

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 Paul Mummolo
Councilwoman Heather deJong
Councilwoman Lisa Crate
Councilman Jim Fozman
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 a salute to the flag led by Boy Scout Troop 6 followed by a moment of silence.

The Clerk was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of April 2017.

National Emergency Medical Services Week – May 21st – 27th

Mayor Ducey and President Halloran recognized Captain Tim Boyle, Sgt. Neal Pederson, Robert Contreras, EMS Director, Michael Botts, EMS Supervisor and EMS personnel for National Emergency Medical Services Week. Mayor Ducey said the individuals who provide emergency medical services in the Township of Brick serve a vital role in the community. He said the members of the emergency medical services teams are ready to provide life-saving care to those in need 24/7. He stated the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers. He presented a proclamation and proclaimed the week of May 21st – 27th, 2017 National Emergency Medical Services Week.

Council President Halloran presented the resolution on behalf of the Township Council.

Brick Township Schools -Teacher and Support Staff of the Year

Mayor Ducey, President Halloran along with Councilwoman Crate recognized the Teacher of the Year Recipients along with the Support Staff of the Year Recipients. Mayor Ducey said the teachers in Brick Township do a great job every single day of the school year and thanked each and every teacher in the Township for all the hard work they do every day. He announced the names of the Teacher of the Year Recipients and presented certificates to: Maria DeBruin, Brick Memorial High School, Gary Paxton, Lake Riviera Middle School, MaryColleen Foley, Veterans Memorial Middle School, Joilyn Grace, Drum Point Elementary School, Kathryn Forman, Emma Havens Young Elementary School, Deborah Osborn, Herbertsville Elementary School, Raymond Giordano, Lanes Mill Elementary School, Nancy Mackenzie, Midstreams Elementary School, Mary Frances Caposello, Osbornville Elementary School, Michelle Fritz, Veterans Memorial Elementary School, Julie Yost, Warren H. Wolf Elementary School. He also presented certificates to the Support Staff of the Year Recipients: Patricia Cooke, Brick Memorial High School, Marie Walling, Brick Township High School, Ronald DePasquale, Lake Riviera Middle School, Christine Tassillo, Veterans Memorial Middle School, Tamara Scott, Drum Point Elementary School, Monique Sheridan, Emma Havens Young Elementary School, Mary Ellen Nicolosi, Herbertsville Elementary School, Deborah Robertson, Lanes Mill Elementary School, Michelle Larsen, Midstreams Elementary School, Candida Rivera, Osbornville Elementary School, Jennifer Holland, Veterans Memorial Elementary School, Magda Diaz, Warren H. Wolf Elementary School. He said the Township of Brick is fortunate to

have many outstanding individuals who are dedicated to the education of the young residents and Meredith Hudson a teacher of digital photography at Brick Township High School has been honored at Brick Township District Teacher of the Year. He said Ms. Hudson's classroom is modeled around a collaborative-critique concept which enables students to cultivate the purpose of their work, strengthen their creative process and create an environment in which students are eager to share their artwork, receive constructive criticism for growth, and are willing to be self-reflective in planning for the future. He presented a proclamation and proclaimed Wednesday, May 24, 2017 Meredith Hudson Day.

Students of the Month

Mayor Ducey, President Halloran along with Councilwoman Crate recognized the Students of the Month for April 2017. Councilwoman Crate named the Brick Township High School Students of the Month and presented certificates to: Massey Glynn, Brandon Spatafora, Dominic Davenport and Andrea Mustachio. She also named and presented certificates to Brick Memorial High School Students of the Month: Cynthia Lin, Druhin Patel, Nour Mohamed, Jessica Tirone, Brandon Moses, Sydney Iannarone, Kordell Forrest and Vanessa Casella.

Lake Riviera Middle School Technology Student Association Competition Recipients

Mayor Ducey, President Halloran along with Councilwoman Crate recognized Lake Riviera Middle School Technology Student Association Competition Recipients. President Halloran called upon Patricia Fallon, LRMS Technology Student Association's Advisor to the podium. Mayor Ducey said on March 29, 2017, 44 students from LRMS competed in the State's Technology Student Association Competition held at the College of New Jersey and the projects ranged from computer-based to marketing to engineering and building. He said these 44 students in grades 6th through 8th grade competed and took home 19 trophies from 17 different categories. He thanked and recognized all the teachers who work with the students: Patricia Fallon, Gary Paxton, Heather DeConde, Nicole McCutchan and Patricia Osborne and as well as Principal Dr. Alyce Anderson.

