

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
 Scott Kenneally, 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 evenings 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.

Motion by Councilwoman Pontoriero and seconded by Vice President Halloran dispense with the reading of the minutes of June 9, 2020 and approve the same.

All Council Members voted AYE on Roll Call.

Motion by Councilwoman Zapcic and seconded by Councilman Minichino to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Authorize Cancellation of Grant Appropriated Reserves & Receivables

President Crate stated this resolution authorizes the cancellation of grant appropriated reserves and receivables in programs where the funds cannot be spent within the contract period, specifically two grants from 2018 and two from 2019.

Authorize Receipt of Bids – Pinewood Park Parking Lot Improvements

President Crate stated this resolution authorizes the receipt of bids for Pinewood Parking Lot improvements. She advised this project includes resurfacing of the existing parking lot as well as landscaping, fencing, lighting and stormwater management. She noted this project was approved in the 2020 capital budget.

Authorize Receipt of Bids – Snow Removal Services

President Crate stated this resolution authorizes the receipt of bids for snow removal services. She said the current three-year contract expires on September 30, 2020 and to date, the Township has encumbered approximately \$377,000.00. She advised the contract is broken down into nine categories based on varying pieces of equipment as needed to provide snow removal throughout Brick Township. She said awards will be made to a primary contractor offering the lowest price per hour in each category and the secondary contracts will be awarded to all other bidders who agree to the low bidder's proposal rates.

Authorize Receipt of Bids – Professional Medical Services

This resolution authorizes the receipt of bids for professional medical services. She advised the current one-year contract will expire on September 10, 2020. She said this RFP is to provide pre-employment physicals, fit for duty testing for new and existing employees, at the provider's facility and at designated Township sites. She noted to date, they have spent approximately \$40,200 for the contract.

Authorize Receipt of Bids – Vehicle Repair Services

President Crate stated this resolution authorizes the receipt of bids for vehicle repair services for various repairs to Township vehicles to be done on an as-needed basis. She advised this is time and material contract. She said some repairs included in this bid are time consuming and/or require specialized equipment and training. She advised the current contract is awarded to Larson Ford and to date the Township has encumbered approximately \$17,000.00. She noted the current two-year contract will expire on September 12, 2020.

Authorize Receipt of Bids – Bamboo Removal Services

President Crate stated this resolution authorizes the receipt of bids for bamboo removal services. She advised there is bamboo growing on and through the undeveloped, open space property in between Cleveland and National Avenues. She said bamboo is specifically listed as an invasive plant in the Township's ordinance. While the origin of the bamboo is unknown, the plant has spread not only on to Township property, but onto adjoining properties. She said in response to complaints from adjoining residents that the bamboo was coming from Township property onto theirs, the Division of Parks has been working to remove the bamboo but unfortunately, this proved to be a task greater than the Parks Division could manage and assistance from an outside contractor specializing in the treatment of bamboo is needed.

Authorize Receipt of Bids – Purchase & Delivery of Two 33 Cubic Yard Automated Refuse Collection Vehicles

President Crate stated this resolution authorizes the receipt of bids for the purchase and delivery of two 33-cubic yard automated refuse collection vehicles as approved in the 2020 capital budget.

Authorize Receipt of Bids – Purchase & Delivery of One Single Axle Dump Truck

President Crate stated this resolution authorizes the receipt of bids for the purchase and delivery of a single axel dump truck as approved in the 2020 capital budget.

Authorize Award of Bid – Purchase & Delivery of Flood Control Valves

Mayor Ducey stated this resolution authorizes the award of bid for the purchase and delivery of flood control valves to Wapro Inc, as per an approved schedule of process. He spoke about the various flooding issues in the Township. He advised this is a two-year contract commencing July 15 and expiring July 14, 2022. This is a unit price bid not to exceed \$200,000 for the contract period.

