

April 24, 2018

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

Also Present

Mayor John G. Ducey
Kevin Starkey, 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 and The Ocean Star on January 5, 2018. 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 March 2018.

Motion by Vice President Crate and seconded by Councilman Mummolo to dispense with the reading of the minutes of March 13, 2018 meeting and approve the same.

All Council Members voted AYE on Roll Call.

Students of the Month

Mayor Ducey, President deJong along with Vice President Crate recognized the Students of the Month for March 2018. Councilwoman Crate named the Brick Township High School Students of the Month and presented certificates to: Irene Wojcik, Ariana Cohan, Orion Danielson and Saloni Vaidya. She also named and presented certificates to Brick Memorial High School Students of the Month: Sean Holmes, Cameron McGovern, Kathleen Jankowski, Maxwell Mahaffey, Sierra Porter, Awan Etienne, Erin White and Alexandra Urciuoli.

Municipal Budget Hearing

Motion by Councilman Halloran and seconded by Councilwoman Zapcic to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

Authorize Reading of the Budget by Title Only

President deJong stated she will entertain a motion to suspend the regular order of business to accommodate the budget hearing.

Motion by Councilman Mummolo and seconded by Councilman Halloran to suspend the regular order of business to accommodate the budget hearing:

All Council Members voted AYE on Roll Call.

Clerk Iannarone announced this is the time fixed for the public hearing for the 2018 Municipal Budget. The budget was introduced by the governing body on March 27, 2018 and was advertised in the Asbury Park Press and the Ocean Star on March 30, 2018 together with the notice of hearing for April 24, 2018 at this time.

President deJong stated anyone who has not secured a copy of the budget may do so now. Copies are in the back of the room.

President deJong said this year's budget totals \$100,978,885. She reported this is an increase of \$471,742.00 – less than one half of a percent from last year. She said the budget represents

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an increase of \$47.50 for the median home in Brick Township. The proposed 2018 spending plan is \$2,524,345.00 more than the last budget prior to this administration. That is a five-year growth of 2.56 percent. Contrast that with the growth of the 5 years prior to this administration - \$19,976,045 – more than 25 percent. In this budget, insurance is up over \$1 million, police salary and wage is up nearly \$900,000.00 and pension contributions increased roughly \$477,000.00. One of the most significant revenue losses in this budget is the \$1 million from the BTMUA. This revenue was first put into the budget in 2010. With this revenue, the increase would have been 1.1 cents.

President deJong outlined the procedure for the public hearing. She stated each person desiring to be heard will raise their hand, wait to be recognized, and come forward to the microphone, give his or her name and address for the record. She will recognize one speaker at a time. She stated they should address all questions to the chair; where necessary they will be referred to individual members of the governing body or municipal officials. She said questions must be confined solely to the municipal budget before us; school or county matters are not proper subjects of this hearing and cannot be discussed or answered here tonight. Would anyone like to be heard on the budget?

Nan Coll, 18 Greenbriar Boulevard, spoke of small increases and of the large increase in sewer and water.

Vic Fanelli, 24 Meadow Point Drive, stated he is not happy with the increase and would only be happy with a tax reduction. He asked several questions about the reserve for uncollected taxes, water for parks, salary increases and grants.

Maureen Laffey-Berg and Joanne Bergin responded to and addressed his questions.

George Scott, 16 Queen Ann Road, asked questions on several items: UCC fees; mayor's expenses; code enforcement; electricity; uncollected taxes; debt service; and questioned where the money is from Foodtown. He asked about the Birdsall lawsuit.

Maureen Laffey-Berg and Joanne Bergin gave him an explanation on each. Kevin Starkey gave him an explanation as to why no money was received.

John Sluka, 950 Sylvia Court, questioned reserve for uncollected taxes.

Maureen Laffey-Berg gave him an explanation.

Nan Coll, 18 Greenbriar Boulevard, commented they are not provided enough information and they should go back to a caucus meeting one week and open public meeting the next.

