

July 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 7:02 p.m.

Present

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

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 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.

Motion by Councilman Halloran and seconded by Vice President Crate to dispense with the reading of the minutes of June 12th and June 26, 2018 Meetings.

All Council Members voted AYE on Roll Call.

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

All Council Members voted AYE on Roll Call, except:

Vice President Crate ABSTAINED on "*Authorize Special Events Permit – Kids for K9's*".

Authorize Cancellation of Grant Appropriated Reserves & Receivables

President deJong stated this resolution authorizes the cancellation of grant receivable balances and appropriated reserve balances which will not be received nor expended.

Authorize Receipt of Bids – Roadway Improvements to Baywood

Mayor Ducey stated this resolution authorizes receipt of bids for roadway improvements to Baywood. He said the project includes drainage improvements and the Brick Township Municipal Utilities Authority has plans to replace water and sewer systems within the project limits and will restore mill and pave the roads as part of the restoration once the water and sewer replacement is complete.

Authorize Receipt of Bids – Access Control System

President deJong stated this resolution authorizes the receipt of bids for an access control system, specifically for additional door fob system at Town Hall.

Authorize Award of Bid – Holly Hill Cove Roadway Resurfacing Contract

Mayor Ducey stated this resolution authorizes award of bid for Holly Hill Cove Roadway Resurfacing to Earle Asphalt, Farmingdale, for a total base bid amount of \$512,313.13. He said the project includes Holly Berry Lane, parts of Tanager Way, Bluffview Drive and Deer Path. He advised notices were mailed to 64 potential bidders of which ten contractors responded to the notice and requested bid packages and five bids were received with base bid prices ranging from \$512,313.13 to \$640,420.05. He said the other two lowest bidders were Mecco Inc., Clarksburg, with a base bid of \$515,324.15 and CJ Hesse Co., Belford with a base bid of \$640,420.05.

Authorize Award of Bid – Roadway Improvements to Heritage Hill.

Mayor Ducey stated this resolution authorizes award of bid for roadway improvements to Heritage Hill to Mecco Inc., Clarksburg, for a total bid amount of \$458,667.00. He said the project consists of resurfacing Merrimac Way, Liberty Lane, Revere Drive, and Revolutionary Road within the Heritage Hill section of the Township. He advised notices were mailed to 64 potential

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bidders of which nine contractors responded to the notice and requested bid packages and five bids were received with prices ranging from \$458,667.00 to \$593,367.50. He said the other two lowest bidders were Earle Asphalt, Farmingdale, with a total bid of \$481,313.13, and S Brothers Inc., South River, with a total bid of \$519,093.85.

Authorize Award of Bid – Roadway Improvements to Laurel Crest

Mayor Ducey stated this resolution authorizes award of bid for roadway improvements to Laurel Crest to Meco Inc., Clarksburg, in the amount of \$238,130.50. He said the project consists of resurfacing of Poplar Way, Center Drive, and Folsom Drive within the Laurel Crest section of the Township. He advised notices were mailed to 64 potential bidders of which nine contractors responded to the notice and requested bid packages and five bids were received with prices ranging from \$238,130.50 - \$297,297.00. He said the other two lowest bidders were Earle Asphalt, Farmingdale, with a total bid of \$243,013.13, and S Brothers Inc., South River, with a total bid of \$247,812.00.

Authorize Award of Bid – Public Works Yard Vehicle Storage & Fuel Station Canopy– OFF

Authorize Award of Contract – Purchase & Supply of Rock Salt through Stafford Township Cooperative Pricing System

President deJong stated this resolution authorizes award of contract for the purchase and supply of rock salt (regular, pre-treated and liquid deicing agent) to Atlantic Salt, Lowell, MA, The Detroit Salt Company, Detroit, MI, and Chemical Equipment Labs of Delaware, Newtown Square, PA. She said this bid was completed through the Stafford Township Co-operative Pricing System of which Brick Township is a participating agency. She advised this is a two-year contract beginning July 22, 2018 through July 21, 2020 as awarded by the lead agency. She noted this is an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year not to exceed \$200,000.00 per year.

