

May 9, 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 7:03 p.m.

Present

Councilwoman Marianna Pontoriero  
Councilman Paul Mummolo  
Councilwoman Heather deJong  
Councilwoman Lisa Crate  
Council Vice President Andrea Zapcic  
Council President Arthur Halloran

Also Present

Mayor John G. Ducey  
Kevin Starkey, Township Attorney  
Jessica L. Larney, Assistant Township Clerk  
Joanne Bergin, Business Administrator

Absent

Councilman Jim Fozman

Assistant Clerk Larney 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](http://www.bricktownship.net)).

This meeting began with the salute to the flag led by Eagle Scout Matt Kielt followed by a moment of silence - President Halloran asked for all to keep in their thoughts and prayers the family of Joan White, Deirdre Ducey's mother.

Motion by Councilman Mummolo and seconded by Councilwoman deJong to dispense with the reading of the minutes of April 11, 2017 meeting and approve the same.

All Council Members voted AYE on Roll Call, except:  
Councilwoman Pontoriero ABSTAINED because she was absent.

**Matt Kielt – Eagle Scout Project**

Matt Kielt from Troop 33 said his Eagle Scout Project will be at Graverly Graveyard. He said it is a small graveyard off Princeton Avenue where he will be restoring and replacing some of the fencing. He said this project will be beneficial to the community by saving the Township time, cost and labor and it will also help beautify the area.

**Check Presentation – Ocean Partnership for Children to the Township of Brick – Teen Center**

Mayor Ducey, President Halloran along with Vice President Zapcic were presented a check in the amount of \$25,000.00 for the Teen Center by Mary Jo Buchanan from Ocean Partnership for Children along with representatives from other organizations that are involved with the teen project. Mayor Ducey thanked them for the grant and said he has been looking forward to a teen center since he became Mayor. He said they wanted to give a voice to the teenagers and that is why they formed a Mayor Teen Advisory Committee where they can hear from the kids. He said they wanted a place where kids can go and be safe to not be on the streets doing other things.

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

All Council Members voted AYE on Roll Call

**Recognize Older Americans' Month – May**

President Halloran stated this resolution recognizes Older American's Month by honoring and celebrating the contributions of the more than 18,000 residents over the age of 60 in the community.

**Recognize Public Service Recognition Week – May 7<sup>th</sup> – 13<sup>th</sup>**

President Halloran stated this resolution recognizes federal, state, county and local government employees, whose professionalism and proficiency have a lasting effect on every aspect of the lives including but not limited to health, infrastructure, commerce, environment and safety.

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**Authorization to Cancel Grant Appropriated Reserves and Receivables**

President Halloran stated this resolution authorizes the cancellation of grant receivable appropriation for funds that will not be received, nor spent by the Township.

**Authorize Insertion of Chapter 159 – Ocean County Tourism Local Arts Grant – 2017**

President Halloran stated this resolution authorizes the acceptance of \$750.00 as a grant from the Ocean County Tourism Advisory Council, Tourism Local Arts Grant.

**Authorize Insertion of Chapter 159 - Teen Center of Brick Grant – 2017**

President Halloran stated this resolution authorizes the acceptance of a \$25,000.00 grant from the Ocean Partnership for Children to go towards a Teen Center that they will be opening at Civic Plaza.

**Authorize Insertion of Chapter 159 – Recreational Opportunities for Individuals with Disabilities Grant – 2016**

President Halloran stated this resolution authorizes the acceptance of a \$20,000.00 grant from the New Jersey Department of Community Affairs for the Recreational Opportunities for Individuals with Disabilities program that offsets the cost of a winter break camp offered by the Recreation Department

**Authorize Receipt of Bids – Ambulance Repairs**

President Halloran stated this resolution authorizes the receipt of bids for ambulance repairs on items no longer covered by warranty, specifically for the repairs of the modular body, life support system and components. He said the Township spent approximately \$35,523.72 during the current two-year contract period, which will expire on July 14, 2017 with New Jersey Emergency Vehicles in Manasquan as the current vendor.