George Scott, 16 Queen Ann Road, commented on the ratable base being up.

President deJong commented this is a good fiscal budget and will provide the township with a good future.

Vic Fanelli, 24 Meadow Point Drive, commented they have a legal obligation to put the budget in the newspaper and an obligation that the information should be accurate.

Joanne Bergin and Maureen Laffey-Berg provided an explanation.

There were no further comments from the audience.

Motion by Councilwoman Pontoriero and seconded by Councilman Fozman to Close the Public Hearing on the Budget.

All Council Members voted AYE on Roll Call.

Motion by Councilwoman Zapcic and seconded by Councilman Halloran to Amend the 2018 Municipal Budget.

All Council Members voted AYE on Roll Call.

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Authorize State Required Budget Amendment Resolution

Vice President Crate stated she has a resolution to present at this time Amending the 2018 Municipal Budget.

President deJong stated this amendment allows for the inclusion of four grants which they have received since the budget was introduced and modifying the Audited Financial Statement as necessary to allocate funds to pay debt. President deJong requested the Resolution to be read in full.

Clerk Iannarone read the Budget Amendment into the record in full.

President deJong opened the public hearing on the budget amendment.

John Sluka questioned if any money went into surplus.

President deJong responded this amendment allows for the inclusion of four grants they have received.

Maureen Laffey-Berg commented surplus came down.

George Scott asked if the number went up or down.

Maureen Laffey-Berg and Joanne Berg responded to his question.

President deJong closed the public hearing on the budget amendment.

Motion by Vice President Crate and seconded by Councilman Fozman to Adopt the 2018 Municipal Budget.

All Council Members voted AYE on Roll Call.

President deJong announced the 2018 Brick Township Municipal Budget as amended has been adopted.

Adoption of 2018 Municipal Budget as Amended

Motion by Councilwoman Pontoriero and seconded by Councilman Halloran to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Authorize Award of Bid – 2017 Local Road Improvements – Bluffview Paving Project

Mayor Ducey stated this resolution authorizes the award of bid for the 2017 Local Road Improvement Bluffview Paving Project to Meco Inc., Clarksburg, in the amount of \$345,056.35. He said the Bluff View Road Improvement project includes resurfacing and drainage improvements at Eagle View Ridge, Paramount Way and Point View Road. He reported notices were mailed to 63 potential bidders; twelve contractors responded and 7 proposals were submitted with bids ranging from \$345,056.35 to \$580,152.50. Meco Inc. was the lowest, responsive, responsible bidder.

Authorization to Negotiate Contract – Supply & Operate ATM Machine

President deJong stated this resolution authorizes the Business Administrator to directly negotiate a contract to provide Automated Teller Machine at various locations. She said the Township solicited bids on two occasions but received no bids.

Authorization to Negotiate Contract – Ice Machine Concession at Traders Cove Marina

President deJong stated this resolution authorizes the Business Administrator to directly negotiate a contract for an ice machine at Trader's Cove which will be available 24 hours a day/7 days a week. She said the Township solicited bids on two occasions and received no bids.

Authorization to Negotiate Contract – Fall Fest Food Vendor Concession

President deJong stated this resolution authorizes the Business Administrator to directly

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negotiate a contract for vendors to provide food and refreshments during the 2018 Fall Fest event. She said the Township solicited bids on two occasions and received no bids.

Authorize Summerfest Food Truck Vendors

President deJong this resolution authorizes the Business Administrator to directly negotiate a contract for Summerfest Food Truck Vendors – Two categories (Pizza and Deli).