Authorize Award of Bid – Janitorial Services

President Crate stated this resolution authorizes the award of bid for janitorial services to ACB Services, Inc. at a rate of \$88,268.00 per year. She said this is a two-year contract commencing August 1, 2020 and ending July 31, 2022. She advised there are 21 specific areas to be cleaned under this contract. She stated bid notices were provided to 44 prospective bidders from the bidders list and nine picked up bid packages of which three bids were received with annual rates ranging from \$88,268.00 to \$165,470.78, with ACB Services being the lowest responsive, responsible bidder. She advised the Township has spent approximately \$84,000.00 per year during the previous contract.

Authorize Award of Bid – General Athletic Equipment & Supplies

President Crate stated this resolution authorizes the award of bid for general athletic equipment and supplies to the following vendors: BSN Sports, Performance Health Supply, Riddell, S&S Worldwide, Stadium System, and Stan's Sport Center. She said this is a unit price bid with funds being certified prior to each order and this is a one-year contract commencing July 15, 2020 and ending on July 14, 2021.

Authorize Award of Contract – Administration of the Affordable Housing Program

President Crate stated this resolution authorizes the award of contract for the administration of the Township's Affordable Housing program to Homes Now Inc. She said the Township has a diverse program that provides affordable housing units to low-and moderate-income households within the community. She advised Homes Now has been serving as the Township's administrative agent for that program for many years. She said some of the duties and responsibilities include affirmative marketing, household certification, affordability controls, resale and rental, processing requests for unit owners and identifying new locations for affordable housing units in both the scattered site model and designated housing for congregate sites as needed for seniors, people with disabilities and veterans.

Authorize Award of Contract through Educational Services Commission of NJ Cooperative Pricing System – Purchase & Delivery of Backhoe Loader

President Crate stated this resolution authorizes the award of contract for the purchase and delivery of a backhoe loader to Foley Incorporated, in the amount of \$114,918.28. She advised this contract is facilitated through a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System. She noted this equipment was funded as part of the 2020 capital budget.

Authorize Award of Contract through Educational Services Commission of NJ Cooperative Pricing System – Toro Equipment

President Crate stated this resolution authorizes an award of contract for Toro Equipment to Turf Equipment and Supply Company, in the total amount of \$78,711.74 for the purchase and delivery of two Toro Groundsmasters and one Sand Pro 3040. She advised this contract is facilitated through a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System. She noted this equipment was funded as part of the 2020 capital budget.

Authorize Award of Negotiated Contract – Beer & Wine Garden Concession

President Crate stated this resolution authorizes the award of contract for the beer and wine garden concession at Summerfest and Fall Fest to ZMRA, LLC, also known as Mantoloking Road Ale House, in the amount of \$6,000.00. She said the Township advertised for bids twice and received no responses. She advised the Business Administrator was authorized to negotiate and Mantoloking Road Ale House was the higher of the two bids received during the negotiation process.

Authorize Award of Negotiated Contract – Summerfest Food Truck Vendors

President Crate stated this resolution authorizes the award of contract in the remaining food truck categories for Summerfest to: The Empanada Dish and Tony's Italian Sausage. She said each vendor bid \$750.00. She noted previous bids were received for the other food categories.

Authorize Close Out Change Order No.1 – Boland Field Improvement

President Crate stated this resolution authorizes change order #1 and close out in the contract with Down to Earth Landscaping for the Boland Field Improvement project. She advised the change order decreases the contract by \$21,765.00 as a result of final as-built quantities.

Authorize Acceptance of Donation – Various Computer Equipment

President Crate stated this resolution authorizes the acceptance of various computer equipment from the Transportation Security Administration which the Township's IT department can put to good use.

Support the County of Ocean for Open Space Acquisitions

President Crate stated this resolution supports the County of Ocean's initiative to acquire three parcels in the Township for open space. She advised the properties are: Block 86, Lot 1, which is .25 acres; Block 86 Lot 2, which is 1.70 acres; and Block 86 Lot 4 which is 6.25 acres.

