

July 25, 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 7:00 p.m.

Present

Councilwoman Marianna Pontoriero
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
Scott Kenneally, Township Attorney
Lynnette A. Iannarone, Township Clerk
Joanne Bergin, Business Administrator

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 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 June 2017.

Motion by Councilman Mummolo and seconded by Councilman Fozman to dispense with the reading of the minutes of June 13th and June 27th, 2017 meetings and approve the same.

All Council Members voted AYE on Roll Call, except:
Councilwoman Pontoriero abstained.

Mayor's Presentation: Jake Lakatos – Gold Medalist – Maccabiah Games

President Halloran and Mayor Ducey recognized Jake Lakatos for being a gold medalist in the Maccabiah Games. He provided a brief history of Jake Lakatos' hockey background and stated the Maccabiah Games is the third largest international sporting event in the world. He stated Team USA went undefeated, beat Canada three times and became the first ice hockey team from the United States to ever bring the gold medal home from the games. He stated Jake was also named MVP of the gold medal game. He presented Jake with a proclamation and designated July 26, 2017 to be Jake Lakatos Day.

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

All Council Members voted AYE on Roll Call.

Recognize Ban the Balloon Awareness Week – August 6-12th 2017

President Halloran stated the Brick Township Environmental Commission has asked the Council to recognizing the serious animal health, welfare and environmental issues associated with balloon debris by recognizing August 6 – 12 as Ban the Balloon Awareness Week. He said the purpose of this week is to promote the education, awareness and importance of protecting native animal and marine species, as well as the quality of life for the residents and visitors.

Authorize Insertion of Chapter 159 – Green Acres Grant – 2017

President Halloran stated the NJDEP Green Acres Program is providing the Township with \$1 million in funding for the multipark improvement project that includes renovations at Hank Waltonowski Park, Birchwood Park and Bayside Park. He said this resolution is necessary to bring those funds into the budget.

Authorize Insertion of Chapter 159 – Municipal Alliance Grant – 2017

Vice President Zapcic stated this resolution approves another grant from the Ocean County Health Department in the amount of \$39,523.00 for the 2017 Municipal Alliance Grant.

Authorize Receipt of Bids – Liquid De-Icing Agent

President Halloran stated the Township receives bids annually for liquid de-icing agent as needed on township roads throughout the winter. He said we spent \$15,600 during the current

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two-year contract period which will expire on September 24, 2017 with Reed Systems, Ellenville, NY.

Authorize Receipt of Bids – Roadway Improvements to South Drive

Mayor Ducey stated this resolution authorizes the receipt of bids for roadway improvements on South Drive, which includes reconstructing the roadway with an elevated centerline. He said this project is included in the 2017 capital budget.

Authorize Receipt of Proposals – Planning Services

President Halloran stated occasionally, staff requires assistance from outside professionals for a variety of projects that require licensed professionals in specific fields of expertise. He said this resolution calls for the receipt of proposals for planning services to create a pool of professionals to have available should assistance be required.

Authorize Receipt of Proposals – Energy Broker

President Halloran stated the solar array at the former landfill on Sally Ike Road is producing energy. He said the State does not consider Brick Township a third party provider and does not have the infrastructure in place to directly utilize the electricity produced by the landfill array. He stated they have to utilize the services of an energy broker/consultant (currently EMEX) to assist with finding a third party provider (currently CON-ED) to provide the Township with the energy it directly utilizes at its facilities at a contracted rate that is obtained by the broker/consultant. He stated the Council is of the opinion that Energy Broker/Consulting services should be reviewed annually similar to health insurance brokers through and RFP or RFQ process.

Authorize Rejection of Proposals – Municipal Court Debt Collection

President Halloran stated on May 26, 2017, they received proposals for a vendor to provide municipal court debt collection. He reported eleven bidders requested proposals, 2 were received, those being Pioneer Credit, Arcade, NY; and RTR Financial Services, Staten Island, NY. He said the Committee recommends the Council reject all bids by abandoning the project, partially due to a new law which requires the Court to schedule a hearing with the Judge for new cases. He stated if the Judge determines the debt is a willful non-payment, only then can the case be sent to collection, which may lower the total number of new accounts to be sent to collection. He reported rejecting all bids will allow for cases to build, access the new law, and prepare new bid specifications in the future.