Authorize Award of Contract & Re-Bid – Alternate & Conflict Code Enforcement Prosecutor

President deJong stated this resolution authorizes the award of contract for alternate code enforcement prosecutor at a rate of \$400 per court session to four attorneys from the firm of Montenegro, Thompson, Montenegro & Genz, and conflict code enforcement prosecutor at a rate of \$250 per court session to four attorneys from the firm of Montenegro, Thompson, Montenegro & Genz. She said this resolution also authorizes the Division of Purchasing and Contracting to advertise for the receiving of additional proposals for Alternate and Conflict Enforcement Prosecutors.

Authorize Rejection of Bids & Re-Bid – General Athletic Equipment & Supplies

President deJong this resolution authorizes the rejection of bids and rebid for general athletic supplies. She reported bid notices were mailed to 19 prospective bidders of which four picked up bid packages. She said two bids were received; however both bids had fatal defect that renders the bid proposals unresponsive, therefore, they will go back out to bid.

Authorize Change Order No. 1 – Architectural Services Pool

President deJong explained that this resolution authorizes a change order in the aggregate amount of the Professional Architect Services Pool to \$200,000.00. She said these funds have not been spent; however, they do have two projects in design this year that may exceed the initial aggregate amount of \$85,000.00.

Authorize Change Order No. 1 Final – Sand Importation to Brick Beachfront

President deJong stated this resolution authorizes the final change order in the Sand Importation to Brick Beachfront capital ordinance which is a decrease in the contract amount of \$663,893.43. She said this is an open contract they had in place to import sand and create safe beaches for the summers in between the installation of the steel revetment wall and the Army Corps of Engineers Beach Replenishment Project which is currently underway, pumping sand on to the beaches.

Authorize Change Order No. 3 Final – Traders Cove Marina Floating Dock & Breakwater Project

President deJong stated this resolution authorizes the final change order in the Trader's Cove Marina Floating Dock and Breakwater Project which is a decrease in the amount of \$26,362.53.

Authorize Waiver of Noise Ordinance – Shop Rite & Kohl's Renovation Project

President deJong stated this resolution authorizes the waiver of the Township noise ordinance to allow for renovations including the replacement of the facade, storefront, and removal of doors at the Shop Rite and Kohl's between the hours of 10 pm and 6 am April 25 – November 1. She said the nighttime hours will create a safer environment during the work and will guarantee there will not be customers in the areas when the framing, glass and doors are being replaced.

Authorize Special Events Permit – Battle at the Beach Lax Tournament

President deJong stated this resolution authorizes a Lacrosse event on June 30 – July 1 at the Drum Point Sports Complex between the hours of 8 am and 4 pm.

Bond Releases/Reductions

Clerk Iannarone advised the following:

- Cash Performance Bond Release – Daryl Porter – Mantoloking Road in the amount of \$3,732.69.
- Cash Performance Bond Release – W&F Developers Inc. – Various locations in the amount of \$350.00.
- Inspection Fund Release – Miroslav Sikorjak – Brick Boulevard in the amount of \$227.03.

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Tax Collector

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes Block 378.07 Lot 6 in the amount of \$1,837.28.
- Tax Overpayments – 2012 Block 1192.02 Lot 91 in the amount of \$494.13.
- Tax Overpayments – 2018 Block 1144.17 Lot 1 in the amount of \$271.19; Block 380.25, Lot 20 in the amount of \$1,414.88.

President deJong opened the public hearing on the Resolutions.

There were no comments from the audience.

President deJong closed the public hearing on the Resolutions.

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

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED on NJ Press Media;
President deJong ABSTAINED on CME.

2018 Computer Bill Resolution in the amount of \$10,476,205.13

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

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:
President deJong ABSTAINED on CME.