Mrs. Fallon announced the names of the students and certificates were presented to: Madyson Brown, Jade deJesus, Anthony Montes de Oca, Katherine Tito, Katheryn Valverde, Sean Thrun, Raven Faber, Allison Buzinkai, Derek Nahrwold, Amberlyn Bagley, Rena Conforti, Alyssa Gerhard, Olivia Harrinton, Emily Stumbers, Emily Wyskowski, Alanna Paccioretti, Kaitlyn Kowalski, Annie Leonard, Olimpia Porebski, Miranda Seymour, Anastasia Wodzinski, Morgan Keefe, Lucas Bukowski, Karen Tsang, James Baracia, Logan Bukowski, Gianna Ferigne, Selena Bresee, Meaghan French, Paige Kuzma, Lukas Allsopp, David DeConde, Madden Eglelston, Johnathan Yoresh, Christopher Kniss, Madison McIntosh, Madelyn Privett, Sarah Zhang, Donovan Fraser, Ryu Guevara, Melanie Rocha, Sandra Stansbury, Megan Cloud and Ashley Konopada.

Historic Preservation Award – Applegate House

Christine Schiess, Chair of the Historic Preservation Commission along with the commissioners presented the 2017 Historic Preservation Award/Plaque to Patricia Applegate and Family – 431 Drum Point Road and gave a brief history of the house originally constructed in the 1830's.

Motion by Vice President Zapcic and seconded by Councilman Mummolo to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

Authorize Reappointment of Tax Assessor

Mayor Ducey explained the duties of the Tax Assessor's Office. He said the township currently has 32,500 taxable properties totaling more than \$10B of assessed value. He stated Irene Rafferty is dedicated to follow in the footsteps of her husband's profession and joined the tax assessor's office in December 2000. He provided a short history of Irene's background. He stated he is proud to appoint Irene Rafferty as Tax Assessor for a 4-year term.

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

All Council Members voted AYE on Roll Call.

Authorize Execution of Conditional Redeveloper's Agreements with M&M At Route 70, LLC., and HFZ Brick, LLC

Mayor Ducey announced this is a historic night in Brick Township getting the Foodtown property underway. He said it is the number one question he gets. He stated this marks the end of a court fight between township officials and the property's redeveloper, M&M at Route 70. He gave a short history of the development of the Foodtown site. He said the goal is to build something that everyone in town can enjoy. He stated even better than a recreational facility, but a facility that is privately owned/privately operated which is not on the backs of the taxpayers for many years to come. He said 6.05 acres in the back will be a recreation area redeveloped by HFZ Brick and the front area will be redeveloped by M&M with associated type retail.

Councilman Fozman thanked the mayor for all his hard work, the business administrator and the attorney for making this happen.

President Halloran opened the public hearing on the Resolution.

Tony Matthews commented the Forge Pond area is a very sensitive area being the source of the Township's drinking water; he asked that the engineer's and boards look into what is going to be done to protect the drinking water.

Nan Coll, 18 Greenbriar Boulevard, commented the mayor's facts and hers differ completely.

Walt Campbell, 655 Mark Manor Drive, commented there are three vacant stores in Costco Plaza. He stated bottom line is that they have tried for years to get the site redeveloped. He expressed his disappointment with retail. He stated there are only 6 buildable acres out of 10 to use in the entire area and the rest is restricted.

Kristine Goski, 131 Port Road, asked about the proposed rec center and restaurants and how Route 70 traffic will be eased and who will pay for it she suggested it be paid for by the developer.

Mayor Ducey stated this will have to go through the board process where there are traffic engineers, etc. and the developers are responsible for the cost. He said there is a percentage split between the two developers.

Richard Gross, 29 Greenbriar Boulevard, commented he was on one of the boards when the town decided to buy the Foodtown property. He said the board was not happy with the idea. He thanked the mayor, business administrator and attorney for what they have done for the township.

George Scott, 16 Queen Ann Road, commented on how much the property has actually cost. He thinks the agreement with both parties is ludicrous. He had several questions on the resolution. He asked if there are any other costs involved that the township will be responsible for. He questioned the cost of the subdivision and is it a shared cost.

Kevin Starkey addressed each of George Scott's questions. He stated anything related to the project will be paid by the redevelopers and the township will keep control of the project.

Vic Fanelli, 24 Meadow Point Drive, asked if the facility will be available for the schools to become customers of it. He questioned if anyone has gone to the schools and asked what they need.

Mayor Ducey stated the one up north has many schools using it.

Rob Canfield asked where the rest of the deficit is coming from on the property.

