent a vital link between the public and other aspects of the emergency services community. He presented the proclamation and proclaimed April 9 -15, 2017 as National Public Safety Telecommunicators Week. Vice President Zapcic presented the resolution on behalf of the Township Council.

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Budget Presentation - Dan Santaniello – Recreation

Dan Santaniello, Director of Recreation explained Recreation, including the township beaches and Trader's Cove Marina, served over 250,000 individuals this past year, through their special events, camps, recreational sports, early childhood classes, beaches and marina. He said the Recreation Department offers over 120 programs for children, adults, and seniors throughout the year and include, but are not limited to, basketball, pickle ball, softball, early childhood education, and camps. He said the township lifeguards and badge checkers provide beachgoers with a safe, clean, and well managed beach throughout the summer season. He said they also contract lifeguard services to three private beach associations and are reimbursed for those costs. He explained their professional, well-trained lifeguard staff has been recognized as one of the best in the area. He said Trader's Cove Marina and Park provides the boating community with a variety of marine services. Trader's Cove has concrete floating docks, transient slips, a double wide boat ramp, Jet Ski ports, kayak storage racks, and a large playground. This summer, they will be opening the resource building, which is currently under construction. This building is conveniently located adjacent to the playground and will include public restrooms on the first floor. The second floor will feature a lounge area, washer and dryer, and private bathrooms with showers for slip customers and transient boaters. This building was funded by US Department of Interior, and the grant was obtained through National Boating Infrastructure.

Recreation:

He explained the Recreation staff is comprised of nine full-time and fifty seasonal employees, including camp counselors and early-education teachers. He advised the salary and wage budget for 2017 has an increase of 32 percent. This increase is due to yearly contractual increases and the addition of three full-time employees. Two of these employees are positioned at the Trader's Cove Marina, while the other is located in the Recreation office. These employees are transfers from other departments and are not new hires. He noted the Marina staff was previously charged to parks and are now appropriately charged to recreation. He said the Recreation staff continues to do a great job in maintaining a minimal overtime budget through the utilization of flex scheduling. Flex schedules are necessary in view of the fact that 90 percent of the programs take place after normal work day hours. He advised the 2017 overtime budget remains flat with no increases and the operating accounts for 2017 will decrease 1.7 percent from last year.

Beach:

He explained the beach staff consists of part-time employees, including 69 lifeguards, 18 badge checkers, and 10 maintenance workers. The salary and wage budget is decreasing 5.6 percent. He advised the previous senior lifeguards will be replaced with one to two year guards. This is a cycle that they have experienced every five to six years as the older guards transition into full-time yearly professions. He advised the operating budget for 2017 is flat with a 0 percent increase from last year and the Line item 256 Printing and Binding was eliminated because they are now using computers at each ocean beach office and eliminating hand written receipts. He said the overtime budget also remains flat with a 0 percent increase and noted overtime is only used at the end of the summer season when lifeguards begin returning to college and the other staff must cover their shifts, thus working six days a week.

Traders Cove Marina and Park:

He explained the Marina has two full-time and six seasonal employees. In 2015, the Marina had a net revenue of \$77,127.54 and in 2016, the net revenue amount increased to \$154,519.55. He said they anticipate that number to continue to increase as they have maximized the winter boat storage capacity and expand rental opportunities with new Jet Ski docks as well as an area to store kayaks and paddleboards. He advised they are always looking for more ways to serve their customers; one example of that is the revenue generated from short hauls, power washing and summer storage and noted the revenue from those services doubled last year. He said for this summer, they are looking to enhance the services even more by accepting credit cards for the boat launch.

Budget Presentation - Ken Mathis – Parks Department

Ken Mathis, Parks Department Supervisor explained Parks is a division under the Department of Public Works. He said there are 18 full-time employees that oversee the Township parks and sports fields and also the grounds at township facilities. He said there are 20 parks that the employees maintain including 10 basketball courts, 8 tennis courts, 3 bocce courts, 3 horseshoe pits, 3 football fields, 15 soccer fields, 2 inline hockey rinks, 6 miles of bike trails, and 22 softball & baseball fields. He said they also maintain the sports fields including the 40-acre sports complex at Drum Point and advised that complex is constantly recognized as one of the best in the state. He said additionally, they manage 376 irrigation zones with 1775 heads and there are