Authorize Award of Category B and Re-Bid Category A – Professional Medical Services

President deJong stated this resolution authorizes an award of contract for Professional Medical Services for Category B, Psychological Examination to the Institute for Forensic Psychology, Oakland, and Raymond F. Hanbury, Neptune. She said the contract shall be rendered at specific rates for different services required with a total amount not to exceed \$110,000.00. She advised bid notices were mailed to eleven prospective bidders of which five bidders picked up proposals and three bids were received. She advised two of those bids are being awarded and the third is being rejected due to an oversight of the proposal page. She noted this resolution also authorizes re-advertising for the rebid of Category A: Physical Examination Services.

Authorize Change Order No. 1 Final – Roadway Improvements to Lake Riviera Phase III

President deJong stated this resolution authorizes Change Order Number 1 and Final for the Roadway Improvements to Lake Riviera Phase III contract. She advised the contract to Earle Asphalt, Farmingdale, will increase \$21,632.08, increasing the contract value from \$1,427,313.13 to \$1,448,945.21. She noted the change order includes additional material and labor to resurface five extra roads including Yorktown Boulevard and Old Toms River Road.

Authorize Renewal of Year Two Contract with Homes Now, Inc.

President deJong stated this resolution authorizes the award of contract with Homes Now, Inc., Brick, to facilitate the implementation of the Township's Fair Share Housing Plan.

Authorize Transfer of Bay Saver Pumpout Boat to Ocean County

Councilman Mummolo said this resolution authorizes transfer of the Bay Saver Pumpout Boat to Ocean County. He stated the Township partners with the County on the Pumpout Boat program. He advised the County owns the boats and provides funds for their ongoing maintenance and operation. He said in 2004 the Bay Saver was registered as Township owned and this resolution authorizes the transfer back to the County for \$1.

Support NJDOT Traffic Regulation Order – Bus Stops Various Locations

President deJong stated this resolution supports the NJDOT's request for additional bus stop locations as follows: Along Route 88 eastbound on the southerly side between Kenneth Place and Van Zile Road; at Midstreams Road and 88 on the far side and Burnt Bridge Road on the near side. Along Route 88 westbound on the northerly side at Burnt Bridge Road on the far side and between Van Zile Road and Kenneth Place. She advised the NJDOT's request came after

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the Department conducted a study to inventory all bus stops along State and US Routes in New Jersey. She noted the bus stops discussed were requested following the survey and investigation and noted Township Engineer and Traffic Safety Division reviewed the request and have no objections.

Authorize Motor Vehicle Sales License Transfer – AAM Auto Sales

President deJong stated this resolution authorizes a motor vehicle sales license transfer from Circle Dodge to AAM Auto Sales, 781 Route 70, Brick. She said a recent site plan was submitted to the Brick Township Planning Board to repave, re-stone and provide additional landscaping at this location. She advised the Township's code enforcement, zoning department and fire bureau have inspected the site and found it to be in compliance.

Authorize Motor Vehicle Sales License Transfer – Professional Auto Cooper LLC

President deJong stated this resolution authorizes a motor vehicle sales license transfer from AAM Auto Sales, Route 88 East, to Professional Auto Cooper, LLC. She said the Township's code enforcement, zoning department and fire bureau have inspected the site and found it to be in compliance.

Authorize Placement of Tax Liens for Property Clean-ups

President deJong stated this resolution authorizes the placement of tax liens for property cleanups at 444 Adamston Road in the amount of \$52.86, 130 Woodland Drive in the amount of \$112.35 and 4 Unity Drive in the amount of \$135.68

Authorize Special Events Permit – Kids for K9's

President deJong stated this resolution authorizes a special events permit for Kids for K9s from 9 am to noon on September 15th at the Drum Point Sports Complex.