Mayor Ducey explained that is already gone. He stated the only way to get more money for the property is to allow residential and he said that he refuses to do that.

Pete Tasca of HFZ Brick LLC gave a brief history of his background. He described what the recreation facility could house. He stated kids need a safe haven to go to. He explained he has done his research in Brick Township to see what is needed.

George Scott questioned why it took 6 years to build one of the facilities.

Pete stated there were a lot of environmental issues because of what was there previously. He commented the building he is talking about for Brick is pre-fab and could be put up in 4 days.

Walter Campbell expressed his concerns with retail pad sites and traffic issues.

Nan Coll commented there should have been more discussion on this resolution.

John Sluka commented Saddle River is a high end community and asked if they would be charging the same rates down here.

Pete said they would not be charging the same rates as in Saddle River. He believes they will have the volume of children at the prices they can afford.

Melanie Briggs commented the schools all have their own facilities.

President Halloran closed the public hearing on the Resolution.

Motion by Councilman Fozman and seconded by Councilman Mummolo to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Recognize National Emergency Medical Services Week – May 21st – 27th

President Halloran stated this resolution recognizes National Medical Emergency Services Week, which is May 21– 27 honoring the Township’s emergency medical services professionals, who serve a vital role in the community.

Authorize Insertion of Chapter 159 – Distracted Driving Campaign Grant

President Halloran stated this resolution inserts a grant in the amount of \$5,500.00 from the New Jersey Division of Highway Traffic Safety for the Distracted Driving Campaign managed by the Township Police Department.

Authorize Insertion of Chapter 159 – Bulletproof Vest Partnership Grant – 2015

President Halloran stated this resolution inserts a grant in the amount of \$21,887.25 from the Department of Justice for the Bulletproof Vest Partnership program.

Authorize Application – Recycling Tonnage Grant – 2016

President Halloran stated this resolution authorizes the Township to apply to the New Jersey Department of Environmental Protection to assist the efforts undertaken by the Township to promote recycling. He said any grant funds received from this program are deposited into a dedicated recycling trust fund and will be used solely for the purposes of recycling.

Authorize Application - Recreational Opportunities for Individuals with Disabilities Grant

President Halloran stated this resolution approves the Township’s application for a \$16,000.00 grant to continue to develop recreation programs that provide inclusionary recreational opportunities for individuals with developmental disabilities between the ages of 11 through 21.

Authorize Cancellation of Improvement Authorization Balances

President Halloran stated this resolution authorizes cancellation of improvement authorization balances from 2005, specifically \$190,505.14 from ordinance 1152-05 which provided for the acquisition of certain parcels of land at Traders Cove, Hulse Tract and Bill Frank Tract. He advised this resolution cancels the unexpended authorization in that ordinance.

Authorize Award of Bid – Uniforms for Various Departments

President Halloran stated this resolution authorizes bids to Dot Designing, Monroe Township, and Keyport Army and Navy, Brick, for uniforms for various departments. This award is for two years commencing on May 24, 2017 and ending on May 23, 2019. He said bid notices were mailed to 27 prospective bidders, three of which picked up bid packages and two bids were received. The bid includes several types of uniforms. He advised there is a tie for three items: Item #13 adult tank top, Item #20 baseball cap and Item #21 knit cap. A coin toss was performed to break the tie with the winning award for Item #13 to Dot Designing; Item #20 to Keyport Army and Navy; Item #21 to Dot Designing.

Authorize Award of Contract – Playground Equipment for Hank Waltonowski Memorial Park through HGAC-Buy National Cooperative

President Halloran stated this resolution authorizes an award of contract to BCI Burke Company for the purchase and delivery of playground equipment for the Hank Waltonowski Memorial Park project from the Houston-Galveston Area Council- Buy National Cooperative in the amount of

\$107,144.95.

Authorize Award of Negotiated Bid - Ice Machine at Traders Cove Marina

President Halloran stated this resolution authorizes an award of bid to Ice King and Cold Storage, Tinton Falls, for an ice machine at Traders Cove Marina. He advised there is no fee to the Township for the ice machine box with a price of \$2 for 10-pound bags of ice and \$4 for 20-pound bags.

Authorize Change Order No. 2 Final – Firing Range, Site Work Only

President Halloran stated this resolution authorizes a change order in the amount of \$6,781.55 to the contract awarded to Compass Construction for the firing range. He advised this change order is specific to site work needed to complete the project and includes repairing the extreme slope on the old berm side that experienced severe erosion this past spring as well as the cost to install additional concrete blocks to stabilize the berms at the main entrance and on the old range side to protect the inlet.

