

May 12, 2020

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 Vince Minichino*
Councilwoman Heather deJong*
Councilman Paul Mummolo*
Councilwoman Marianna Pontoriero*
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

(*Present via Zoom)

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 7, 2020. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

President Crate thanked everyone for participating in this evening's Township Council meeting. She said the COVID-19 pandemic prevents them from meeting in the traditional way, but they have adjusted accordingly so that they can continue to conduct the business of the Township, and serve the residents. She said this meeting is available through the Zoom application, where you can see and hear tonight's meeting, and participate during all public comment periods as you would if they were all together in person. She said to ask a question or comment, please click on your device and a bar will appear on the bottom of your screen. One of the icons posted there is a "Raise your hand" button. Click that to indicate you have a question. She said they can see that on their end and will call on people one at a time. Questions and comments are also welcome by email. The address is publicmeetingquestions@bricktownship.net and they will be checking emails throughout the meeting and will read those questions into the minutes and respond accordingly.

This meeting began with the salute to the flag followed by a moment of silence.

A brief music video was played that Veterans Memorial Middle School Students created in honor of World-Wide Day of Gratitude on April 30, 2020 to thank all the first responders and all the people on the front line working in this pandemic.

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 April 2020.

Motion by Vice President Halloran and seconded by Councilman Mummolo to dispense with the reading of the minutes of April 12, 2020 and approve the same.

All Council Members voted AYE on Roll Call.

Motion by Vice President Halloran and seconded by Councilwoman Zapcic to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Combination/Form and Sale Authorizing Issuance of Bonds & Notes

President Crate stated this resolution authorizes Township Officials to combine Year 2 and 3 of the existing Bond Anticipation Note funds into a single general improvement bond totaling \$9,260,000.00, as well as rolling over year one of the existing note in the amount of \$5,590,000.00 and adding new money from the 2019 bond ordinances of \$5,520,650.00 creating a new BAN in the amount of \$11,110,650.00. As projects are approved, the Township typically starts out by securing Bond Anticipation Notes, known as BANs, which is a temporary form of financing. She said once the project scope, or equipment specifications, is better defined they roll those BANs into bonds. They use temporary financing at the outset to give us a chance to better define costs as opposed to long-term financing on estimates. Notes (short term financing) may be rolled into Bonds (permanent financing) after their third anniversary date, which is the typical practice of the Township. She said they do this in accordance with

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recommendations from the Bond Counsel, Financial Consultant, and the Chief Financial Officer. She advised the Bond and Note will be sold and issued with the provisions of the Local Bond Law.

Authorize Acceptance of Summer Shore Initiative 2020 Grant

President Crate stated his resolution authorizes acceptance of the Cops in Shops - Summer Shore Initiative 2020 Grant offered by the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control in the amount of \$4,400.00. She noted grant funds are used towards initiatives that combat underage drinking.

Authorize Award of Bid – Operation of Brick Beach 1 Food Concession Stand.

President Crate stated this resolution authorizes the award of bid for Brick Beach 1 Concession Stand to Castaway Kitchen, in the amount of \$1,100.00. She said bid notices were provided to 98 prospective bidders from the bidders list of which three picked up bid packages and one bid was received, that being Castaway Kitchen.

Authorize Award of Bid – Operation of Brick Beach 3 Food Concession Stand

President Crate stated this resolution authorizes the award of bid for Brick Beach 3 Concession Stand to Jersey Shore Snack Shack, in the amount of \$2,750.00. She said bid notices were provided to 98 prospective bidders from the bidders list and three picked up bid packages of which two bids were received, with Jersey Shore Snack Shack being the highest responsive, responsible bidder.

Authorize Award of Bid – Mobile Ice Cream Truck

President Crate stated this resolution authorizes the award of bid for a mobile ice cream truck to Cool Concessions, in the amount of \$581.00. She said the Township established a minimum bid of \$500.00 for exclusive rights to both locations (Windward Beach & Traders Cove) or \$250.00 for either location. She said in this contract, the vendor agrees to visit each park daily from Memorial Day to Labor Day. She stated a notice to bidders was placed in the Asbury Park Press and on the Township web site. She said in addition, 98 bidders were notified from the bidders list of which three potential bidders requested bid packages and one bid was received, that being Cool Concessions.

Authorize Award of Bid – Summerfest Food Truck Vendors

President Crate stated this resolution authorizes the award of bid for Summerfest food truck vendors in three categories: John & Debbie O's, with a bid amount of \$802.00 for grilled/fried items; Cool Concessions, with a bid amount of \$825.00 for ice cream; and John & Debbie O's, with a bid amount of \$1,303.00 for funnel cakes and fried Oreos. She said a notice to bidders was placed in the Asbury Park Press and on the Township web site. She said in addition, 98 bidders were notified from the bidders list of which eight potential bidders requested bid packages of which four bids were received. She advised the Township established a minimum bid of \$750.00 per category. She stated this resolution also authorizes the Re-Bid for the remaining two categories.