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147 acres of maintainable grass fields maintained by parks and there are also many intersections maintained by the parks department along with every detention basin in the Township. He advised they also maintain 10 beach/waterfront properties and provide more than 69 acres of lake management. He commented one of their most time-consuming tasks is the annual fall and spring leaf collection which takes 10 weeks – starting at the end of October until the second week in January and then immediately move into Christmas tree collection for three weeks before moving into the spring leaf collection schedule. He said outside of the daily maintenance of these facilities they also oversee Lake Management, Fertilization Program, Solar Field Maintenance and Synthetic Field Cleaning. The department is also responsible for set up and breakdown of all events at Civic Center and Senior Center along with Summerfest, Trunk or Treat and other recreational events. He said they currently in charge of the 12-week scheduled leaf pick up and will now also manage brush pick up all year round and they have also taken responsibility for the delivery and repairs of township-issued garbage cans and advised tree removal is now Parks responsibility along with all Tax liens. He said in 2017, they will continue to work with the Township Engineer on the construction of a pole barn at the Drum Point Sports Complex to protect their equipment from the elements. He said they look forward to maintaining the newest parks to be removed including Hank Waltonowski Memorial Park in the Birchwood section and Bernie Cook Park which will be done after the Garden State Parkway Interchange project is complete. He advised once the Army Corps of Engineer Beach Replenishment Project is complete they will also assist with the maintenance of Bayside Park as well. He commented the department continues to take on more responsibilities as they move forward in renovating the parks. He noted they look forward to that challenge and will continue to work hard in keeping them safe and enjoyable for all of Brick.

Budget Presentation - Glenn Campbell – Department of Public Works

Glenn Campbell, Director of Public Works gave a brief overview of the Department of Public Works, which includes utility/road crew, solid waste collection, buildings & grounds, vehicle maintenance, and parks. He explained Public Works makes more than 2.7 million stops per year to residents' homes. In 2016, they collected 33,114 tons of solid waste and 3,506 tons of bulk. They drive over 600,000 miles per year. He said in 2016 they completed several major projects, including the renovation of the pre-school classrooms at Recreation and refurbished the kitchen which was completed by Buildings and Grounds. He said the Utility Crew also did an outstanding job with the beach restoration and thanks to their tireless efforts they were able to create safe beach access last year. He said since being notified of the Army Corps Beach Replenishment Project construction schedule, they have met and developed a game plan so that they can give Brick residents and visitors safe access to the beach again this year. It is not only getting Brick Beach 1, 2 & 3 in shape, there is over a mile of beach front from 6th Ave to the Ocean Club that needs to be restored and leveled. He advised the crew also built ramps for beach access. This is an enormous job and one they take great pride in completing so that people can enjoy the beach. He said DPW also did a considerable amount of work on the new firing range. He explained crews excavated the base and moved hundreds of cubic yards of fill to build the berms around the range and noted the project engineer estimated that their efforts reduced the contract cost by more than \$100,000.00. He stated the operating budget for roads in 2016 came in 9 percent under budget and they are proposing a 17 percent decrease for the 2017 amount after reducing the outside contractor line item by \$220,000.00 which they did based on actual expenditures back to 2013 and noted this line item is used for snow plow contractors. He said Vehicle Maintenance came \$26,000.00 under budget for 2016 and this year's budget is \$8,000.00 less than last year's budget. He said they also were able to reduce the vehicle maintenance overtime budget by restructuring the overtime shift work which resulted in a 20 percent decrease in that line item. He said they have 11 full-time employees servicing close to 400 township-owned vehicles.

Solid Waste

He stated solid waste operating budget was level, 2016 solid waste overtime was \$57,000.00 under budget and the proposed overtime for 2017 is \$25,000.00 less than last year. He said solid waste overtime came in \$57,000.00 under budget. This line item covers the weeks in which holidays fall and Saturday collection is required; it also covers operations at the recycling center and any other fleet operations required throughout the year. He said tonnage at the landfill was level with 2016 and bulk tonnage was down another \$84,195.00 bringing the total savings to over \$1.2 million. The total savings since they banned construction materials at the hill and for pick up is \$1,200,000.00.

