

A combined 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

Councilman Bob Moore
Councilwoman Heather deJong
Councilwoman Andrea Zapcic
Councilman Paul Mummolo
Councilwoman Marianna Pontoriero
Council Vice President Jim Fozman
Council President Susan Lydecker

Also Present

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

Absent

Mayor John G. Ducey

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 6, 2014. 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 followed by a moment of silence.

Councilwoman Andrea Zapcic was sworn in by Township Attorney, Kevin Starkey.

Councilwoman Zapcic stated she is so very grateful to be standing in front of everyone this evening. She thanked Kevin Starkey for standing in for not one mayor but two. She said the Mayor of Rahway was supposed to be in attendance but had an emergency. She stated she is deeply indebted to Mayor Ducey and Council for their support throughout this year and their confidence in her to do this job. She thanked her family and extended family for their support. She thanked residents for welcoming her into their community. She said that she looks forward to the opportunity to continue to serve Brick Township for another year as councilwoman.

The Clerk was directed to accept and file the Construction, Certificate of Occupancy, Water & Sewer, Engineering, and Vital Statistics Reports for the month of October 2014.

Motion by Vice President Fozman and seconded by Councilwoman Pontoriero to dispense with the reading of the minutes of October 21, 2014 and to approve same.

All Council Members voted AYE on Roll Call.

Debbie Warburton representing the Alzheimer's Association of New Jersey stated a few facts about Alzheimer's including that it is the 6th leading cause of death in the country. She said that people do not think of it as a cause of death but it really is and is the only one of the top 10 causes of death that does not yet have an effective cure or treatment. She stated it is estimated that about 5 million people in the country have been diagnosed with Alzheimer's or related dementia and in New Jersey 500,000 people are affected by the disease. Debbie Warburton thanked everyone and the caregivers. She stated caregivers in that role do so longer than people caring for any other condition because Alzheimer's is such a long disease and it is the caregivers who deserve the support and thanks.

Councilwoman Pontoriero presented the resolution and proclamation to the Alzheimer's Awareness Group. She stated her grandfather was afflicted with Alzheimer's at a very early age and her father is in the early stages of Alzheimer's. She said this disease robs people of memories and the life they had before. She issued the proclamation on behalf of Mayor Ducey for National Alzheimer's Disease Awareness Month and National Family Caregiver's Month of November 2014 and read the proclamation.

Deb Welty again thanked the Council and Mayor for their support.

Councilwoman Pontoriero stated Deb Welty, as Director of Senior Services, has gone above and beyond in coordinating events that focus on Alzheimer's Disease and bringing Alzheimer's awareness to Brick and said that she should be acknowledged for all of her hard work.

Motion by Councilwoman Zapcic and seconded by Councilwoman deJong to adopt the following resolutions:

All Council Members voted AYE on Roll Call.

Recognize World Prematurity Day – November 17, 2014

President Lydecker stated the 4th World Prematurity Day is on November 17, 2014 and it is to raise awareness about premature birth.

Authorize Budget Appropriation Transfers

President Lydecker explained that some accounts are underfunded and some overfunded and money is switched between accounts. She said the total amount is \$524,000.00.

Authorize Chapter 159 – Safe and Secure Communities Grant – 2014

President Lydecker stated this resolution will approve the insertion of \$60,000.00 into the 2014 budget which is available from the State of New Jersey Department of Law and Public Safety for the Safe and Secure Communities Grant.

Authorize Receipt of Proposals – Animal Control Officer Services

Joanne Bergin said the contract is set to expire with Jersey Shore Animal Shelter at the end of the year. She stated they spend about \$250,000.00 annually on shelter and animal control officer services and in an effort to be sure they are getting the most competitive pricing and availability of services they are going out to bid for the animal control officer piece.

Authorize Purchase of Propriety Goods of Service – Police Pursuit Vehicles

President Lydecker reported they are going out to bid for seven (7) of the 2014 or newer Dodge Charger police pursuit vehicles. She said they had quite a few vehicles damaged during Sandy and vehicles have to be exchanged on a rotating basis due to extreme wear and tear.

Authorize HGAC Buy – Cardiac Pumps

President Lydecker stated HGAC stands for the Houston Galveston Area Council, one of the co-ops the Township joined to get more attractive contract pricing for some items needed. She said this is for three auto pulse cardiac pumps in the amount of \$43,917.00.

Authorize HGAC Buy – Purchase and Delivery of Two Ambulances

President Lydecker said this is also through the HGAC and it is for two (2) Type I Ford F350 4x2 ambulances available through this co-op in the amount of \$300,000.00. She said the contract has been awarded to PL Custom Body and Equipment Co.

