

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 Marianna Pontoriero
 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

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).

This meeting began with the salute to the flag followed by a moment of silence - Council President Zapcic announced Brick Township has lost two outstanding citizens former Councilman Frederick Underwood and Carol Wolfe and asked for all to remember them and their families.

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

All Council Members voted AYE on Roll Call.

Recognize Brick Garden Club 20th Anniversary

President Zapcic stated this resolution recognizes the Brick Garden Club's 20th Anniversary of enhancing Brick Township through beautification projects and educating residents about gardening. She said the club has grown from 62 members to 116 and is open to anyone interested in gardening. She said the Club's highlights include the Garden Tour and Tea. She advised on September 9th Brick Garden Club members and guests will be celebrating their 20th anniversary at a reception at the Herbertsville Fire House.

Authorize Acceptance of 2018 Audit

Councilman Halloran stated this resolution accepts the 2018 audit. He advised there were no corrective actions or findings in this year's audit.

Authorize Insertion of Chapter 159 – Office of Emergency Management Grant 2019

Councilman Mummolo stated this resolution authorizes the insertion of a \$6,141.60 grant from the State of New Jersey Department of Law & Public Safety for the FY 18 Office of Emergency Management Grant which is used specifically towards the salary of the Deputy Emergency Management Coordinator.

Authorize Receipt of Bids – Demolition & Secure Property at 130 Woodland Drive

Joanne Bergin stated this resolution authorizes the receipt of bids for demolition and to secure the property at 130 Woodland Drive as per a recommendation from the Township's Property Maintenance Board.

Authorize Award of Bid – Roadway Improvements to Brower Drive.

Mayor Ducey stated this resolution authorizes the award of bid for roadway improvements to Brower Drive to Mecco, Inc., in the amount of \$239,984.25. He said the project generally consists of resurfacing of Brower Drive. He advised bid notices were provided to 66 prospective bidders from the bidder's list and 12 requested bid packages of which eight bids were received with prices ranging from the low bid of \$239,984.25 to \$406,832.25.

Authorize Award of Bid – Roadway Improvements to Isolated Roads

Mayor Ducey stated this resolution authorizes the award of bid for roadway improvements to isolated roads to Mecco Inc. in the amount of \$718,520.00. He explained the project generally consists of general pavement, sidewalk and drainage improvements as well as curb ramp upgrades and other associated work on various roads throughout the Township, specifically

Baywood Boulevard, Sudbury Road, West Granada Drive, Vannote Drive and North Drive. He advised bid packages were provided to 65 prospective bidders from the bidder's list and nine requested bid packages of which six bids were received with prices ranging from the low bid of \$718,520.00 to \$1,026,000.00.

Authorize Award of Bid – Computer & Printer Supplies

Councilwoman deJong stated this resolution authorizes the award of bid for computer and printer supplies to the following vendors in accordance with a schedule of prices: B&H Foto & Electronics Corp., Beyond Technology, KT's Office Supplies, MRA International Inc., Office Needs Inc., Star Data Co., and The Tree House. She said this is a unit price bid with funds certified prior to each order with a total amount not to exceed \$50,000.00 and noted this is a one year contracted commencing August 28, 2019 and ending August 27, 2020. She advised bid notices were provided to 48 prospective bidders and 20 bidders picked up bid packages. She stated nine bids were received of which two bids had fatal flaws and were rejected; the remaining seven are compliant and are being awarded based on low prices in each category.

Authorize Award of Proposal – Sale of Mulch

Vice President Crate stated this resolution authorizes the sale of screened and unsorted mulch to Advance Soil Technologies, at a price of \$5.00 per cubic yard for screened mulch and \$1.00 per cubic yard for unsorted mulch. She said the Township anticipates having approximately 3,000 cubic yards of screened mulch and 3,000 cubic yards of unsorted mulch at the Department of Public Works. The mulch is mostly leaf byproducts from trees within the Township acquired from homeowners or removed by Township employees from parks and other properties. The mulch is used by the Township in various parks and recreation areas as well as landscaping around Township owned buildings. It is suitable for landscaping and is offered free of charge to the residents of the Township. She said the existing stockpile of screened and unsorted mulch now exceeds the needs of the Township and its residents and thus is being offered to commercial businesses. She advised the quote request was sent to 19 prospective vendors of which two submitted a formal proposal. She advised Advanced Soil Technologies was the higher of the two quotes. She noted in 2018 the Township sold 2,924 cubic yards of unsorted mulch at a cost of \$0.58 per cubic yard for a total of \$1,695.92. The Township did not sell any screened mulch.

