

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 7:06 p.m.

Present

Councilwoman Andrea Zapcic
Councilman Vince Minichino
Councilwoman Heather deJong
Councilman Paul Mummolo
Council Vice President Arthur Halloran
Council President Lisa Crate

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 December 20, 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.

Clerk Iannarone was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of December 2019.

Motion by Councilman Mummolo and seconded by Councilwoman Zapcic to dispense with the reading of the minutes of December 17th and December 31, 2019 meetings and approve the same.

All Council Members voted AYE on Roll Call, except:
Councilman Minichino ABSTAINED and
President Crate ABSTAINED on December 31, 2019 Meeting

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

All Council Members voted AYE on Roll Call.

Establish Bank Depositories/Cash Management Plan – 2020

Councilwoman deJong stated this resolution establishes a Cash Management Plan and Depository Designees as prepared by the Township’s Chief Financial Officer. She said this resolution supports the investment objectives of the Township’s Cash Management Plan including: the preservation of capital, adequate safekeeping of assets; maintenance of liquidity to meet operating needs and claims settlements; and investment of assets in accordance with the State of New Jersey’s Local Fiscal Affairs Law.

Authorize 2020 Temporary Budget

Vice President Halloran stated this resolution authorizes a temporary budget as required by Law to be in place with the first 30 days of January. He said in accordance with State Statute, a temporary budget which equals 26.25 percent of the total appropriations of the 2019 budget - the sum of \$20,910,018.98 – is authorized as the Township’s temporary budget.

Authorize Receipt of Bids – Purchase & Delivery of Sanitation/Recycling Collection System Containers

President Crate stated this resolution authorizes the receipt of bids for the purchase and delivery of sanitation and recycling containers including 95-gallon, 65-gallon and 35-gallon containers for residential use. She said to date, the Township had an approximate expenditure of \$69,000.00 during the current two-year contract period which will expire on March 27, 2020 with Otto Environmental Systems as the current vendor.

Authorize Receipt of Bids – Cedarwood Park East Roadway Improvements

Mayor Ducey stated this resolution authorizes the receipt of bids for the Cedarwood Park East roadway improvement project as approved in the 2019 capital budget. He said roadways scheduled to be improved include Lynnwood Avenue, Fairfield Avenue, Downey Avenue, Glenwood Avenue, East End Avenue, Driver Avenue, Barber Avenue, and Harvey Avenue.

Authorize Award of Bid – On-Site Environmentally Safe Truck Wash Services

President Crate stated this resolution authorizes the award of bid for on-site environmentally safe truck wash services to Milspray Military Technologies, Lakewood, at a schedule of prices based on the type of vehicle. She said this is a unit price bid not to exceed \$65,000.00 per year with funds to be certified prior to each order. She said the award is for two years commencing January 15, 2020 and ending on January 14, 2022. She stated to date the Township has encumbered approximately \$74,000.00 for the current two-year contract. She said bid notices were sent to 18 bidders and eight picked up bid packages. She announced two bids were received with Milspray Military Technologies being the lowest responsible bidder.

Authorize Close Out Change Order No. 1 – Lake Riviera – Rainbow Dam Culvert Replacement & Embankment Restoration Project

Councilman Mummolo stated this resolution authorizes a change order decrease in the amount of \$8,475.00 and close out of the contract with Capela Construction for the Lake Riviera Rainbow Dam Culvert replacement and embankment project. He said the change order decrease is a result of final as-built quantities.

Authorize Execution of License Agreement between Township of Brick and 2026 Route 88, LLC

Councilman Minichino stated this resolution authorizes the execution of a license agreement between the Township and the property owner of the Block 1029, Lot 20.01 known as 2026 Route 88, the location of a Dunkin Donuts. He said the Planning Board approved the site plan for the new store with a condition of approval that the owner grant a license to the Township for the public use of a sidewalk on the property. He reported the License Agreement allows the public to use a portion of the sidewalk area along the front of the property at no cost to the Township.