Authorize Suspension of Noise Ordinance – Relay for Life at Brick Township High School

President Halloran stated this resolution approves the suspension of the Township's noise ordinance for the American Cancer Society's Relay for Life at Brick High School on June 2nd and 3rd.

Authorize Special Events Permits:

President Halloran advised the following:

- Green Cove Marina Family Fun Day from 1 pm to 4 pm on Saturday, June 24th
- Jersey Shore Marina Party from 1:30 to 9:30 pm on August 5th
- PC Richard & Son Tent Sale from 9:30 am to 9:30 pm June 5th – 23rd.
- Liz/Tom Corporation 5th Annual Stronger than the Storm Car Show from 4:30 pm to 9 pm on August 23rd at the Kennedy Mall/Riverwalk at Brick, Brick Boulevard & Hooper Avenue.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Inspection Fund Release – NJ Bell/Verizon Communications, Inc. in the amount of \$1,739.53.
- Inspection Fund Release – NVR Inc. – Block 701 Lot 9 – Chambers Bridge Road in the amount of \$2,062.76.

Authorize Tax Collector to Prepare and Mail Estimated Tax Bills

President Halloran stated this resolution authorizes the tax collector to prepare and mail estimated tax bills for the Township's third quarter installment of 2017 taxes.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV – Refund & Cancel Taxes – Block 383.02 Lot 49 – 346 Lake Shore Dr. in the amount of \$6,377.00.
- Tax Exempt Property – Refund & Cancel Taxes – Block 1108 Lot 3 – 33 Northrup Dr. in the amount of \$751.52.
- Tax Overpayments – 2016 – 2017 Block 42.04, Lot 13 in the amount of \$7,008.33 and Block 681, Lot 12 in the amount of \$1,466.34.
- Redemption of Tax Sale Certificate for Block 36 Lot 13 Qualifier C0055.

President Halloran opened the public hearing on the Resolutions.

There were no comments from the audience.

President Halloran closed the public hearing on the Resolutions.

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

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 Councilman Mummolo to adopt the following Resolution:

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

2017 Computer Bill Resolution in the amount of \$592,417.39

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

There were no comments from the audience.

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

Motion by Councilman Fozman and seconded by Councilman Mummolo to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

2017 Manual Bill Resolution in the amount of \$1,600,354.63

Ordinance on First Reading: Amend Chapter 245 – Signs

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

President Halloran explained back in 2009, the Township Council approved a stimulus sign ordinance with a sunset provision to allow businesses to display sandwich board signs. It was intended to help the small businesses. He said this was not past practice and was done as a result of the economic downturn. He said the stimulus sign ordinance allows for streamers four times a year, not just grand openings, and each year the Council's Land Use Committee reviews to determine if the provision is still needed. He advised the committee unanimously agreed that the ordinance be renewed to the end of 2018.

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

All Council Members voted AYE on Roll Call.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, SO AS TO AMEND CHAPTER 245, ENTITLED "LAND USE" TO AMEND VARIOUS SECTIONS OF ARTICLE XXXVI ENTITLED "SIGNS"

Ordinance on First Reading: Amend Chapter 245 – Land Use – Microbreweries

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

President Halloran explained this ordinance amends Chapter 245 to allow microbreweries in the B-2, General Business Zone, the B-3, Highway Development Zone and the M-1 Light Industrial Zone. He advised there is no definition in the State law for microbreweries, so as part of the ordinance, the number for barrels that can be produced a year is outlined at not to exceed 15,000 barrels per year. He explained an entity that holds this license from the State for the smallest barrel production can apply but the township limiting the number of barrels to be produced annually so that it doesn't become a production/distribution site. He said with this ordinance change, a use variance is not required, but will still require site plan approval by the Planning Board. He said zoning, engineering, and construction permits would be required, which is standard for any new business alteration.

Motion by Councilwoman Crate and seconded by Councilman Mummolo to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, SO AS TO AMEND

CHAPTER 245, ENTITLED "LAND USE" TO PERMIT MICROBREWERIES IN THE B-2 GENERAL BUSINESS ZONE, THE B-3 HIGHWAY DEVELOPMENT ZONE AND THE M-1 LIGHT INDUSTRIAL ZONE

President Halloran opened the public hearing portion of the meeting.

Anthony Matthews congratulated everyone for promoting Irene Raftery. He commented using the Costco site may not be a good comparison to use due to the history behind it. He spoke about lead in the water. He thinks it's important that people are aware if there is lead in the water.