Authorize Award of Bid – Backup and Disaster Recovery System

President Crate stated this resolution authorizes the award of bid for the Backup and Disaster Recovery System to HorizonTek. as per an approved schedule of prices. She said this system will include three years of the on Cloud subscription. She advised bid notices were provided to six prospective bidders from the bidders list and 13 picked up bid packages of which three bids were received, with HorizonTek being the lowest responsive, responsible bidder.

Authorize Award of Bid – Purchase & Delivery of Sanitation & Recycling Containers

President Crate stated this resolution authorizes the award of bid for the purchase and delivery of sanitation and recycling containers to IPL Inc., at a cost of \$38.20 per 95-gallon containers, \$34.96 for 65-gallon containers, and \$32.75 for 35-gallon containers. She said bid notices were provided to 12 prospective bidders from the bidders list and eight picked up bid packages of which three bids were received, with ITL Inc being the lowest responsive, responsible bidder. She advised this award is for two years commencing May 13, 2020. She advised to date the Township has encumbered approximately \$82,000.00 for the current two-year contract.

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Authorize Award of Bid – Cedarwood Park East Roadway Improvements

President Crate stated this resolution authorizes the award of bid for Cedarwood Park Roadway Improvements to Mecco, Inc, Clarksburg, in the amount of \$429,287.38. She explained the project includes milling, base repair, asphalt paving, replacing inlet grates and curb pieces, reconstruction of drainage structures, installation of drainage pipe, new curbs in selected location and replacement of existing concrete curb, restoration and other miscellaneous work. She noted the roadways scheduled to be improved include Lynnwood, Fairfield, Downey, Glenwood, East End, Driver, Barber, and Harvey Avenues. She said bid notices were provided to 68 prospective bidders from the bidders list and nine requested bid packages of which seven bids were received ranging from \$616,008.89 to the low bid of \$429,287.38.

Authorize Award of Contract through State of New Jersey Cooperative Purchasing Program for Large Town Enterprise License

President Crate stated this resolution authorizes the award of a contract to SHI International, Somerset, for a Large Town Enterprise License for up to 100 users. She explained the license is for a program called Spatial Data Logic, known as SDL, which is used by the building department to log and track permits and code enforcement violations. She said also the inspectors and code enforcement officers use SDL while out in the field and automatically log updates and documentation so that they can get the paperwork started as soon as an inspection is complete.

Authorize Award of 2nd Year Contract – Public Safety Uniforms

President Crate stated this resolution authorizes the award of a second-year contract to Action Uniform Company, Egg Harbor Township, for Public Safety Uniforms.

Authorize Re-Bid – Beer & Wine Garden Concession

President Crate stated this resolution authorizes a re-bid for the beer and wine concession for 2020 events including Summerfest and Fall Fest. She said bid notices were provided to 26 prospective bidders and two vendors picked up packages of which no bids were received; therefore, they would like to re-bid a second time and try again.

Authorize Re-Bid – Fireworks Exhibitions

President Crate stated this resolution authorizes a re-bid for the fireworks exhibitions for 2020 events including Summerfest and Fall Fest. She said bid notices were provided to nine prospective bidders and two vendors picked up packages of which no bids were received; therefore, they would like to re-bid a second time and try again.

Authorize Re-Bid – Fall Fest Food Vendor Concession

President Crate stated this resolution authorizes a re-bid for the Fall Fest food vendor concession. She said bid notices were provided to 13 prospective bidders and three vendors picked up packages of which no bids were received; therefore, they would like to re-bid a second time and try again.

Authorize Close Out Change Order No. 1 – Roadway Improvements to Herbertsville

President Crate stated this resolution authorizes close-Out change order No. 1 for the Roadway Improvements to Herbertsville contract with Mecco Inc. She advised the change order represents a contract decrease of \$72,080.84 as a result of final as-built quantities.

Authorize Termination of Contract and Authorize Receipt of Bids - Isolated Drainage & Roadway Improvements

President Crate stated this resolution authorizes the termination of a contract with MNC Concrete LLC for the Isolated Drainage and Roadway Improvements contract as awarded on January 28, 2020. She advised terminating the contract will allow the Township to solicit new bids for this project in order to have it completed as soon as possible.

Tax Collector:

- Confirming Grace Period for 2nd Quarter Property Tax Payments

Mayor Ducey explained this resolution authorizes the termination of a contract with MNC concrete LLC for the Isolated Drainage and Roadway Improvements contract that was awarded

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on January 28, 2020. Terminating the contract will allow the Township to solicit new bids for this project in order to have it competed as soon as possible.

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 324.19 Lot 6 - in the amount of \$10,563.90 which is a two-year deduction.
- 100% DAV Refund & Cancel Taxes – Block 701.38 Lot 6 - in the amount of \$4,790.76 which is a two-year deduction.
- Tax Overpayments – 2020 - there is one in the amount of \$1,529.28.
- Rescind Resolution #195-20 for Block 44.13 Lot 5 – 350 Bay Lane - due to a State appeal being granted on an erroneous judgement.