Authorize Execution of Shared Services Agreement w/Ocean County Prosecutor's Office – Driving While Intoxicated Enforcement Program

Councilwoman Zapcic stated this resolution authorizes the execution of a Shared Services Agreement with the Ocean County Prosecutor's Office for the Driving While Intoxicated Enforcement Program, which is aimed at identifying and removing intoxicated drivers from the roadway. As part of this agreement, Brick Township agrees to provide manpower when needed for enforcement. She reported the township receives a flat hourly rate reimbursement for the police officers assigned to this enforcement.

Authorize Execution of Shared Services Agreement w/Ocean County Prosecutor's Office –Drug Recognition Expert Callout Program

Councilwoman Zapcic stated this resolution authorizes the execution of a Shared Services Agreement with the Ocean County Prosecutor's Office for the Drug Recognition Expert Callout Program, which is aimed at detecting and arresting impaired drivers throughout Ocean County. As part of this agreement, Brick Township agrees to provide manpower when needed for enforcement. She reported the township receives a flat hourly rate reimbursement for the police officers assigned to this enforcement.

Requesting Extension of Time for Municipal Aid & Urban Aid Grant Program – Cedarwood Park East

Mayor Ducey stated this resolution requests an extension of time for the Municipal Aid and Urban Aid grants provided to Brick Township by the New Jersey Department of Transportation for the Cedarwood Park East roadway improvement project. He said receipt of bids for this project was referenced earlier on tonight's agenda, and they anticipate receiving bids and awarding a contract in late February or early March of this year. He said a request for a six-month extension is prudent based on that schedule.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Inspection Fund Release – Bricktown Associates – Brick Boulevard – in the amount of

\$2,062.19

- Inspection Fund Release – Lepore Luzzi, LLC – Aurora Place – in the amount of \$1,535.72
- Inspection Fund Release – Drum Pont Village East Condominium Association – in the amount of \$441.79
- Inspection Fund Release – William H. Yeomans, Inc. – Chambers Bridge Road – in the amount of \$460.44
- Inspection Fund Release – Eosso Brothers Paving – Route 70 - in the amount of \$500.00
- Inspection Fund Release – U.S. Outworkers – Laurel Woods/Sandra Place – in the amount of \$697.88
- Inspection Fund Release – Slurry Pavement Systems – Route 88 – in the amount of \$42.64
- Inspection Fund Release – Eosso Brothers Paving – Evergreen Woods – in the amount of \$500.00

Tax Collector:

Joanne Bergin Advised the following:

- Senior Deduction Granted – there is one for 2019
- Tax Overpayments – there are three for 2015
- Cancel Tax Balances and Credits of \$10.00 and Under

President Crate opened the public hearing on the Resolutions.

There were no comments from the audience.

President Crate closed the public hearing on the Resolutions.

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

There were no comments from the audience.

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

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

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

2020 Computer Bill Resolution in the amount of \$1,043,682.72

President Crate opened the public hearing on the Manual Bill Resolution

There were no comments from the audience.

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

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

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

2020 Manual Bill Resolution in the amount of \$1,734,464.78

Sam Foster, 108 Teakwood Drive, congratulated council on the election and their recognizing Jim Fozman for his accomplishments. He spoke about school funding issues and asked the Mayor how the Toms River meeting went with Senator Sweeney. He spoke about when he was in school and there were over 30 students in the class.

Mayor Ducey stated he will receive the school funding formula and will forward it to him.

Rita Ciocca, 316 7th Avenue, spoke about the flooding problems in Normandy Beach and showed pictures taken in front of her house. She stated it has become inhabitable with the

situation. She said she thinks it is appropriate that the Mayor did not let the town increase the tax rate over the 2 percent cap because she feels the taxes are extremely high to begin with.

John Sluka, 950 Sylvia Court, read his letter regarding the parking construction project and the need for reforestation along certain areas along the parkway and the need for a noise wall at Evergreen Woods. He also spoke about the school issues.