**Authorize Receipt of Bids – Vehicle Collision and Body Repairs**

President Halloran stated this resolution authorizes receipt of bids for vehicle collision and body repairs as needed not only for accidents but for reconditioning of bodies from normal wear and tear and interdepartmental transfers. He said the Township spent approximately \$52,848.37 during the current two-year contract period, which will expire on July 14, 2017 with Maaco Auto Painting & Collision, Lakewood as the current vendor.

**Authorize Award of Bid – Purchase & Installation of Heating/Cooling Improvements to Booking/Briefing Room**

President Halloran stated this resolution authorizes the award of bid to Jersey State Controls, Brick, in the amount of \$12,995.00 for the purchase and installation of heating/cooling improvements to the booking/briefing room in the Police Department. He said 52 bidders were notified of this bid of which 13 requested bid packages. He advised four bids were received with the bid price ranging from \$12,995.00 to \$46,700.00 and Jersey State Controls was the lowest responsive, responsible bidder.

**Authorize Award of Bid – Janitorial Services**

President Halloran stated this resolution authorizes the award of bid to All Clean Building Services, Lawrenceville, for janitorial services and this will be two, one-year contracts commencing June 1, 2017 and a rate not to exceed \$83,713.90. He said a total of 46 bidders were notified of which nine requested bid packages. He advised three bids were received ranging from \$83,713.90 to \$162,142.32. He said a walk through was held with the prospective bidders and the Township's expectations were clearly outlined. He noted the Township's current contractor, One Total Cleaning Services, did not submit a bid and they were paid \$71,755.98 per year.

**Authorize Rejection of Bids – Vacant & Abandoned Property Services**

President Halloran stated this resolution rejects the bid received for vacant and abandoned property services. He advised the Council's Land Use Committee met with the only bidder, and while they all agree that dealing with vacant and abandoned properties is a top priority, this firm's approach to how they do that was not necessarily what the Township's code enforcement needs in terms of assistance and support. He advised they will continue to try and identify the best way to do that.

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### **Authorize Award of Bid – CDBG Housing Rehabilitation Program Project #15-04**

President Halloran stated this resolution authorizes award of bid to NDP Construction, Little Silver, in the amount of \$23,270.00 as needed for a project included in the Township's Community Development Block Grant program. He advised 45 bidders were notified of which ten requested bid packages and six bids were received, with NDP Construction being the lowest responsive and responsible bidder.

### **Authorize the Affordable Housing Trust Fund Spending Plan and the Adopted Fair Share Plan and Housing Plan Element**

Mayor Ducey explained In December, the Township entered into a Settlement Agreement with Fair Share Housing for the Township's affordable housing obligation. He said two components of the Settlement Agreement is the approval of an Affordable Housing Trust Fund spending plan and the Housing Plan Element. He explained this resolution outlines the spending plan as needed to implement the components of the Settlement Agreement and the spending plan serves as the basis for demonstrating realistic opportunity of each proposed affordable housing option that relies on affordable housing trust funds. He said the Township has accomplished over 200 rehabilitation projects and are committed to continuing this program in conjunction with the Township of Brick CDBG program and also the Township is also committing to use funding from the Affordable Housing Trust Fund to assist in the completion of new affordable housing developments through the continued implementation of the municipal scattered site program. In addition, the Township will continue to work with Homes Now to build veterans housing. He said they have been working closely with the New Jersey Housing and Mortgage Finance Agency to secure funding and a development site to construct a Veterans Housing facility and noted that he has been an advocate to end Veteran homelessness and this would be great to have this in Brick Township. He advised the Housing Plan Element was reviewed and approved by the Township Planning Board who concluded that the Housing Plan Element of the Master Plan will accomplish a coordinated approach to the present and future needs of the Township's affordable housing obligation. He said Brick Township has been commended for its efforts to provide opportunities for development and retention of affordable housing since the early 1990s. The Township has a variety of housing types, a diversity of zoning opportunities and has committed millions of dollars for the development and retention of affordable housing units and the Township continues to create affordability opportunities for an integration of new housing units for families and individuals at all income levels.