Authorize Award of Proposal – Fair and Open Process – Addition to Engineering Pool

President Lydecker stated they have added T&M Associates to this pool; they have been doing work at Trader's Cove and that work has continued into this year but they cannot continue to pay them if they are not in the pool.

Authorize Award of Proposal – Fair and Open Process – Addition to Attorney Pool

President Lydecker stated the Mayor recommended adding the firm of Goldenberg, Meckler, Sayegh, Mintz, Pfeffer, Bonchi & Gill to the 2014 attorney pool.

Authorize Change Order No. 1 Final – Whispering Pines Roadway Improvement Project

President Lydecker stated this is a decrease in the contract by \$26,956.26 for the Earle Asphalt Company Contract for the Whispering Pines Roadway Project.

Authorize Tax Liens for Property Clean-ups – Public Works

President Lydecker announced these properties will have liens placed against them for property clean up.

Denying the Release of Performance Guarantee for Nobility Crest Phase I

President Lydecker stated they have posted a site guarantee bond to insure certain improvements were properly installed without defects; when the township engineer went out to inspect the site it was determined there were multiple remaining improvements to be installed. She read the paragraph from the report from CME Associates stating the deficiency. She stated for those reasons they must deny the release of the bond.

Denying the Release of Performance Guarantee for Nobility Crest Phase II

President Lydecker stated they are denying this bond for all reasons noted previously.

Denying the Release of Performance Guarantee for Nobility Crest Phase III

President Lydecker stated they are denying this bond for all reasons noted previously.

Bond Releases/Reductions:

Performance Bond Release – Hess Corporation – Off Route 88

President Lydecker stated Hess Corporation posted a Subdivision bond through Hartford Fire Insurance Company in the amount of \$453,923.37 and a cash performance bond in the amount of \$50,435.04. She said their improvements are complete and the money can be returned.

Inspection Fund Release – M. Kogan Consulting – Sudbury Road

President Lydecker stated there is \$745.92 remaining in the engineering inspection bond; improvements have been completed and accepted.

Inspection Fund Release – HV Coffee, LLC – Herbertsville Road

President Lydecker stated there is \$786.29 remaining in the engineering inspection bond; improvements have been completed and accepted

Inspection Fund Release – Kevin McDonald – Scoop Road

President Lydecker stated there is \$762.10 remaining in the engineering inspection bond; improvements have been completed and accepted

Inspection Fund Release – Viraj Inc. – Drum Point Road

President Lydecker stated there is \$3,971.29 remaining in the engineering inspection bond; improvements have been completed and accepted

Tax Collector:

Tax Overpayments – 2014

President Lydecker reported the following properties have overpayment of taxes for the year 2014 and will be refunded those amounts: 467 Eagle Pass in the amount of \$1,304.15; 616 N. Lake Shore Drive in the amount of \$5,455.67; and 448 19th Avenue in the amount of \$3,605.98.

Redemption of Tax Sale Certificate – Winder

President Lydecker announced this is a redemption of tax sale certificate for Edward & Deborah Winder.

President Lydecker opened the public hearing on the resolutions.

There were no comments from the audience.

President Lydecker closed the public hearing on the resolutions.

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

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic abstained on New Jersey Press Media; and
Councilman Fozman abstained on the BTMUA.

2014 Computer Bill Resolution in the amount of \$20,199,210.31

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

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:
Councilman Moore abstained on Township Payroll.

2014 Manual Bill Resolution in the amount of \$2,816,372.08

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

There were no comments from the audience.

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

Ordinance on First Reading: Create Chapter 340 – Registration and Maintenance of Properties Pending Foreclosure

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

President Lydecker stated the intent of this ordinance is to provide for the registration of creditors of properties in foreclosure in Brick and to require foreclosing creditors to be responsible for the care, maintenance, security and upkeep of the exterior of vacant and abandoned properties pending foreclosure. She said this ordinance is adopted in order to implement the provision of State Law P.L. 2014, Ch. 35.

