

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

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

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 February 8, 2019. 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 followed by a moment of silence.

Councilman Mummolo and seconded by Councilman Fozman to dispense with the reading of the minutes of June 25<sup>th</sup> and July 9, 2019 meetings and approve the same.

All Council Members voted AYE on Roll Call; except:  
 Councilman Halloran and Vice President Crate ABSTAINED on July 9<sup>th</sup> Meeting because they were absent.

Councilman Fozman made a motion to add a resolution to the agenda “*Opposing New Jersey becoming a Sanctuary State and Resolving that the Township of Brick Never Becomes a Sanctuary City*” – there was no second motion.

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

All Council Members voted AYE on Roll Call.

**Authorize Receipt of Bids – Liquid Deicing Agent.**

Vice President Crate stated this resolution authorizes the receipt of bids for Liquid Deicing Agent. She said the township receives bids annually for liquid deicing agent as needed on township roads throughout the winter. She noted they spent \$25,000.00 during the current two year contract period which will expire on September 26, 2019 with Reed System, Ellenville, NY.

**Authorize Award of Bid – Resurfacing & Drainage Improvements – Markham Road & Whitman Street.**

Mayor Ducey stated this resolution authorizes the award of bid for resurfacing and drainage improvements on Markham Road and Whitman Street to Earle Asphalt Co., in the amount of \$564,913.13. He said bid notices were sent to sixty-five (65) prospective bidders from the bidders list and eleven (11) picked up bid package of which four (4) bids were submitted with prices ranging from \$564,913.13 to \$801,165.50. He explained the work scheduled to be completed consists of roadway milling and resurfacing, replacement and reconstruction of ADA curb ramps, and retrofitting of storm water inlets to meet current NJ Storm Water standards at Markham Road, Vaughn Court, Bryant Road, Whitman Street, Holmes Court and Poe Road.

**Authorize Award of Bid – Uniforms for Various Departments.**

Vice President Crate stated this resolution authorizes the award of bid for uniforms for various Departments. She said bid notices were sent to twenty-nine (29) prospective bidders from the bidders list and nine (9) picked up bid packages of which two (2) bids were submitted. She advised those two bids were reviewed and it is recommended that they award it to both bidders on a per item basis as determined by the lowest price. They are Dot Designing and Keyport Army & Navy. She said this will be a two (2) year contract commencing on July 24, 2019 and ending July 23, 2021. She noted this is a unit price bid not to exceed \$30,000.00 per year with funds to be certified prior to each order and will be funded through the Roads and Uniforms,

Maintenance of Parks Uniforms, Code Enforcement Uniforms, Recreation Uniforms and Police Uniforms budgets.

**Authorize Award of Bid – Rental & Laundry of Public Works Uniforms, Rental of Floor Mats, Rags and Fender Covers.**

Vice President Crate stated this resolution authorizes award of bid for Rental & Laundry of Public Works Uniforms, Rental of Floor Mats, Rags and Fender Covers. She said bid notices were sent to twenty-four (24) prospective bidders from the bidders list and six (6) picked up bid packages of which one (1) bid was received being American Wear, Inc. She said it is recommended that they award the bid to the lowest responsive responsible bidder. She said the term of this contract will be three (3) years commencing on July 24, 2019 and concluding on July 23, 2022. She noted this is a unit price not to exceed \$40,000.00 per year with funds to be certified prior to each purchase and will be charged to the Buildings and Grounds Uniforms line item.

**Authorize Renewal of Contract - Year Three through Five for EMS Billing & Collections.**

Joanne Bergin stated this resolution authorizes the renewal of year three through five of a contract originally awarded in June of 2017 to DM Medical Billings, LLC, Gibbsboro, NJ. She said years three (3) through five (5) were to be renewed pending the successful completion of the previous years' agreement. She advised the Deputy Director of EMS has recommended renewing this contract and concurs the agreement for previous years have been successfully completed. She said the contract will commence on July 1, 2019 and ending on June 20, 2022. She noted in 2017, under the previous vendor, the Township collected \$1.7 million with a commission rate of 9 percent and in 2018 DM Medical Billing collected \$1.9 million with a commission rate of 5.75 percent.

**Authorize Change Order No. 1 Final – Bernard J. Cooke Park Improvements Project.**

Councilwoman deJong stated this resolution authorizes a change order decrease in the amount of \$24,243.20 to the contract awarded to Precise Construction Inc., Freehold for improvements to Bernard J. Cooke Park. She advised the contract is therefore decreased from \$1,613,668.00 to \$1,589,424.80 and noted the close out change order reflects a decrease in original contract quantities.