Alan Rothman, 318 6th Avenue, thanked the Mayor, Business Administrator, and Engineer for the meeting with FEMA. He stated it was very productive and helpful. He commented at the FEMA meeting they spoke about housing developments and projects and the church facility came up; one of the comments made was that when they did the housing development in Pt. Pleasant the town forced the developer to enact a plan to help with the flooding issues that the new houses would create. He said they put in a pump station and ran a pipe out into the ocean which they have spoken about. He didn't understand why the church was not forced to do this. He spoke about the redevelopment of Camp Osborn and stated that developer should be forced to help with the flooding issues. He stated he heard at the FEMA meeting there is a buyback program. He spoke about a hole in the bulkhead at Broad Avenue that was done on purpose to alleviate the flooding; he stated after that the town put in a storm drain but never patched the hole and now that road is ready to collapse. He stated they need to be proactive with the flooding issues rather than reactive. He asked for Elissa to visit the site about the sinkholes.

Mayor Ducey spoke about the Blue Acres Program is available to homeowners and property owners but they have to apply for it. He stated no one has ever applied. He stated every applicant has to address the stormwater/drainage problems of their site.

Joanne Bergin added an overview of the FEMA meeting that was held. She said they had extensive discussion potential strategies to alleviate the problem in the short term while they examine long term viable options. She said they absolutely consider this an issue for the town, a global issue that has local impact. She stated they have done some test capping, flappers have been installed; they are committed to putting funds in the 2020 capital budget for flapper valves; The Land Use committee wants to discuss several issues; they would like to apply to FEMA for some funding; they have met with an engineering firm that has worked in areas with the same issues. She stated they need a strategy that will put them in a queue for funding that will make the difference.

Robert Palmisano, 525 Broad Avenue, asked if the firm the administrator talked about is the same firm that has been retained by the township for other projects. He said he's been talking to the town for the last 15 years about this issue and is wondering why 15 years later why the town is finally considering hiring an engineering firm to look at this problem. He stated there was no police presence on New Years Eve when the flooding was at its worst since Sandy. He commented it's prudent and needs immediately attention to retain an engineering firm with qualifications. He asked if JCP&L planned to repave Broad Avenue.

Joanne Bergin responded the firm she spoke about had been retained to do a town wide dredge project. She stated his comment about police presence is absolutely inaccurate; there is police presence 24 hours a day 7 days a week. She said she would ask Elissa to get back to him about the paving of Broad Avenue.

Melanie Briggs, Summit Avenue, stated she watched the meeting with the parents and other school supporters, and asked why the Board of Education President and Interim Superintendent weren't called up to answer some of the questions.

President Crate responded it wasn't their meeting.

Stephen Timoni, 542 Broad Avenue, stated he lives in a severe flood area, this was the worst year by far; it's hazardous and unhealthy and can't continue like this. He would like a copy of the flood plain management plan. He spoke about initiative BK18. He stated the only thing he is aware of that was done in that initiative was to provide a tide check valve on the outfall pipe there which failed. He stated this initiative is marked as completed in 2017 and asked if any of the things were ever done in that initiative to mark it as complete. He commented the drainage system in Normandy Beach was probably 70 years old and it doesn't work anymore. He asked if anyone knew where the water was coming from.

Joanne Bergin stated she will check with the township engineer but it is their understanding that BK18 was completed.

Dennis Wernoch, Block 1482, Lot 2, Lanes Mill Road, stated he purchased the property at a town sale more than 2 decades ago. He stated the land is a non-buildable lot with 38 feet on the paved road. He said a few homes have been developed to the side and rear of the land and he has made attempts to expand the property size only to learn that the lot next to him was now owned by the town. He stated the adjoining property on his side boundary is the high school ball field. He contacted the Business Administrator to give back the property to the town with no response. He said he was told it was a floodplain and was told that it would be too costly for the town legal department to execute the necessary paperwork. He asked for relief from the town to help with the taxes on property he cannot use.

Joanne Bergin apologized if it was communication through her office. She stated donations go through the Land Use Committee prior to reaching Council; she will refer it to the committee for their next agenda.