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RECYCLING

He reported 2016 Recycling Tonnage: 45,727; State Recycling Tax Revenue \$109,542.00 and Ocean County Revenue Share: \$12,068.00.00. He said thanks to all Brick residents and businesses for really embracing the need to recycle. Under the leadership of the Township Recycling Coordinator Trish Totaro, the recycling program has grown by leaps and bounds. The residential recycling is up 20 percent from last year. He said their focus in 2017 is educating on the downfall of plastic bags in the recycling containers and continuing to provide education on contaminated loads of recyclables and noted another major focus area for 2017 is commercial recycling. He advised Trish also speaks in Senior Communities and Condo Associations and has a major presence in the schools, encouraging students to be engaged in recycling and ways to protect the environment. In honor of Earth Day, Trish has not one but two full week of events planned at Brick Township schools, the highlight being the Recycling Relay. He advised Osbornville Elementary School created a video to demonstrate how the Recycling Relay will work. He said they are also planning a recycling truck demo for students at the local schools for the spring and will offer field trips to recycling center. Trish also coordinated the first Plastic Bag Swap where residents could bring their plastic bags in exchange for a Township of Brick reusable shopping bag. The plastic bags will be delivered to participating grocery stores. He noted Osbornville Elementary School even created a You Tube video to demonstrate how the Recycling Relay will work.

President Halloran opened the public hearing on the Budget Presentations.

Nan Coll, 18 Greenbriar Boulevard, asked how many detention basins are there and what is the difference between detention basin and a retention basin.

Ken Mathis responded there are approximately 330 detention basins and explained the difference between detention and retention basin.

David Panebianco, 503 Glenwood Avenue, stated his displeasure with the potholes on his street and questioned when Glenwood and Sterling Avenues will be paved.

Joanne Bergin advised Glenwood and Sterling Avenues are part of the Cedarwood Park East Project and that particular location is in the immediate vicinity of a water main replacement project that is being planned by MUA and the Township is working in conjunction with the MUA when they are done, the roads will be paved.

There were no further comments from the audience.

President Halloran closed the public hearing on the Budget Presentations.

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

All Council Members voted AYE on Roll Call.

Recognize National Library Week – April 9th – 15th

President Halloran stated this resolution recognizes National Library Week and all that libraries and librarians do in providing more opportunities for the community by delivering new services that connect closely with the needs of the residents.

Authorize Receipt of Bids – Rental of Equipment & Operators

President Halloran stated this resolution authorizes the Township to bid for the rental of equipment and operators. He said this bid has numerous categories, including but not limited to, rental of backhoe, chipper, dozers, excavator and tandems. In the event the Township requires the use of this equipment and its operator, successful bidders will be contacted accordingly. The current contract will expire on June 10, 2017. He advised to date, they have not had to utilize this contract. In the event there is a need for this service, specifically an emergency, the Township will be able to reach out to successful bidders for the use of their equipment and operators.

Authorize Receipt of Bids – Snow Removal Services

President Halloran stated the Township's current contract for snow removal services will expire on July 18, 2017. This was a three-year contract with a total cost of \$1.3 million. He advised it is

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in the Township's best interest to bid this and get as many contractors under contract as possible before other municipalities bid this service. He explained the bid is broken down into eight (8) categories: trucks under 20,000 pounds gross vehicle weight, 20,000-50,000 pounds gross vehicle weight and over 50,000 pounds gross vehicle weight; front end loaders, graders, backhoes, bobcats/steer-loaders, skid-loaders, and a catch all category. He said awards will be made to a primary contractor offering the lowest price per hour in each category. Secondary contracts will be awarded to all other bidders as a backup in ascending order who agree to the low bidder's proposal rate.

Authorize Award of Bid – Manufacture & Printing of Tax Bills

President Halloran stated this resolution authorizes the award of bid for manufacture and printing of tax bills to Vital Communications, Inc., Trenton and the bid is for a one-year contract at a rate not to exceed \$22,640.00.

Authorize Award of Bid – Hank Waltonowski Memorial Park Improvements

President Halloran stated this resolution authorizes a contract to Precise Construction, Freehold, for a total bid of \$1,228,513.00 for the construction of Hank Waltonowski Memorial Park.