Motion by Councilman Moore 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, CREATING CHAPTER 340 OF THE TOWNSHIP CODE, ENTITLED “REGISTRATION AND MAINTENANCE OF PROPERTIES PENDING FORECLOSURE”

Ordinance on First Reading: Amend Chapter 393 – Special Events

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

President Lydecker gave an overview of the changes noted in the ordinance. She stated any event that contains any of the following elements shall be considered a “special event” that requires a permit: multiple events taking place in a single venue; or more than 50 people expected to attend; or live entertainment with amplified music. She said also added is “block party”; a block party shall be exempt from the requirement to obtain a Special Event Permit under this section, unless the block party will have live entertainment with amplified music or will be open to the public at large, which will require a Special Event Permit. All block parties will continue to require permits under Chapter 288-30.1 of this Township Code. She stated the fee schedule will be: \$100 to be submitted at the time the special event permit application is filed with the Township Clerk. For recurring events, the application fee shall be \$250 for up to four (4) special events in any 3-month period at a single location. If any recurring event issued a permit under this section expands or changes beyond the scope of the original application, requiring an additional review by the Township, then an additional application fee may be charged to cover the cost of an additional review(s). The application fee established herein shall be waived for any Brick Township governmental entity, including the BTMUA, the Board of Education and the Housing Authority. She explained the following penalties for non-compliance have been added: Any person or entity who fails to comply with the terms of this chapter, including the failure to obtain a permit for a special event, shall be liable for a fine in an amount up to \$2,000. The Township additionally shall have the authority to terminate the special event and/or issue an appropriate notice of violation for the failure to comply with the terms of this chapter. The persons with authority to enforce this Chapter 393 shall be the Chief of Police, the Fire Inspector and the Construction Official, or their respective designees.

Motion by Councilwoman Pontoriero and seconded by Vice President Fozman 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 CHAPTER 393 OF THE TOWNSHIP CODE, ENTITLED “SPECIAL EVENTS”

Nan Coll, 18 Greenbriar Boulevard, said that Councilwoman Zapcic was the best person for the council and congratulated her. She said she dropped off some items at the Visitation Relief Center and they asked her if she was aware of their Christmas Tree fundraiser. She brought some flyers to her community and brought some to the meeting tonight. She spoke about Individuals with Disabilities.

Ed Kuscherrer?, Garden Avenue, stated the streets in his neighborhood did not have natural gas when the area was built and now they do. He said there are a lot of pot holes in the area where gas lines were run and asked if the town could consider looking at the area and make repairs. He suggested DPW either based on a monthly basis or by the year on quiet streets consider moving the garbage cans to the odd or even side of the street depending upon the month or year to save time for Public Works, especially on dead-end streets.

Vice President Fozman stated they looked into pickup on one side of the street but a lot of people do not want a neighbor's can in front of their house.

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

Jim Cancel, 306B Sawmill Road, Maple Leaf Park urged Council, Mayor and Chief of Police to do something about Maple Leaf Park. He suggested a padlock ordinance.

Councilwoman Pontoriero stated the issues were first brought before council in 2009. She stated since the meeting where he raised all of the issues council has been working intensely to try to remedy the problem not just in the short term but in the long term and not just for Maple Leaf but for all of Brick. She said the Chief of Police is working diligently to contain all heroin related crimes. She reported they are working with the Mayor of Glassboro about the programs he spoke about at the meeting; they are working with the township attorney to see what ordinances they can implement that will curtail these problems. She said they are increasing the nurturing programs with the youth so they can see there are other role models besides what they see. She said this is not going to be a quick fix because they need to change the culture of the area.

Jerry DeCicco, 628 Windcrest Court, congratulated Councilwoman Zapcic on the election. He commented on the recognition of the Alzheimer's Association of New Jersey. He stated people heard about the criminal elements regarding Maple Leaf at the last council meeting and also heard two very different points of view. He said council needs to look at the board at Maple Leaf; there is something wrong with a board that has only 3 people on it when there are 350 units there. He spoke about a Crime Free Housing Program that has different segments to the program which involves the cooperation of the board that is in place.

Councilwoman Pontoriero thanked Jerry DeCicco again for speaking tonight. She said it is important that the residents that are affected by the crime spree that has been going on to show their faces and show that they care. She commented the Police Chief has been diligently working on and is looking into the program to see if it is a good fit for the community. She said transparency is the key.

Brian Decker, 370 Birch Drive, suggested placing surveillance cameras on all of the buildings in Maple Leaf and using the cameras that used to be used on street corners.

Councilwoman Pontoriero stated the cameras are broken.

Councilman Moore stated the cameras are not working and that is a concern.

Steven Cancel, Sawmill Road, stated he has two brothers, one that is an addict who started the habit in Maple Leaf. He said the problem is internal and he expressed his concerns with drugs in the community; it is a hub for dealers.

Councilwoman Pontoriero replied that the police are not left to take care of this on their own and that is why they have the Public Safety Committee. She said it will be dealt with by the police officers but the ideas that the Glassboro Police Chief had been tried and tested and worked so they are worth looking into to see if it is a good fit.