**Authorize Change Order No. 1 Final – New Storage Building at Drum Point Sports Complex**

Councilwoman deJong stated this resolution authorizes a change order decrease in the amount of \$10,014.00 to the contract awarded to Dutchman Contracting, LLC, Reinholds, PA for the construction of a new storage building at the Drum Point Sports Complex. She advised the contract is therefore decreased from \$354,658.00 to \$344,644.00.

**Authorize 2019-2020 Plenary Retail Consumption Liquor License – FRIT Leasing.**

Councilman Halloran stated this resolution authorizes the renewal of the plenary retail consumption liquor license issued to FRIT Leasing for the 2019-2020 licensing year. He advised because the license was in the inactive status for two (2) renewal cycles a special ruling from the ABC was required and has been received by the Clerk.

**Authorize Reappointment of Municipal Court Judge.**

Councilman Mummolo stated this resolution authorizes the reappointment of the Municipal Court Judge. He said Mayor Ducey has nominated Joseph D. Grisanti to the Office of Judge of the Municipal Court of the Township of Brick, for a term of three (3) years, which shall commence as of August 22, 2019 and shall expire on August 21, 2022.

**Authorize Settlement – New Orchard Investments, LLC vs. Township of Brick, etals.**

Kevin Starkey stated this resolution authorizes the settlement of a lawsuit entitled New Orchard Investment vs. Township of Brick. He said this lawsuit was a dispute between five neighbors in the Cedarcroft section of town over access to a bulkhead. He advised the Township was included because there is a drainage easement on that property and noted there is no money being paid nor received by the Township.

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

President Zapcic stated this resolution authorizes the placement of tax liens at: 30 Cardinal Avenue in the amount of \$71.49; 752 Midstreams Road in the amount of \$71.49; 28 Adams Drive in the amount of \$71.49; 109 Adams Drive in the amount of \$337.03 and 110 Stephan

Road in the amount of \$68.15.

**Authorize Special Events Permit – Operation Ruck It.**

Councilman Halloran stated this resolution authorizes a special events permit for Operation Ruck It from 7 am to 4 pm on September 21 at the VFW on Adamston Road. This annual event is held to raise awareness of the 22 daily veteran suicides by “rucking” 22 Kilometers starting and finishing at the VFW Post 8867.

**Authorize Special Events Permit – Beach to Bay 5K.**

Councilman Mummolo stated this resolution authorizes a special events permit for the Jersey Shore Animal Center’s 8<sup>th</sup> Annual Beach to Bay 5K from 7 am to 11:30 am on October 5 starting and finishing at Brick Beach 3.

**Bond Releases/Reductions:**

Clerk Iannarone advised the following:

- **Performance Bond Release – Shore Acres Yacht Club – Drum Point Road** authorizes the release of the performance bond for the Shore Acres Yacht Club in the amount of \$6,035.40 and a letter of credit in the amount of \$54,318.56
- **Inspection Fund Release – Melwood Contracting Corp – Van Zile Road** authorizes the release of the inspection fund posted by Melwood Contracting Corp for the Wells Fargo on Van Zile Road in the amount of \$774.52.
- **Inspection Fund Release – Seashore Surgical Institute – Jack Martin Boulevard** authorizes the release of the inspection fund posted by Seashore Surgical Institute on Jack Martin Boulevard in the amount of \$177.56.
- **Inspection Fund Release – Lorenzo’s Outdoor Service – Jack Martin Boulevard** authorizes the release of the inspection fund posted by Lorenzo’s Outdoor Service for Laurelton Property, LLC on Jack Martin Boulevard in the amount of \$712.60.

**Tax Collector:**

Joanne Bergin advised the following:

- 100% Widow of DAV Refund & Cancel Taxes – Block 380.15 Lot 15 in the amount of \$795.94
- 100% DAV Refund & Cancel Taxes – Block 1192.30 Lot 2 in the amount of \$1,993.86.

President Zapcic opened the public hearing on the Resolutions.

John Sluka, 950 Sylvia Court, questioned the Change Order resolutions.

Joanne Bergin answered his concerns.

Nan Coll, 18 Greenbriar Boulevard, stated her displeasure with the way the council meetings are being conducted, how the consent agenda is being handled and the need for more information on the resolutions along with the need for caucus meetings.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Resolutions.

Councilman Fozman advised Council President Zapcic that he will give her a copy of resolution that he spoke of earlier to be placed on the next agenda.

Kevin Starkey explained the process for placing items on the agenda.

President Zapcic opened the public hearing on the Resolution.

There were comments from the audience.