Authorize Change Order No. 2 Final – Normandy Beach Roadway & Drainage Improvement Project

President Halloran stated this final change order for the Normandy Beach Roadway and Drainage Improvement Project reflects a net decrease of \$51,872.01.

Authorize Change Order No. 1 Final – Lake Riviera Park Improvements

President Halloran stated this final change order for the Lake Riviera Park project reflects a net decrease of \$21,241.66.

Authorize Placement of Tax Liens for Property Clean Ups

President Halloran stated at 103 Bayview Drive in the amount of \$55.79; 496 Monmouth Avenue in the amount of \$54.17; 741 Brick Boulevard in the amount of \$117.04 and 374 Cherry Quay Road in the amount of \$249.23.

Authorize Special Events Permit – Wedding

President Halloran stated this is scheduled for July 29th at the Beaton Boatyard, 72 Beaton Road, from 9 am to 10:30 pm.

Authorize Special Events Permit – Insane Inflatable 5K

President Halloran stated this is scheduled for August 19th at the Drum Point Sports Complex from 7 am to 5 pm.

Authorize Special Events Permit – Beach to Bay 5K

President Halloran stated this is scheduled for October 7th starting at finishing at Brick Beach III between the hours of 6 and 10:30 am.

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Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Inspection Fund Release – DeGeorge Development – Brick Blvd in the amount of \$330.42.
- Performance Bond & Inspection Release – Federal Realty – Off Cedar Bridge Rd. performance bond in the amount of \$235,145.94 and a cash performance bond in the amount of \$26,127.33.
- Performance Bond Release – Federal Realty – Chambers Bridge Rd in the amount of \$581,404.64.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV – Refund & Cancel Taxes – Block 134 Lot 15 – 38 Tall Timber Drive in the amount of \$3,879.74.
- 100% DAV – Refund & Cancel Taxes – Block 1192.19 Lot 43 – 1 Spenser Court in the amount of \$157.48.
- Senior Deduction Granted – 2016 Block 1192.21, Lot 30.
- Tax Overpayments – 201 46 Birch Drive in the amount of \$387.47.
- Redemption of Tax Sale Certificates for Block 756.01, Lot 6; Block 1443.01, lot 32; Block 484, Lot 58.

President Halloran opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, spoke about not getting enough information on the resolutions before they are voted on.

President Halloran asked Scott Kenneally to explain the open public process and he stated Council is in compliance with the Open Public Records Act.

Nan Coll stated everyone has had their mind made up and no one has ever voted no.

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 Councilwoman Pontoriero and seconded by Councilwoman deJong 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 Amended Computer Bill Resolution in the amount of \$1,916,38.98

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 Councilwoman Pontoriero to adopt the following Resolution:

- All Council Members voted AYE on Roll Call.

2017 Manual Bill Resolution in the amount of \$1,699,034.21

Ordinance on First Reading: Amend Chapters 110 & 175 – Township Parks and Beaches

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

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President Halloran explained there have been issues recently at Windward Beach, Trader's Cove, and Brick Beach III, where groups of more than 100 arrive at one time, and because of the sheer volume, take over the area. He said groups who want to use the parks for events or parties can make a request to do so by completing a permit application through the recreation department. He reported the issues they have experienced are large groups who use the parks without the necessary permits. He said the current ordinance precludes groups of 15 or more from being dropped off by passenger van or bus. However, these groups are avoiding that by dropping people off several blocks away and having them walk to the park/beach. He said as you can imagine this is very unsafe as large groups crossing Princeton Avenue and/or traversing Mantoloking Road and Route 35 is not what they want to see as a way of avoiding the drop off provision. He stated this ordinance amendment prohibits groups of 15 without a permit and further defines what the Township considers a group. He stated this way, the method of transportation is not the violation; the simple act of a large group taking over any one of our parks without a permit is the violation. He reported on a side note, in early July they started a new parks security detail, which are part-time employees who inspect the parks in the off-hours (4 to 11 pm and weekends) and addresses any inappropriate behavior.