Authorize Special Events Permit – Operation Ruck It

President deJong stated this resolution authorizes a special events permit for Operation Ruck It from 7 am to 3 pm September 22nd at the VFW Post 8867 on Adamston Road. This annual event is held to raise awareness of the 22 daily veteran suicides by "rucking" 22 kilometers – over 13.5 miles – starting and finishing at the VFW Post 8867.

Authorize Special Events Permit – JSAC Beach to Bay 5K

President deJong stated this resolution authorizes a special events permit for the Jersey Shore Animal Center's 7th annual Beach to Bay 5K from 7 am to 11:30 am on October 6th starting and finishing at Brick Beach III.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Inspection Fund Release – Richard C. Haupt, Jr. - Tilton Rd in the amount of \$279.29.
- Inspection Fund Release – Mantoloking Road Associates, LLC – Mantoloking Rd in the amount of \$364.10.
- Inspection Fund Release – Pellicano Builders – Route 70 in the amount of \$737.64.
- Inspection Fund Release – Kevin Laudicina – Route 70 in the amount of \$202.70.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 701 Lot 9.05.
- Senior Citizen Deduction Granted – 2017.
- Redemption of Tax Sale Certificate.
- State Tax Appeal Granted – Block 44.04 Lot 8 – 198 Valhalla Drive in the amount of \$1,657.07.
- State Tax Appeal Granted – Block 673 Lot 18 – 799 Route 70 in the amount of \$70,699.20 which is a four-year appeal.

Councilman Fozman questioned why the engineer is not recommending the Add Alternate "A" in the Holly Hill Roadway Improvements award and asked why the Township did not bid the two roadway projects together since they are in the same vicinity.

Joanne Bergin said the engineer is recommending to only award the base bid and not the alternate. She advised they did not design it as one project so they did not bid it as one project.

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President deJong opened the public hearing on the Resolutions.

John Sluka, 950 Sylvia Court, questioned the Motor Vehicle Sales License Transfer resolutions.

President deJong gave him an explanation.

Nan Coll, 18 Greenbriar Boulevard, questioned the contract for Homes Now; she questioned the Bus Stops Resolution.

Joanne Bergin gave her an explanation on each.

Vic Fanelli, 24 Meadow Point Drive, questioned if there will be road closures with the Special Events for Operation Ruck it.

Clerk Iannarone responded that there will be no road closures.

George Scott, 16 Queen Ann Road, stated his displeasure with the with the renewal of Homes Now Inc. contract and questioned the sales price for the Chambers Bridge Residence and stated his concerns with a State document he has that terminates the affordable housing designations.

Kevin Starkey responded the price represents the exact value placed on the land by an appraisal firm hired by the Township and the appraisal took into account the land was already developed with income-restricted housing and the building itself was not included. He said they have negotiated the deal to extend those affordable housing restrictions through 2044.

Christine Hoffman, Homes Now Inc., advised they have not sold the building as yet, but in the contract it states that the deed restrictions stay.

Vic Fanelli, 24 Meadow Point Drive, asked for clarification of the land value.

Kevin Starkey advised they had it appraised as land with approvals for affordable housing not with improvements.

Ryan, Boy Scout, asked if there will be information on the Kids for K9's event.

President deJong advised yes there will be.

There were no further comments from the audience.

President deJong closed the public hearing on Resolutions.

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

Councilman Fozman asked for clarification on page 21 for Homes Now bill it is worded as "separation agreement" for \$63,000.00.

Joanne Bergin advised that is how they are paid.

George Scott, 16 Queen Ann Road, asked questions on several of the bill items for clarification and explanations.

Joanne Bergin gave him an explanation on several of the bill items and advised she will follow up with him in more detail on the bill items that she was unable to answer at the time.

There were no further comments.