Mayor Ducey answered the water issue.

Councilman Fozman agreed with the mayor.

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

Vic Fanelli, 24 Meadow Point Road, spoke about the lawsuits in general terms.

Kevin Starkey responded typically it's the insurance carrier pays when it's alleged that the people have suffered some kind of injury at the town; that includes the township, elected officials and employees of the town as well. He stated we are insured through the Ocean County Joint Insurance Fund.

Rob Canfield asked a question as to who people are accountable to that are appointed by council to various boards, for example, commissioners on the Housing Authority.

Kevin Starkey responded on the housing authority the commissioners are appointed by council but that organization reports to the Federal Housing and Urban Development because the Federal Government provides significant funding. He stated other organizations are handled differently. He said the fire districts are an independent organization elected by the people so technically they are governed by the people who can vote in or out.

Cathy Erickson, 58 Collins Court, commented she was happy to see the West side of Exit 91 open and asked what the expected date of completion is for the East side. She asked about the Housing Authority and the person who was removed.

Mayor Ducey commented the last he was advised was Memorial Day weekend but that is in a couple of days so he believes July. Mayor Ducey stated none of the council knew the person had a criminal record when she was hired and none of the commissioners that hired her are on the board. He reported they are doing an audit.

Vic Fanelli, 24 Meadow Point Road, commented on an article about the Homestead Rebate that the money would not be available until July.

Rob Canfield, commented the executive director of the Housing Authority was not appointed by council and asked if the commissioners or executive director would have to undergo a background check or could that be implemented in the future to prevent this from happening at another time.

Kevin Starkey responded the commissioners of the Housing Authority run the Housing Authority. He said they determine the policies and procedures and they are reviewed by and report to the Federal Government.

There were no further comments from the audience.

President Halloran closed the public hearing portion of the meeting.

Joanne Bergin congratulated and thanked the EMTs who do a wonderful job. She congratulated Irene Raftery for doing a wonderful job and is honored and please the mayor has reappointed her. She congratulated the teachers of the year and a special thank you to the Teacher of the Year, Meredith, who also works for us all summer long as the assistant second in command with Donovan Brown with the lifeguards.

Mayor Ducey spoke about bail reform. He talked about the Memorial Day Parade and Ceremony.

Lynnette Iannarone congratulated Irene Raftery.

Councilman Mummolo congratulated all recipients, EMTs, Students of the Month, Irene Raftery, Troop 6 for leading them. He announced to all boaters that F-Cove will be open this year, please keep it clean and use the Ocean County Pump Out Boats. He said the Secret Garden Tour will be July 11.

Councilwoman deJong congratulated all who were honored and reappointed tonight. She announced a Dog Yappy Hour on June 9. She thanked all who worked on the Foodtown Redevelopment Site to resolve this lawsuit. She wished all a happy Memorial Day and to all of our veterans who have served.

Councilwoman Crate congratulated all who were honored this evening. She is very excited about the Recreation Center and is thrilled to be on council when they were able to get this done. She reminded everyone that the Farmer's Market is open.

Councilman Fozman thanked all the students and congratulated Irene Raftery. He is happy to see the Foodtown Site resolved. He spoke about recycling shopping bags. He talked about the MUA meeting this Thursday night and said if anyone had any questions just come to the meeting. He spoke about the programs at the PAL building.

Vice President Zapcic congratulated Irene Raftery. She thanked Mayor Ducey for recognizing and rewarding when we have highly competent staff members and putting them in the right position. She thanked the EMS for all their hard work on our behalf. She congratulated the teachers and support staff. She also mentioned Meredith Hudson's role as being a lifeguard and assistant beach captain and also said she is the artist who paints the windows over at Civic Plaza. She congratulated the Lake Riviera Middle School Technology Students. She wished all a happy Memorial Day and thanked all Veterans.

President Halloran thanked and congratulated all recipients from the EMTs, medical services and especially Captain Tim Boyle and Sgt. Neal Pederson, Director Rob Contreras and Deputy Director Michael Botts who lead these people and manage and guide them. He congratulated the teacher and support staff of the year; the students of the month. He congratulated Christine Schiess, Chair of the Historic Preservation Commission for Applegate House. He thanked Irene Raftery who does a great job. He announced beaches are open. He wished all a safe and happy Memorial Day and remember those who provided us our lifestyle.

Motion by Councilwoman deJong and seconded by Vice President Zapcic to Adjourn the meeting at 10:00 p.m.
All Council Members voted AYE.

Arthur Halloran
Council President

Lynnette A. Iannarone
Township Clerk