Authorize Award of Contract – Vending Machine Services

President Halloran stated this resolution awards a contract to Skrip's Classic Vending Service, Toms River, to provide, install and maintain coin and paper money vending machines at the Municipal Complex and Department of Public Works. He said the price per soft drinks is \$2,105.00 per year and \$2,205.00 for snacks. He advised this is a three-year contract and Skrip's was the only proposal submitted and noted they have been providing the vending machines for snacks. The company who had been providing soft drink bids did not submit a proposal and that bid is being awarded to Skrip's as well.

Authorize Award of Contract – Purchase & Delivery of Automotive Parts, Supplies and Repairs under the Stafford Township Co-operative Pricing System

President Halloran stated in March, Stafford Township, the lead agency for the Stafford Township Co-operative Pricing System notified member municipalities that they have awarded a two-year contract for automotive parts, supplies and repairs to: Advanced Fastener Industries; Barlow Automotive, Beach Haven Automotive, Eastern Warehouse Distributors, Chapman Ford Sales, and Gran Turk Equipment. He said by entering into this contract with the Stafford Township Co-operative Pricing System, the Township can take advantage of the respective discounts these companies offer through the co-op.

Authorize Appointment of Police Department Chaplain

President Halloran stated this resolution appoints the Rev. Douglas G. Chase as an additional Police chaplain to assist and be available along with the current Chaplain Dan Schaeffer. He advised Rev. Chase has served as the pastor of the Brick Presbyterian Church for the past 25 years, is an active leader in the Brick Clergy Association, holds a Master in Divinity from the Louisville Theological Seminary and a BA in religion from Maryville College and is currently an affiliate member of the International Conference of Police Chaplains.

Authorize Amendment to the Shared Services Agreement for Driving While Intoxicated Enforcement Program

President Halloran stated this resolution authorizes the execution of a shared services agreement with the Ocean County Prosecutor's Office for the Driving While Intoxicated Enforcement Program, a traffic safety program implemented for the purpose of identifying and removing intoxicated drivers from roadways. He said during time when manpower is needed for enforcement, members of the Brick Police Department are called upon to assist. The County reimburses the Township at an established hourly rate for the officers assigned to this program.

Authorize Motor Vehicle Selling License Transfer – AAM Auto Sales, LLC – 2005 Rt. 88

President Halloran stated the Township Zoning Officer, Code Enforcement and Fire Bureau have reviewed and recommended the transfer of the motor vehicle selling license from J&C, Inc., Route 88 East to AAM Auto Sales, Route 88 East.

Authorize Placement of Tax Liens for Property Clean-ups

President Halloran stated this resolution authorizes the placement of a tax lien on two properties: 283 Leswing Drive in the amount of \$819.01 and 364 Essex Drive in the amount of

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\$1,023.01.

Authorize Special Events Permit – Laurelton Park Baptist Church Picnic

President Halloran stated this resolution approves the special event permit for a Picnic Event on Sunday, June 4 between the hours of noon and 4 pm at the Church on Rt. 88.

Supporting Legislation – State Public Defender’s Office to Represent Defendants in Bail Hearings

Mayor Ducey explained this resolution asks legislators to amend the act to require that state public defenders represent defendants charged with disorderly person’s offenses or petty disorderly person’s offenses. He said municipal public defenders are responsible for representing these defendants, despite the fact that state public defenders are already present in the courtroom to argue other cases. He advised it costs the Township \$500.00 every time a municipal defender represents a defendant in State Court for a five to 10-minute hearing.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Performance Bond Release – Feinberg & McBurney Realty - Hooper Ave a performance surety bond in the amount of \$873,334.33 and a cash performance bond in the amount of \$67,926.00.
- Performance Bond Release – NVR, Inc. – Chambers Bridge Rd, a performance surety bond in the amount of \$18,625.15 and a cash performance bond in the amount of \$2,069.47.
- Performance Bond Release – Lake Real Estate – Old Burnt Tavern Rd a standby letter of credit in the amount of \$45,492.33 and a cash performance bond in the amount of \$5,055.43.
- Inspection Fund Release – AHG Landholdings – Brick Blvd. in the amount of \$8,856.62.
- Inspection Fund Release – Paul Wong – Route 88 in the amount of \$227.03.
- Inspection Fund Release – Robert Scott – Herbertsville Rd in the amount of \$467.00.