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

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Motion by Councilman Halloran and seconded by Vice President Crate to adopt the following Resolution.

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED on NJ Press Media;
Councilman Mummolo ABSTAINED on Meridian Occupational Health;
President deJong ABSTAINED on CME Associates.

2018 Computer Bill Resolution in the amount of \$25,266,797.89

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 Zapcic and seconded by Councilman Halloran to adopt the following Resolution.

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

2018 Manual Bill Resolution in the amount of \$1,735,478.79

Ordinance on First Reading: Amend Chapter 288 Vehicles and Traffic - OFF

**Ordinance on Second Reading: Amend Chapter 404 – Streets and Sidewalks.
Clerk Iannarone read the title of the Ordinance into the Record.**

President deJong explained in lieu of the utility work that has been occurring and is projected to continue throughout the municipality, the Township Engineer proposed revisions to the restoration requirements in the road opening ordinance. She said codifying the requirements via ordinance is the most effective way to communicate the Township's expectations for road resurfacing when the utility companies complete repairs or improvements. She said utility companies have been willing to work with the Township on full restoration of the roadways for larger jobs, provided that they know up-front and can incorporate the cost of road restoration into their utility installation projects. She stated this amendment provides clear direction on our expectations so that the utility companies can plan accordingly.

President deJong opened the public hearing on the Ordinance.

There were no comments from the audience.

President deJong closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Halloran 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 OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, TO AMEND CHAPTER 404, ENTITLED "STREETS AND SIDEWALKS" TO REQUIRE RESTORATION OF STREETS AND OTHER PUBLIC AREAS TO THEIR ORIGINAL CONDITION AFTER EXCAVATION WORK

President deJong opened the public hearing portion of the meeting.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and the need for a sound wall at Evergreen Woods and surrounding neighborhoods.

Maya Jackson and Colleen Crate of Brick, explained in detail their special event Kids for K9's on September 15th at Drum Point Sports Complex.

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Nan Coll, 18 Greenbriar Boulevard, stated her displeasure with seeing bicyclist going against the traffic and noted they should be going along with the traffic and asked if there is an upcoming meeting for the Bike & Pedestrian Committee; she spoke about getting volunteers to do the property clean-ups.

Vic Fanelli, 24 Meadow Point Drive, spoke about the cuts to the Board of Education budget; mentioned the next BOE meeting.

Thomas, Arrowhead Drive, spoke about his special event for Operation Ruck it and noted that it is a march and he will be available after the meeting if someone has questions on the event.

There were no further comments from the audience.

President deJong closed the public hearing portion of the meeting.

Mayor Ducey announced various upcoming events; spoke of the Photo Contest and noted it was Vice President Crate's idea; he spoke about the Pick-up Brick Anti-Litter Campaign on August 4th.

Councilwoman Zapcic announced the upcoming Guild Theatre Works Play dates in August.

Councilman Halloran thanked Maya and Colleen for their special events presentation on Kids for K9's.

Vice President Crate spoke about the upcoming Kids Night Out Event along with Touch a Truck on August 7th; she spoke about the photo contest.

Councilman Fozman gave an update on recycling for 2017/2018; spoke of the plastic bag exchange at the Farmer's Market; he recommended a resolution to waive the two hour parking at Trader's Cove for the various Township sponsored events; spoke of his mission to remove plastic straws.

Joanne Bergin advised Councilman Fozman the staff is aware of the Township sponsored events at Traders Cove Marina & Park.

President deJong gave an update on the Buy in Brick Program; she thanked Vice President Crate for the upcoming Touch a Truck Event along with the new Photo Contest idea; she thanked Maya and Colleen for the special events presentation for the Kids for K9's event.

Motion by Councilman Mummolo and seconded by Councilwoman Zapcic Adjourn the meeting at 8:40 p.m.

All Council Members voted AYE.

Heather deJong
Council President

Lynnette A. Iannarone
Township Clerk