### **Authorize Execution of Agreement with BPU – Direct Install Program**

Mayor Ducey said this is a great program and mentioned it was part of his 100 day plan when he first became Mayor to take a look at ways they can save the Township money and one of the programs was to do an audit on the electrical to see if they could switch over to LED. He explained this resolution authorizes an agreement with the NJ Clean Energy Incentive Program for replacement of HVAC and LED lighting at the Public Works building. He advised the proposal is for a \$151,164.71 upgrade that includes parts and installation and there is a 70 percent incentive from the state for \$105,815.30 and the balance of \$45,349.71 is a zero percent loan for a term of three years. The annual debt service for the loan will be \$15,116.47 for three years in a row and the projected savings from the upgrades is \$22,436.00 annually. He advised the Township electrician has inspected the scope of work and determined there will be no additional electrical work required. He advised the new equipment to be installed is replacing heating and cooling units that are vintage 1978. He said the LED lights will improve the lighting in the vehicle maintenance area. DPW staff vetted the program with 20 local participating municipalities, all with positive feedback. Pending the installation at Public Works being successful, this same program is available for other township buildings, potentially saving the taxpayers of Brick several hundred thousand dollars.

### **Designate Official Newspapers for Public Notices**

President Halloran stated this resolution designates official newspapers for public notices as required by law. He said under the Open Public Meetings Act, a public body must designate a second newspaper to receive and publish certain meeting notices, in addition to the official newspaper which have the greatest likelihood of informing the public within the areas of jurisdiction of the public body. He advised the Ocean Star, Point Pleasant Beach, is designated as the official newspaper of the Township of Brick, with the Asbury Park Press, Neptune, as the second newspaper to receive public notices.

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**Prohibit Smoking at 2017 Township Sponsored Events**

President Halloran stated this resolution prohibits smoking at Windward Beach and Park during the 2017 Summerfest series, Kids Night Out, Movies in the Park, Farmer's Market and Fall Fest.

**Authorize Placement of Tax Liens for Property Clean-ups**

President Halloran stated this resolution authorizes placement of tax lien for property cleanup at 12 Johnson Street in the amount of \$1,172.81.

**Authorize Special Events Permit – Pet Adoption Day**

President Halloran stated this resolution authorizes a special events permit for a Pet Adoption Day Event on Saturday, May 20<sup>th</sup> between the hours of 8 am and 4 pm at St. Raphael Church on Route 88 West.

**Authorize Special Events Permit – Bike Ride**

President Halloran stated this resolution authorizes a special event permit for the National MS Society Coast-to-Coast Bike MS Ride Event on Saturday, May 20<sup>th</sup> and the ride will occur between the hours of 10:30 am and 12:30 pm on Rt. 35 South.

**Authorize Special Events Permit – Soldiers Not Forgotten**

President Halloran stated this resolution authorizes a special events permit for a Soldiers Not Forgotten Live Concert Event on Sunday, July 23<sup>rd</sup> between the hours of 2 and 6 pm at Anytime Fitness on Lanes Mill Road.

**Authorize Waiver of the Pedestrian Safety Fund – Pioneer Hose**

President Halloran stated this resolution authorizes the waiver of a contribution to the pedestrian safety fund for the Pioneer Hose Fire Company, who is currently constructing an addition to their building to house a new fire truck. He advised that addition was approved by the Township Planning Board, who granted a waiver from the provision of curbs and sidewalks on Firehouse Road and Johnson Road due to the limited pedestrian access, while requiring the construction of curbs and sidewalks on Drum Point Road. He said the Fire Company is requesting a waiver from the payment to the pedestrian safety fund and the Council recognizes the Fire Company is a non-profit organization that provides the Township and its residents with vital emergency and fire protection services.

**Tax Collector:**

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 383.02 Lot 57 – 358 Lake Shore Dr. in the amount of \$3,156.41.
- 100% DAV Refund & Cancel Taxes – Block 1151.06 Lot 17 – 292 Van Avenue in the amount of \$2,028.70.
- Tax Overpayments – 2016. Block 42.04 Lot 14 in the amount of \$8,936.22 and Block 252.17 Lot 9 in the amount of \$3,686.03.