Larry Reid, 475 Normandy Drive, thanked Mayor Ducey for confronting Senator Sweeney for the formula for distributing aid which is an ongoing problem. He spoke of the need to fix the flooding issues on the barrier island. He said the gas company is doing this work and when they do Broad Avenue it needs to be coordinated with the town to discuss the flooding issues. He stated the flood plain management plan was completed in 2016 which included the raising of some roads and asked why their roads have not been raised. He commented the flooding is getting worse and it has become a real crisis.

Steve Kirby, 7th Avenue, appreciated the meeting with FEMA to talk about their problems. He suggested a football size catchment area north of Bayside Park across from Brick Beach III. He said for the most part the flooding comes up through the storm drains. He spoke about a combined sewer system that Hoboken has and he put together information on two pumping stations in Normandy Beach that he explained. He stated they need to have a meeting.

Marc Wipperman, 546 North Drive, stated the community has some ideas but they're not going to tout themselves as floodplain engineers. He asked if there was money in this year's budget to support hiring a consulting engineering group.

Joanne Bergin stated they recognize the folks that live on the barrier island are not technical experts but they are day-to-day experts about what's happening. She stated when they met with ACT engineers they wanted their proposal to include resident meetings in the barrier island community. They told ACT they need the dollar amount to put it in their budget.

Vic Fanelli, 24 Meadow Point Drive, spoke about money NJEA gave to the Dark Money Group. He said Murphy vetoed the bill to allow municipalities to raise taxes 2 percent above the cap. He stated at this week's school board meeting the school board is going to vote to approve \$25K for Netta Architects to do another referendum. He spoke about water and the tides; he stated he understands flooding and rain but he does not understand the high tide cycles.

Tom Wirth, 555 Carolina Avenue, spoke about the riot in Maple Leaf. He commended the police department for the great job they are doing. He asked what the plan is for security stating it seems to be getting worse rather than better. He is concerned with safety in his neighborhood and the effect of land values.

Mayor Ducey stated they have a responsible landlord ordinance. He said they need help from people. He spoke about the fight with the kids and cannot use that ordinance because it happened in the street. He explained the ordinance. He said they made Maple Leaf and Sawmill their own district so there is always a presence there for patrol.

Alan Rothman, 318 6th Avenue, stated he understands the flooding problem is overwhelming and totally agrees an engineering study is needed. He stated at the FEMA meeting it was mentioned that there is \$200,000 available to do a study. He asked council to consider hiring an intern or a part time person with the sole responsibility to go after federal and state money for the flooding issues.

Joanne Bergin stated they have someone on staff who is a grant coordinator with extensive experience and track record at applying for and researching grants. She stated in terms of the grant for the study it is a very specific engineered, technical application and that is why they intend to use the consulting engineers to also do that application. She stated the technical merits of it will determine whether or not we get funded for the study.

Suzanne Dyer, 420 Olive Court, spoke about holding landlords accountable. She said they had several issues with a renter where she lives who rented from an absentee landlord; the issues took several years but they have now been cleared up. She spoke about the Shade Tree Commission and suggested they plant trees to help with the flooding.

John Fitzgerald, 508 Broad Avenue, reinforced everything everyone said this evening.

Mayor Ducey stated they are looking for nominees for the Brick Hero's Awards; he announced several upcoming events.

Councilwoman deJong reminded seniors it is open enrollment season for Medicare and if they have any questions to call Senior Services.

Councilman Mummolo thanked everyone for coming out and sharing their problems and concerns with the flooding; he said they are looking into the problem.

Vice President Halloran agreed with Councilman Mummolo. He has seen first hand the devastation and difficulty the residents have out there. He stated the planning department who oversaw the floodplain study had meetings with every neighborhood on the Barrier Island.

President Crate spoke about library events; she said they are working with Veteran's Organizations to refurbish the Veteran's Monument at Town Hall and they will include every name of every fallen hero who has not been added to this and she mentioned they are doing some fund-raising campaigns and reaching out to businesses for help.

Motion by Councilman Mummolo and seconded by Councilman Halloran to Adjourn the meeting at 8:37 p.m.

All Council Members voted AYE.

Lisa Crate
Council President

Lynnette A. Iannarone
Township Clerk