Brian Davis stated he lives 2 blocks away from Maple Leaf and his home was broken into during the night over 2 years ago. He said 5 houses were broken into and the police worked tirelessly

to solve the cases. He stated he was in the house with his wife and 2 young children and felt violated. He said something needs to be done.

Councilwoman Pontoriero stated they have not been on the council since 2009. She said they are very aware of what the town is doing now and the dealers know they are not going to be tolerated.

Nan Coll, expressed her concerns with how the measurement that Brick Township is the safest town; they have to solve the crimes, there has to be a documented crime committed but for most of these drug situations no one can identify and prove and bring it to court no matter what they do. She said the police are not able to find out who is committing the crime.

Jim Cancel stated he moved to Maple Leaf in 2002 to raise his sons. He said the people next door to him owned 18 units and that is where his son got introduced to cocaine. He said they have to clean up the area. He stated the indirect support of these crimes is the rentals.

Councilman Mummolo stated the community should alert the police when they see what is going on.

Steve Cancel stated they are afraid of retaliation.

Tara McNamara grew up and lives in the area near Maple Leaf. She said Maple Leaf has been a problem for a long time. She asked what people can do as a community to help.

Councilwoman Pontoriero said they are going to be some things they will involve the community with including the park watch to help keep the parks, once they are fixed. She stated once they come up with their goals and plans they will involve the citizens.

Jim Cancel commented the Police Chief may know about the apartment; there is a lot of traffic there.

Councilman Mummolo stated they cannot assume the police know about a particular apartment that is why an anonymous phone call could be made to make them aware.

Vice President Fozman stated he lives near there and he knows a lot that goes on in that area. He said Steve Cancel is right, they will get retaliation. He said their management needs to be taken over and members of the community need to take over the by-laws. He stated the people who live there need to make up the by-laws and enforce them.

Melanie Briggs asked if the cameras are working yet.

Joanne Bergin responded she did reach out to them but has not received a return call regarding the cameras.

Melanie Briggs said she knows the town has a responsibility but the management and the association are the ones that are taking the money.

Councilman Moore stated he knows what is going on over there. He asked for a copy of Maple Leaf's By-Laws. He congratulated Andrea on winning the election. He thanked all Veterans for their service.

Councilwoman deJong thanked everyone for coming out this evening and for their passion and thoughts about the community. She said they do know the issues and are working on them. She congratulated Andrea Zapcic on a well-deserved victory and said there is no one on council who knows more about the parks and recreation and no one more passionate about BMAC. She wished all veterans a very happy Veteran's Day and thanked them all for their service and sacrifice.

Councilwoman Zapcic wished all veterans a happy Veteran's Day and thanked them for their service. She thanked everyone for their comments and congratulations.

Councilman Mummolo congratulated Andrea and said it has been a pleasure working with her and looks forward to continue working with her. He talked about the Alzheimer's Association of

New Jersey and stated hopefully someday they will have a cure for it. He thanked all veterans. He wished both high school football teams good luck on their upcoming playoffs.

Councilwoman Pontoriero thanked the people of Brick for giving Andrea another term. She said you cannot buy or create her insights and experience; they are learned through time. She thanked Debbie Warburton and Deb Welty for the Alzheimer's month presentation. She urged any who have a concern about themselves or a loved one suffering from this illness to please take advantage of the free screening. She said that she is the liaison for the Board of Education and they have promised they will do more to expand Senior Technology Services and she has received confirmation that the Brick Township High School Computer Club has scheduled its first Senior Citizen Computer Workshop. She thanked the TNR Committee for their fundraising event at the Scone Shop on Route 88 in Laurelton Plaza. She reminded everyone they are looking for members to fill several committees starting in January. She thanked all veterans for their service.

Vice President Fozman congratulated Andrea for her success. He announced the Veteran's ceremony tomorrow. He said to the people who live in Maple Leaf they should get on the Board; they have to become involved and if they do not like the by-laws they need to be changed to fit whatever is needed in that area.

President Lydecker thanked Lynnette on a very successful election. She said that she attended the PAL dinner with other council members. She stated there are many organizations and programs people can get involved in in the community. She congratulated Councilwoman Zapic on her success.

Motion by Councilwoman Pontoriero and seconded by Councilman Moore to Adjourn the meeting at 8:59 p.m.

All Council Members voted AYE.

Susan Lydecker
Council President

Lynnette A. Iannarone
Township Clerk