2018 Manual Bill Resolution in the amount of \$1,673,957.97

Ordinance on Second Reading: Amend Metedeconk Village Redevelopment Plan

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

President deJong stated the scope of the Metedeconk Village Redevelopment Plan is to begin the process of revitalizing the former Foodtown site, a dilapidated and underutilized property in the heart of Brick. She said that plan was developed to outline the objectives and standards by which the redevelopment of the site will be accomplished. She stated amending the Plan is necessary to allow for the site to be developed for a dual use that features an indoor sports, recreation/ community facility in the rear of the site with retail in the front. She reported both developers have been identified and are working together on a concept plan that will be presented to the Council and the Planning Board. She said the Redevelopment Plan is essential in identifying the best uses for the site, which facilitates the sale of the property and the site plan applications which will come next. She said this amendment is a huge step towards the development of the property with ideal uses that enhance the community by removing an eyesore and replacing it with great projects that provide residents with yet another opportunity for connectivity with one another and activities for families.

President deJong opened the public hearing on the Ordinance.

Nan Coll, 18 Greenbriar Boulevard, asked exactly what is going there and about the payout for the lawsuit.

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President deJong responded it is a superdome and suggested she look on line at the Waldwick Superdome.

Mayor Ducey explained the site project amenities and answered her question regarding the lawsuit.

Kevin Starkey stated the reason the township incurred costs is because the developer was not going to build what was originally designed so they terminated the contract.

Sean Holmes, 1425 Davidson Avenue, commented it's a great idea for the sports dome although he probably won't see it before he graduates.

Mayor Ducey explained where they are with the process.

President deJong closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilwoman Zapic 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 THE METEDECONK VILLAGE REDEVELOPMENT PLAN**

President deJong opened the public hearing portion of the meeting.

Richard Gross, 29 Greenbriar Boulevard, suggested getting rid of the fluorescent lights to digital lights.

Mayor Ducey stated there would be a big cost with that.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and the need for soundwalls at Evergreen Woods.

Sam Foster, Teakwood Drive, commented he has an issue with the Buy in Brick Program.

President deJong stated the corporate/nationwide stores are not in the Buy in Brick Program, mostly just the Mom & Pop Stores.

Councilman Halloran explained the Buy in Brick Program.

Nan Coll, 18 Greenbriar Boulevard, spoke about Buy in Brick Program saying she would not use it in a Mom & Pop Store. She spoke about the recent Pedestrian & Bike Plan meeting as well as her displeasure with no caucus meetings.

Michele Spector, Jenny Court, stated she has been in contact with the governor's office regarding the parkway construction work.

Joanne Bergin stated they contacted the senator's office to see if there was any progress on their request because they were taking the lead.

Vic Fanelli, 24 Meadow Point Drive, stated for years he has been questioning the cost of the police department, he read part of an editorial from the Asbury Park Press. He also spoke about the Homestead Rebate Program.

Melanie Briggs, Summit Avenue, spoke about the Buy in Brick Program and its expansion. She spoke about a rule that would allow council to remove people from a council meeting; this could have been used tonight.

President deJong closed the public hearing portion of the meeting.

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Mayor Ducey stated it was an exciting week, opening day for baseball and softball. He spoke of several events he attended and mentioned several upcoming events.

Councilman Halloran congratulated the Students of the month.

Vice President Crate attended the Green Fair and commented great job to all who were involved. She attended a play at Civic Plaza and thanked recreation for putting that event together.

Councilman Mummolo congratulated students of the month and thanked BS Troop 6 for the cleanup at Windward Beach.

Councilman Fozman attended the grand opening of Shore Style; attended up-cycling display at Hackensack Meridian Hospital; saw Governor Murphy sign off-shore drilling bill at Jenkinsons; participated in beach sweep at Brick Beach I; attended the Brick Green Fair and said that Keith did a great job on that.

President deJong gave a Buy in Brick update, saying there are over 60 businesses participating. She spoke about the Bike and Pedestrian Open House. She thanked Maureen Laffey-Berg and Joanne Bergin for help with understanding the budget and budget process.

Motion by Councilwoman Pontoriero and seconded by Councilman Halloran to Adjourn the meeting at 9:39 p.m.

All Council Members voted AYE.

Heather deJong
Council President

Lynnette A. Iannarone
Township Clerk