President Zapcic closed the public hearing on the Resolution.

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

All Council Members voted AYE on Roll Call.

**Authorize Receipt of Bids for Plenary Retail Distribution License.**

Mayor Ducey stated they have one Plenary Retail Distribution Liquor License that is available. He advised they are setting a number of restrictions on this license with a minimum bid of \$575,000.00 and the restrictions are: premises shall be located in the northern part of the Township – north of the Metedeconk River as it runs through Forge Pond; be located within the B-3 zoning district; be located at least ½ mile from any other property with an active plenary retail distribution license; shall be in a vacant, existing building (not new or proposed) building that is located within a shopping center.

President Zapcic opened the public hearing on the Resolution.

There were comments from the audience.

President Zapcic closed the public hearing on the Resolution.

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

All Council Members voted AYE on Roll Call.

**Authorize Execution of Deed for Letter of Interpretation – Block 702 Lots 30 & 31**

Mayor Ducey stated as part of the process to close on this property, the NJDEP requested the Township execute a deed confirming properties determined to be wetlands and wetland buffer areas as designated on the former Foodtown site.

Councilman Fozman had several questions on the Computer Bill Resolution.

Joanne Bergin and Kevin Starkey addressed his concerns.

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

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:  
Councilwoman deJong ABSTAINED on CME Associates;  
Councilman Mummolo ABSTAINED on Grace, Marmero & Associates and  
Meridian Occupational Health.

**2019 Computer Bill Resolution in the amount of \$26,338,486.34**

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

There were no comments from the audience.

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

Motion by Councilman Mummolo and seconded by Councilman Fozman to adopt the following Resolution.

All Council Members voted AYE on Roll Call.

**2019 Manual Bill Resolution in the amount of \$1,774,979.10**

President Zapcic opened the public hearing portion of the meeting.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and the health and safety issues in this area.

Roxanne Jones, W. Princeton Avenue, said she agrees with Councilman Fozman's request for a resolution on Opposing Sanctuary State/City; she spoke about the lack of school aid.

Melanie Briggs, Summit Avenue, stated her displeasure with residents not asking questions pertaining to the consent agenda and giving their personal opinions at that time.

Vic Fanelli, 24 Meadow Point Drive, spoke about an article in the Asbury Park Press called "More fiscal clouds looming in NJ"; he urged the council to consider Councilman Fozman's request for the resolution; spoke about last night's storm;

Mayor Ducey spoke about the storm and gave an update of how many residents were out of electric/damage from last night's storm.

Nan Coll, 18 Greenbriar Boulevard, spoke about the upcoming Solidarity of Faiths event at Temple Beth; spoke about the impact of the storm; spoke about the ongoing drainage issues on her property.

Jason Carey, 233 Cherry Quay Road, stated his displeasure about a recent code enforcement violation he received and the many violations that are overlooked on Cherry Quay Road.

Kevin Starkey addressed his concerns.

There were no further comments from the audience.

President Zapcic closed the public hearing portion of the meeting.

Mayor Ducey explained code enforcement is complaint based – the code enforcement officers do not patrol like police officers do; he mentioned the various events he attended; he stated Brick is not a sanctuary city and will not be as long as he is mayor.

Councilman Fozman spoke about the resolution he brought up earlier; stated his displeasure with the policy of contacting various department heads; he spoke about the issue with some of the BOE members; he mentioned the various events he attended and some upcoming events; he mentioned he called the County Engineer on the Greenbriar I storm event as was advised they should have the report complete in a few months.

Joanne Bergin explained the policy on contacting department heads with detailed requests/information that take them away from their primary duty which is to serve the residents of the Township.

Councilwoman deJong gave an update on the Buy in Brick Program; she read a note from Councilwoman Pontoriero regarding her ongoing battle with cancer.

Councilman Mummolo mentioned he attended the Ocean Medical Center's 35<sup>th</sup> Anniversary Photo Op; he spoke of the policy that has been in place with Administration when contacting department heads.

Councilman Halloran mentioned he attended the recent Lake Riviera Neighborhood Watch Meeting and how informative the meeting was and thanked Officer Barnes.

Vice President Crate announced some upcoming Library events; gave update on recycling; she announced the upcoming Kids Night Out event on August 6<sup>th</sup>.

President Zapcic announced the upcoming Guild Theatreworks performances at the Cultural Arts Center and the BCCT performance at The Strand; she announced some upcoming events at Traders Cove and at Temple Beth Or.

Motion by Councilman Mummolo and seconded by Councilman Halloran to Adjourn the meeting at 8:51 p.m.

All Council Members voted AYE.