Motion by Councilman Mummolo and seconded by Councilwoman Pontoriero 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 CHAPTERS 110 AND 175 OF THE TOWNSHIP CODE, TO LIMIT AND REGULATE THE USE OF TOWNSHIP PARKS AND BEACHES BY ENTITIES OR GROUPS

Ordinance on Second Reading: Amend Chapter 145-6 – Extend Waiver of Fees for Construction – Renovation of Existing Vacant Commercial Structures

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

Mayor Ducey explained this is the continuation of a program he started in 2015 to encourage businesses to come to Brick and occupy vacant storefronts. He said in this ordinance, the Township is encouraging any new business looking to fill any for vacant commercial space under 5,000 square feet that has been vacant for at least a year to open for business. He stated all Township permit fees will be waived to encourage the start up.

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 Pontoriero and seconded by Councilwoman deJong to adopt the following Ordinance on Second 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 145-6 OF THE TOWNSHIP CODE TO EXTEND THE TIME FOR THE WAIVER OF FEES FOR CONSTRUCTION TO PROMOTE THE RENOVATION OF EXISTING VACANT COMMERCIAL STRUCTURES

President Halloran opened the public hearing portion of the meeting.

Steve Brill, 806 Jenny Court, urged Council to update the Property Maintenance Code to use the International Property Maintenance Code 2015 Edition.

Nan Coll, 18 Greenbriar Boulevard, commented on an article referring to the Route 88 gas station being converted to something else.

Melanie Briggs, Summit Avenue, asked people to speak into the microphones. She asked if anyone has seen any reports on the increase of autism in Brick or any other health reports due

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to the parkway construction.

There were no further comments from the audience.

President Halloran closed the public hearing portion of the meeting.

Joanne Bergin reported the Township went out for both a bond sale and a note sale on July 12. She stated the Bond Series 2017 was in the amount of \$24,800,000 and purchased by Morgan Stanley for \$25,622,286.80 with an interest cost of \$5,347,760.07 and a premium of \$822,286.80. She said the BAN Series 2017 was in the amount of \$16,818,468 purchased by Jeffries for \$17,016,421.37 with an interest cost of \$377,364.38 and a premium of \$197,953.37.

Mayor Ducey expressed his condolences to Jenn Hartmann and her family on the loss of her father. He also mentioned the loss of Greg Auriemma. He spoke about the Autism Surf Day. He congratulated Alice Nora who celebrated her 100th birthday; she served 28 years for what was known as Tactical Ladies Auxiliary serving overseas in World War II and the Korean War. He presented her with a proclamation and key to Brick Township. He attended the Rotary Vest Fund dance.

Councilwoman Pontoriero expressed her deep condolences to Jenn Hartmann and her family on the loss of her father. She said she received a lot of feedback from people in Brick Township who are going through cancer indicating various areas where they would like to see an informational meeting given by the township to advise them either of services that are offered by Brick or other entities including ways to offset the cost of co-pays for prescriptions, treatment. She is trying to put together a list of things they can do and try to put together a presentation for the fall, if not the spring. She thanked her doctors who helped her. She congratulated Jake Lakatos on his accomplishments. She spoke about Sr. SummerFest.

Councilman Mummolo expressed condolences to Jenn Hartmann and family and congratulated Jake Lakatos. He attended the autism surf day.

Councilwoman deJong gave an update on Buy in Brick. She attended the Rotary Bullet Proof Vest Fund Dance along with the Mayor and thanked them for all of their hard work over the years. She mentioned the Stuff the Bus effort through the United Way for school supplies that will run through August 4.

Councilwoman Crate stated August 1 the new website will be launched and is very user friendly,

Councilman Fozman expressed his condolences to Jenn Hartmann and her family. He congratulated Jake on his accomplishment.

Vice President Zapcic stated there are a lot of interesting and exciting things going on in Brick Township over the next several weeks. She said Guild Theatre Works will be producing It's Only a Play and the BCCT will be presenting their summer play, Peter Pan, at the Strand Theater.

President Halloran joined the other council members in expressing condolences to Jenn Hartmann and her family. He congratulated Jake Lakatos who did an excellent job representing in Israel. He attended the Autism Surf Day and they did an excellent job.

Motion by Councilwoman Pontoriero and seconded by Vice President Zapcic to Adjourn the meeting at 7:58 p.m.

All Council Members voted AYE.

Arthur Halloran
Council President

Lynnette A. Iannarone
Township Clerk