President Crate opened the public hearing on the Resolutions.

There were no comments from the public.

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 public.

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

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

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

2020 Computer Bill Resolution in the amount of \$2,503,082.48

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

There were no comments from the public.

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

Motion by Councilwoman Pontoriero and seconded by Councilman Minichino to adopt the following Resolution.

All Council Members voted AYE on Roll Call.

2020 Manual Bill Resolution in the amount of \$1,676,741.35

Ordinance on First Reading: Amend Chapter 211 - Outdoor Dining

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

Mayor Ducey said this is some exciting news because it will give us a little sense of normalcy – trying to get back to normal during these times. He stated the Council's Land Use Committee has presented this ordinance that would enable existing restaurants to apply for a permit to provide outdoor dining. He said the effects of the COVID pandemic are crippling local businesses and restaurants and as restrictions begin to lift, there is likely to remain social distancing guidelines specifically for dining establishments. He explained the ordinance was drafted to be pro-active in allowing for outdoor dining as a way to assist restaurants in providing appropriate social distancing while maximizing the number of patrons that can be served at any given time. He advised in this ordinance, outdoor dining area is defined as a designated area on the premises of a retail food establishment or restaurant, but outside the principal buildings, and where patrons may sit at tables while consuming food and beverages. He said this is basically expanding – probably what's going to come down from the Governor is a limited capacity and they do not know what that is going to be yet. He said they want to increase the capacity by allowing this outdoor dining and advised he is also lobbying the State government with regards

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the ABC laws which those establishments that have a liquor license to be allowed to serve outside as well as the BYOB places in town to be expanded – those rules will be coming down from the ABC and hopefully they agree with us to allow this situation due to the time they are in. He said lastly the ordinance does have a fee that is associated with it but the council will be waiving that fee by resolution at the second reading of the Ordinance.

Motion by Councilman Mummolo and seconded by Vice President Halloran to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 211 OF THE TOWNSHIP CODE ENTITLED “GARAGE, FLEA MARKETS AND OTHER SALES” TO PERMIT OUTDOOR DINING AREAS

President Crate opened the public hearing portion of the meeting.

Roxanne Jones, Laurelton, stated her pleasure with the Outdoor Dining Ordinance; she said she wants things to go back to normal but at the same time we need to be mindful that we are all learning about this Coronavirus as we go along and whatever plans there are you need to be flexible.

Randi, Ocean Gate, said she is a manager at Use to Be’s and questioned if there is a timeline for this Outdoor Dining to go into effect.

President Crate advised in two weeks there will be the second reading of this ordinance along with a vote.

Mayor Ducey responded after it is voted on – the State Law is 20 days after publication before it takes effect.

Jamie Prioli, 4 Morey Lane, questioned if this ordinance will be ADA compliant with proper spacing for wheelchair access.

Mayor Ducey responded it is going to be more than wheelchair access because it will have to be separated by social distancing guidelines, which is an excess of the ADA Standards for the outdoor seating.

There were no further comments from the public.

President Crate closed the public hearing portion of the meeting.

Mayor Ducey said the parks and beaches are open and now they are doing things to help restaurants trying to get things back to normal the best they can under the guidelines; he said one they need is to get the small businesses back open and the State needs to basically even the playing field by allow non-essential retail to do curbside pick-ups. He said that while the small businesses are getting killed the corporations are coming out big. He spoke about the expanding of construction and allow contractors to get back work on all sorts of projects along with home renovations as long as this can be done responsively and with social distancing it should be allowed – get the businesses back moving and the economy moving under the social distancing guidelines; he spoke of the elective surgeries and let the doctors decide; he spoke about the small pharmacies being allowed to do coronavirus testing and antibody testing; he spoke of the many emails he receives regarding the hardship with getting unemployment and expressed he wishes he could do more to help in that regard.

Councilwoman Zapcic said she is looking forward to things opening back up again; she urged everyone to do things in moderation and certainly going into a store or closed place please wear a mask it is not just for your protection – its for the protection everyone else around you; she said be safe.

Councilwoman deJong said stay safe.

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Councilman Mummolo said to enjoy Memorial Day and now the weather will start getting nice so you will be able to get outside – work in your yard.

Councilwoman Pontoriero said anyone who has children please remember to take them for a walk in your neighborhood – kids are as stir crazy as the adults and said it will do a lot of good for your mental and physical wellbeing and everyone stay safe.

Vice President Halloran wished everybody safe living and pay attention to the guidelines.

President Crate announced this Saturday is the first day for the Farmer's Market and it will be new for all so if you do come out on Saturday please be patient with the rules that are being implemented for social distancing and said she is looking forward to seeing everyone there.

Motion by Vice President Halloran and seconded by Councilwoman Pontoriero to Adjourn the meeting at 7:48 p.m.

All Council Members voted AYE.

Lisa Crate
Council President

Lynnette A. Iannarone
Township Clerk