Tax Collector:

Joanne Bergin advised the following:

- 100% Widow of Veteran Refund & Cancel Taxes – Block 869.07 Lot 3 – 115 Taylor Blvd. a refund amount of \$1,957.89.
- Tax Overpayments – 2016 Block 869, Lot 20 in the amount of \$2,929.50.
- State Tax Appeal Granted – Block 936 Lot 5.01 – 691 Princeton Ave Block 936, Lot 5.01 in the amount of \$2,292.25 which is a two-year appeal.
- State Tax Appeal Granted – Block 1385.07 Lot 1 – 604 Winding River Rd Block 1385.07, Lot 1 in the amount of \$7,953.13, which is a three-year appeal.
- Redemption of Tax Sale Certificates. Block 210.37, Lots 6 and 8.

Recognize National Public Safety Telecommunicators Week – April 9th - 15th.

President Halloran stated this resolution recognizes the work done by the men and women who serve as public safety telecommunicators for the Township of Brick.

President Halloran opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, asked for clarification on the Bail Hearing resolution.

Mayor Ducey gave her an explanation on the resolution.

There were no further comments from the audience.

President Halloran closed the public hearing on the Resolutions.

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

Councilman Mummolo questioned the A Team Concrete Bill.

Mayor Ducey responded there was a significant snow event in January 2016 and during that snow event, the contractor the Township dispatched in certain neighborhoods to assist with

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snow removal damaged a significant number of curbs while completing the work. The Township held back a percentage of the contract amount from payment, pending the contractor's completion of the curb repair. The contractor made commitments to complete the repair in order to receive full payment, but was unable to complete the work. The Township instead used the retainage to hire A Team Concrete specifically to complete repairs in the neighborhoods where curbs were damaged during the snow removal. A-Team started the work in the fall but was unable to complete the entire list and has started back up again now that it's spring and weather conditions are conducive to this work. The contractor will be working in Greenbriar 2 this week and either has, or will be, completing work in Lions Head North and South, Greenbriar 1 and other miscellaneous streets in Lake Riviera.

President Halloran said there is a bill for ARH for roadway improvements – what streets are involved with this project.

Mayor Ducey advised this is the Seaview Meadows project and the roads are Cedar Island Drive, Meadow Point Drive and South View Drive.

Councilwoman Crate said there are road jobs listed for the CME bill - what roads are included in that project.

Mayor Ducey advised CME are the engineers for the Baywood Road Program and the roads are Cartagena, Cadiz, Alhama, Valencia and Monterey; the Isolated Streets program includes Phase 1 which is Firehouse Road, Shore Drive, Plaza Terrace West, Ridge Road, G Street and Sunset Court; Phase 2 includes McKay Drive, Division Street, Bretonian Drive, Hulse Landing Road and Elliott Lane; the Birchwood Park project includes part of Orangewood Drive, Orangewood Court, Elmwood Drive, Elmwood Place, Oakwood Drive, part of Sprucewood Drive, Larchwood Drive and Boxwood Drive; the Laurel Crest road program includes Poplar Way, Center Drive and Folsom Drive and the Heritage Hill roadway improvement project is for roadway resurfacing and drainage upgrade and the roads include Merrimac Way, Liberty Lane, Revere Drive and Revolutionary Road. The Laurel Crest roadway improvement project will include Poplar Way, Center Drive and Folsom Drive.

Councilwoman deJong questioned the bill for the Lakewood Postmaster for BMAC Rider.

Vice President Zapcic replied this is for the Neighborhood Watch meeting notifications not taxpayer dollars – it is funded with proceeds from the BMAC Golf Tournament.

Councilman Fozman questioned the bill for electrical supplies for Lake Riviera Park.

Mayor Ducey advised this is for the new security cameras at that park and noted once that park is completed cameras will be installed at Herbertsville Park and Angela Hibbard Park.

Vice President Zapcic said there are a few payments to CDBG Public Service Grant recipients including Interfaith Hospitality Network and Habitat for Humanity and questioned if these projects are at risk.

Mayor Ducey said yes these are all Federal funds and the Federal Government has proposed to cut the CDBG funds totally and explained that program and how the funds are used.

There were no comments from the audience.

President Halloran closed the public hearing on the Computer Bill Resolution

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

All Council Members voted AYE on Roll Call, except:
Councilman Fozman ABSTAINED on the BTMUA;
Vice President Zapcic ABSTAINED on NJ Press Media.