Authorize Change Order No. 1 Final – Roadway Improvements to Heritage Hill Project

Councilman Mummolo stated this resolution authorizes a final change order in the roadway improvements to Heritage Hill project awarded to Mecco Inc. He advised the closeout change order results in a decrease in the project cost from the original bid amount of \$458,667.00 to a final adjusted total of \$432,568.08 for a reduction of \$26,098.92.

Authorize Change Order No. 1 Final – Holly Hill Cove Roadway Resurfacing Project

Councilman Halloran stated this resolution authorizes a change order in the roadway improvements to Holly Hill Cove roadway resurfacing project awarded to Earle Asphalt. He advised the contract results in a net reduction in the amount of \$87,714.16 reducing the job by 18 percent and noted certain drainage pay items were not needed, thus resulting in a reduction.

Support of Electric Vehicles

Vice President Crate stated this resolution supports increased use of electric vehicles and needed infrastructure in order to reduce global warming and improve air quality in the municipality, state and nationally. She said the widespread adoption of electric vehicles will bring significant economic benefit including lower electricity rates by recreating a more resilient and responsive electric grid and reduced vehicle operating costs and substantial emission reductions that result in cleaner air for everyone. She advised this resolution was reviewed and is supported by the Township's Land Use Committee as well as the Sustainable Brick Committee.

Authorize Placement of Tax Liens for Property Clean-ups

President Zapcic stated this resolution authorizes the placement of tax liens at: 49 Bay Way in the amount of \$81.21; 134 Coolidge Drive in the amount of \$168.77 and 520 Nebraska Avenue in the amount of \$145.50.

Authorize Special Events Permit – Brick Plaza Sidewalk Sale

Councilman deJong stated this resolution authorizes a special events permit for Federal Realty Investment Trust to conduct a shopping center wide sidewalk sale at Brick Plaza on Cedar

Bridge Avenue on September 7th between the hours of 8 am and 4 pm.

Authorize Special Events Permit – Arcuri for SUDS Fundraiser

Councilman Mummolo stated this resolution authorizes a special events permit to conduct an Arcuri for SUDS (Soldiers Undertaking Disabled Scuba Diving) Fundraising event on September 7th at Wehrlen Marina, Princeton Avenue between the hours of 1pm and 10 pm.

Authorize Special Events Permit - Avery's Carnival

Councilwoman Pontoriero stated this resolution authorizes a special events permit for the 12th Annual Avery Carnival on September 28th between the hours of 1pm and 5pm at the PAL on Drum Point Road. A rain date has been set for September 29th.

Authorize Special Events Permit – Battle Scars Car Truck & Motorcycle Show

Councilwoman Pontoriero stated this resolution authorizes a special events permit to conduct Battle Scars Car Truck and Motorcycle Show on October 12th at Brick Beach 3 between the hours of 9am and 5pm.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Performance Bond Release – Meridian Hospital Corp – Jack Martin Boulevard: a surety bond in the amount of \$90,164.52 and a cash performance bond in the amount of \$10,018.29.
- Inspection Fund Release – Clarke General Contracting – Brick Boulevard in the amount of \$1,010.63.
- Inspection Fund Release – Brick Office Park – Route 70 in the amount of \$1,673.64.
- Inspection Fund Release – Greenbriar Association – Darley Circle in the amount of \$792.17.

Tax Collector:

Joanne Bergin advised the following:

- Tax Overpayments – 2018 – Block 1386 Lot 18 in the amount of \$1,357.47.
- Tax Overpayments – 2019 – Block 1429 Lot 1 in the amount of \$902.34.
- Redemption of Tax Sale Certificate – Block 207.26 Lot 31.
- Cancel Unclaimed Credits 2008 – 2012.
- Cancel Unclaimed Redemption Monies totaling \$6,789.76.
- Cancel Tax Balances & Credits - \$10.00 and Under.

President Zapcic opened the public hearing on the Resolutions.

Michael Moss, Representative of Act Properties, explained they are the new owners of the 130 Woodland Drive property by way of a tax sale certificate on June 17th and asked the council for consideration not to go forward with the resolution for Authorize Receipt of Bids – Demolition & Secure Property at 130 Woodland Drive for they intend to rehab the property.