President Halloran opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, asked several questions on the resolutions.

Joanne Bergin gave her an explanation on each.

John Sluka, 950 Sylvia Court, asked for clarification on the Official Newspaper resolution

Joanne Bergin replied having an additional paper will be a cost savings to the Township.

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.

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:  
Councilwoman Pontoriero ABSTAINED on the Computer Bill Resolution;  
Vice President Zapcic ABSTAINED on NJ Press Media

**2017 Computer Bill Resolution in the amount of \$22,265,070.51**

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

All Council Members voted AYE on Roll Call.

**2017 Manual Bill Resolution in the amount of \$1,634,875.68**

**Ordinance on Second Reading: Amend Chapter 245 – Affordable Housing**

Assistant Clerk Larney read the title of the Ordinance into the Record.

Mayor Ducey explained In December, the Township entered into a Settlement Agreement with Fair Share Housing for the Township's Affordable Housing Obligation. He said one of the mechanisms agreed to as part of the Settlement Agreement is the adoption of this set-aside ordinance that provides for an inclusionary zoning requirement on future multi-family development of 10 or more units in the Township. In this ordinance, 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.

President Halloran opened the public hearing on the Ordinance.

Nan Coll, 18 Greenbriar Boulevard, said that the Laurelton Mobile Home Park once was an affordable housing site.

There were no further comments from the audience.

President Halloran closed the public hearing on the Ordinance.

Motion by Councilwoman Pontoriero 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 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"**

President Halloran opened the public hearing portion of the meeting.

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

Nan Coll, 18 Greenbriar Boulevard, said she attended the Brick Clergy Meeting; spoke about Roberts Rules; spoke about having prayer prior to the pledge.

Michele Spector, 808 Jenny Court, mentioned an article from 1994 regarding barrier walls.

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There were no further comments from the audience.

President Halloran closed the public hearing portion of the meeting.

Joanne Bergin expressed her condolences to the Williams and White families.

Mayor Ducey stated his displeasure with the issues at the Housing Authority; he said he attended the Senior Outreach Volunteer Breakfast that Brandywine sponsored; He spoke about the Clergy meeting it was a good turnout. He announced the tennis courts are open; he announced the various events he attended and upcoming events.

Kevin Starkey expressed his condolences to the White Family and said what a great woman she was and she will be missed.

Councilwoman Pontoriero expressed her condolences to the White Family. She thanked Matt Kielt for his Eagle Scout Project presentation. She expressed how grateful she is for all the cards, letters and support she received when she was diagnosed with cancer and her recent surgery.

Councilman Mummolo welcomed Councilwoman Pontoriero back and said she has been missed. He expressed his condolences to the White Family. He announced the various events he attended and thanked Matt Kielt for his Eagle Scout Project presentation.

Councilwoman deJong announced this Thursday the PAL will be holding a Cyber Crime Seminar. She said she attended the Senior Citizen Prom and what a great event it was. She spoke about the Ocean County Senior Services Public Hearing at the VFW that she attended.

Councilwoman Crate also welcomed Councilwoman Pontoriero back and expressed how happy she was to see her. She said she is excited about the Teen Center opening and said she cannot wait until the Farmers Market to open.

Vice President Zapcic thanked Matt Kielt for his Eagle Scout Project presentation and for his service project to help preserve a very important part of Town. She thanked Mary Jo Buchanan, Ocean Partnership for presenting the check for the Teen Center and thanked all the people that were involved in the project. She welcomed back Councilwoman Pontoriero and gave her a bracelet with the saying "*She believes she could so she did*"

President Halloran also expressed his condolences to the White and Williams families. He thanked Matt Kielt for his Eagle Scout presentation; thanked Ocean Partnership for their check presentation. He announced the various events he attended.

Motion by Councilwoman Pontoriero and seconded by Councilwoman Crate to Adjourn the meeting at 8:24 p.m.

All Council Members voted AYE.

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Arthur Halloran  
Council President

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Jessica L. Larney  
Assistant Township Clerk