2017 Computer Bill Resolution in the amount of \$10,982,704.39

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

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There were no comments from the audience.

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

Motion by Vice President Zapcic and seconded by Councilman Fozman to adopt the following Resolution.

All Council Members voted AYE on Roll Call.

2017 Manual Bill Resolution in the amount of \$3,218,064.63

Ordinance on First Reading: Amend Chapter 245 – Affordable Housing

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

Mayor Ducey gave a brief history on the Affordable Housing litigation. He said this ordinance provides for an inclusionary zoning requirement on future multi-family developments of 10 or more units in the Township and all development approvals for multi-family residential development shall provide an affordable housing set-aside of 15 percent of the residential units in a rental development and 20 percent of the residential units in a for-sale development. He said at least 50 percent of the affordable units in each development shall be affordable to low-income households including 13 percent in rental developments affordable to very low-income households including 13 percent in rental developments affordable to very low-income households.

Motion by Councilwoman deJong and seconded by Vice President Zapcic to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE AFFORDABLE HOUSING PROVISIONS OF CHAPTER 245 PART 2 ARTICLE V OF THE CODE OF THE TOWNSHIP OF BRICK ENTITLED “AFFORDABLE HOUSING”

Ordinance on First Reading: Amend Chapter 98 – Animals

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

Councilwoman Crate said she understands fully that this is an issue that people feel strongly about she expressed her personal feelings on this topic. She said one of reasons why she is voting for the change to this ordinance is her concern over the perpetuation of the sale of dogs through the acquisition of animals from what most people would consider puppy mills. While there is no direct evidence that any animals in Brick are derived from such places, this ordinance as it is currently written allows for this to be a possibility. And while she understands that through changing this ordinance, they are not eliminating puppy mills from the world in general, they are at the very least taking away the possibility of the sale of such puppies within our town limits. If the supply is cut off, the demand will follow, it's as simple as that. She said she knows the question will arise as to how people are to purchase or find the purebred dogs they desire. She said she has both mutts and a purebred dogs living in her home. She said she has always adopted from shelters or in some cases, dogs have literally found her. As for the purchase of purebred dogs, there are so many reputable breeders that you can go to for whatever breed you may want, and in her personal opinion, you have a greater chance of getting a better quality dog from an actual breeder than you would from a pet store. Again, her personal opinion is that you are getting the lowest common denominator of purebred for some of the highest prices when you purchase from a pet store. And for those not willing or wanting to pay astronomical prices, there are also wonderful animal rescue groups that work with specific breeds that are an excellent source for any type of dog you may be looking for. She said she understand that this is a small business and she understands fully the need for Brick to support small business owners. They are the lifeblood of our community and it is their responsibility to assist them in any way possible in order for their businesses to thrive. She said she truly believes that with this ordinance, they are giving this business a chance to enhance their strengths rather than diminish their pocketbooks. She gave some statistics from the American Pet Products Association, which gathers statistics on spending from various market research sources, in 2016 alone over \$66 BILLION dollars was spent in the United States on pets. She said there are better ways to make money off of pets. People spend 14 times more money on

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food alone than they do on the purchase of an actual pet. When you combine that with all of the other expenditures, American's spend \$64 billion dollars on everything but the purchase of a pet. The least amount of money that can be made in this industry is through the actual sale of animals. She said Pets Plus Natural made the switch from commercially bred puppies to rescue dogs at all 10 locations about a year and a half ago. Before the switch, they spent 27 years sourcing its pups from a commercial facility in Ohio. If the local store chooses to take this path, they can ask the Humane Society and other local advocates to assist in the conversion. It's just the right thing to do. She said the reputation of the town is a tangible asset and considers Brick to be a progressive town that cares for the rights of every being, human and animal alike. This ordinance is the first step in the right direction to making that happen. She quoted Socrates "that the secret of change is to focus all of your energy not on fighting the old, but on building the new".

Motion by Councilwoman deJong and seconded by Councilwoman 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 TOWNSHIP CODE CHAPTER 98, "ANIMALS," TO RESTRICT THE SALES OF DOGS AND CATS

Ordinance on Second Reading: CAP Rate Index Ordinance

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

President Halloran explained this allows the Township to establish a cap bank for future use. The ordinance allows for increases to budget appropriations, and allows the township to bank any unused monetary room. 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. He said by having a cap bank, they have appropriation room to handle disasters. 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 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 simply is dissolved.