Joanne Bergin recommended to the council they continue with the action on the agenda. She explained there will be several more opportunities for the property owner to be heard including when the demolition is authorized. She advised Mr. Moss should notify the construction official of their intent with a timeline and deliverables to meet and which point in time the council will have some action before them that may justify not awarding a contract at that time.

Stacey Collins addressed her concerns with the violations at 130 Woodland Drive since she is a neighbor.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Resolutions.

Councilman Fozman had several questions on the Computer Bill Resolution.

Joanne Bergin 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

2019 Computer Bill Resolution in the amount of \$656,538.09

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 Vice President Crate to adopt the following Resolution.

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

2019 Manual Bill Resolution in the amount of \$1,820,056.37

Councilman Fozman had several questions on the 2018 Audit.

Chuck Fallon, Township Auditor, and President Zapcic addressed his concerns.

President Zapcic opened the public hearing portion of the meeting.

Bob Karpodinis, Brick Resident, spoke about the Sanctuary City/State resolution that was done at the last council meeting.

Mayor Ducey addressed his concerns.

Sam Foster, 108 Teakwood Drive, stated his displeasure with the Mayor's comments.

Bill Truex, 404 Adamston Road, mentioned lawsuit that was filed by the applicants/owners of 385 Adamston Road, LLC property and spoke about the permitted uses in a RR1 zone;

Kevin Starkey advised that he does not comment on pending litigation but said Township along with its planning and zoning board attorney are in agreement and said they will continue to fight this in court and expressed that he is confident in the Township's position and the zoning board ruling on the matter.

Mike Doumas, 400 Adamston Road, spoke about the pending litigation and expressed the public should know the outcome; he urged the council to expand the ban on recreational marijuana to prevent the town from becoming involved in similar disputes with other properties.

Kevin Starkey explained how this lawsuit came about; he said changing the zoning laws would not affect this application because that application is governed by the zoning laws that existed when the application was filed.

Marcel Diaz, 28 Scheiber Drive, questioned if the committee met to redefine/clarify the RR1 Zone.

Councilman Mummolo advised the Land Use Committee is considering hiring a consultant to look at the issue and provide them with guidance on the best way to proceed.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project; spoke about the sound study at Evergreen Woods being done by the Township.

There were no further comments from the audience.

President Zapcic closed the public hearing portion of the meeting.

Mayor Ducey thanked all that helped out with the Summerfest events; he said he had the opportunity to attend the DAV Building Ribbon Cutting Ceremony – he spoke of how they were able to obtain a grant and they now have an ADA compliant amenities and thanked the township staff for all their help; he mentioned the various events he attended and some upcoming events; he spoke and expressed his deep condolences for the loss of Frederick Underwood and Carol Wolfe.

Kevin Starkey gave an update on a Garden State lawsuit that was filed against the Township; he expressed his condolences to the Underwood and Wolfe families.

Councilman Fozman expressed his condolences to the Wolfe and Underwood families; he spoke about the recent Solidarity event he attended; he mentioned the various events he attended and announced Neighborhood Watch meetings; he spoke about his opposition to the Assembly Bill A-3851 Common Interest Ownership Act; he read the thank you letter from Vanada Woods resident for helping remedy their issues at hand.

Councilwoman Pontoriero announced some upcoming Neighborhood Watch meetings; she spoke about some new police department programs: Because We Care; Home Security Camera Program, Lock Box Program; she thanked all for the well wishes on her fight against cancer.

Councilwoman deJong expressed her deep condolences to the Underwood and Wolfe families and said they will greatly be missed; she wished good luck to all the students.

Councilman Mummolo said he attended the recent Special Olympics and expressed what a great event it is; he mentioned the flag disposal bin at Town Hall; he expressed his condolences to the Underwood and Wolfe families.

Councilman Halloran expressed his condolences to the Underwood and Wolfe families; he mentioned the some events he attended.

President Zapcic spoke and expressed her deep condolences for the loss of Frederick Underwood and Carol Wolfe and what a huge loss to the families and to the Township.

Motion by Councilman Mummolo and seconded by Councilman Halloran to Adjourn the meeting at 8:30 p.m.

All Council Members voted AYE.

Andrea Zapcic
Council President

Lynnette A. Iannarone
Township Clerk