President Halloran opened the public hearing on the Ordinance.

There were no comments from the audience.

President Halloran closed the public hearing on the Ordinance.

Motion by Councilwoman deJong and seconded by Vice President Zapcic 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.

CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Ordinance on Second Reading: Amend Chapter 110 – Beach Hours

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

President Halloran explained the ordinance amendment is the result of requests from beachgoers. The changes the beach hours from 8:30 am to 4:30 pm to 9:30 am to 5:30 pm. Feedback they have consistently received from beachgoers is that 4:30 was a little early to close the beaches. He said fewer people are out in the ocean swimming at 8:30 than at 4:30, so it makes sense to push the schedule back one hour.

President Halloran opened the public hearing on the Ordinance.

There were no comments from the audience.

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President Halloran closed the public hearing on the Ordinance.

Motion by Councilwoman Crate and seconded by Councilwoman 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, AMENDING TOWNSHIP CODE CHAPTER 110-15 TO SET HOURS FOR BATHING AT TOWNSHIP BEACHES

President Halloran opened the public hearing portion of the meeting.

John Hyfantis, Chair of the Sustainable Brick Township Committee spoke about the upcoming Green Fair on April 22nd and urged resident to attend. He spoke about the on Target newsletter that summarizes what the Brick Schools are doing to meet Sustainable goals.

Mayor Ducey thanked Mr. Hyfantis for all the hard work he has done to help Brick Township attain the "Silver" certification which is the highest in the State.

David Panebianco, 503 Glenwood Avenue, spoke about the parking and safety issues in and around Denino's Restaurant.

Dr. Adam Christman, Bricktown Veterinary Hospital, commended Councilwoman Crate for her statement on the Animal Ordinance. He spoke about rescue organizations and stated his displeasure with pet stores.

Craig, Toms River Resident, thanked Councilwoman Crate and spoke about the pet store's tactics of selling dogs.

Janice Fischer, Manasquan Resident, spoke about the pet store selling sick puppies.

Jennifer Dougherty, Veterinary Tech, spoke about the pet store and how contagious Parvo is.

Valerie, Beachwood Resident, spoke about the dog she purchased from the pet store.

Anne Reeves spoke of Cooper the dog she purchased from the pet store that was sick with parvo and shortly after passed way.

Francine Campbell, Toms River Resident, spoke about her purchase of a dog from the pet store and noted she was one of the lucky ones that her dog is still alive.

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

Nan Coll, 18 Greenbriar Boulevard, spoke about the street lights on the County roads.

There were no further comments from audience.

President Halloran closed the public hearing portion of the meeting.

Mayor Ducey mentioned it is National Pet Day. He spoke about the Animal Ordinance. He thanked the Webelos Pack 163 for leading the pledge; thanked the department heads for the budget presentations. He announced the various events he attended and upcoming events.

Councilman Mummolo thanked the Webelos Pack for the leading the pledge and thanked Dan Santaniello, Glenn Campbell and Ken Mathis for the budget presentations. He mentioned the various events he attended.

Councilwoman deJong reminded everyone about the Green Fair on April 22nd and spoke about the Buy in Brick Program.

Councilwoman Crate thanked the Webelos Pack for leading the pledge and gave special thanks

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to Paul Matula from the Fire Bureau who took the time to go over aspects of fire safety.

Council Fozman announced the BTMUA will have no rate increase this year. He thanked the Osbornville School for their relay race video and thanked the Township Recycling Coordinator, Trish Todaro for all her hard work and helping Brick save a lot of money with the tipping fees.

Vice President Zapcic thanked Dan, Glenn and Ken for their budget presentations and congratulated and thanked the police dispatchers for the great job they do every day. She announced the Cultural Arts schedule is finally out for the year and announced the upcoming shows.

President Halloran also thanked Dan, Glenn and Ken for their budget presentations. He thanked the police dispatchers for the great job they do.

Motion by Councilwoman deJong and seconded by Councilwoman Crate to Adjourn the meeting at 9:37 p.m.

All Council Members voted AYE.

Arthur Halloran
Council President

Lynnette A. Iannarone
Township Clerk