Authorize Special Events Permit – Battle at the Beach Event

President Crate stated this resolution authorizes a special event permit for the Battle at the Beach Lacrosse Event on July 21 and 22 from 8 am to 6pm at Drum Point Sports Complex.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 340 Lot 62 in the amount of \$1,688.85 which is a one-year deduction.
- Tax Overpayments – 2017 there is one Block 577 Lot 30.01 in the amount of \$1,734.08.
- Exempt Property – Cancel Taxes for Block 1428 Lot 2 due to the fact the property has been acquired by the Township of Brick.

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 Vice President Halloran and seconded by Councilwoman Pontoriero to adopt the following Resolution.

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

2020 Computer Bill Resolution in the amount of \$1,653,409.56

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 Councilman Minichino 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 \$1,728,236.98

Ordinance on Second Reading: Authorize Acceptance of the Donation of Property – Block 210.35 Lot 19

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

President Crate stated this ordinance comes as a recommendation from the Council's Land Use Committee to clarify the Township's ordinance specific to living fence lines. She said an ordinance was adopted in 2010 that prohibits vegetation or fences within 200 feet of a body of water higher than four feet. She said as a result, if someone wants to plant even one tree, it's an issue. The Township's Zoning Officer requested the Committee revisit the ordinance. She explained the proposed ordinance requires a 15' setback requirement for a living fence for homes that front on a body of water. She said the 15 feet proposed is the rear yard setback for anything, and therefore, this is consistent with building setbacks along the water whether it's a pool, house, or shed. She said this makes the regulations consistent and simple to interpret both from a property owner perspective as well as enforcement.

President Crate opened the public hearing on the Ordinance.

There were no comments from the public.

President Crate closed the public hearing on the Ordinance

Motion by Councilman Mummolo and seconded by Vice President 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.

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 245-33 OF THE TOWNSHIP CODE ENTITLED "FENCES"

Ordinance on Second Reading: Amend Chapter 245 – Fences

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

President Crate explained Township Engineer Elissa Commins requested the Council review and amend the Schedule XXII list of properties. She said most statutes that pertain to motor vehicle laws and Motor Vehicle Commission are in Title 39 of the New Jersey States Annotated. She explained when property owners with property located outside of a public right of way wants to enforce the provisions of Title 39, an application is made to the Township to include the property in the Township Code Section 288-52, Schedule XXII. She said this gives the police the ability to enforce motor vehicle rules and regulations on private property. She said the engineer provided the Committee with a list of sites that have applied to the Township for inclusion in our private property enforcement areas. She advised these sites have all been inspected by the Division of Engineering to insure the traffic signs and markings are properly installed in accordance with the Manual on Uniform Traffic Control Devices. She noted while the police will have the ability to enforce motor vehicle regulations, the Township will have no liability or obligation with respect to site maintenance.

President Crate opened the public hearing on the Ordinance.

There were no comments from the public.

President Crate closed the public hearing on the Ordinance

Motion by Councilman Mummolo and seconded by Councilman Minichino 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 THE TOWNSHIP CODE, TO DESIGNATE CERTAIN PROPERTIES AS SUBJECT TO TITLE 39 ENFORCEMENT

President Crate opened the public hearing portion of the meeting.

There were no comments from the public.

President Crate closed the public hearing portion of the meeting.

Mayor Ducey said he attended two in-person graduations and congratulated the graduates; he thanked DPW for all their hard work during these tough times; he thanked Donovan Brown and his staff for all their hard work at the ocean beaches who have been faced with angry people that arrive at the beaches only to find them closed due to the capacity limits imposed as a result of COVID-19; he gave some insight on low and high tides at the beach.

Councilwoman Zapcic gave particulars on the BCCT's Theater in the Park event at Windward Beach Park.

Councilwoman deJong congratulated to the graduates.

Councilman Mummolo congratulated all the graduates.

Councilwoman Pontoriero also congratulated the graduates; she said if residents are having problems getting onto the beaches consider going later in the day as it tends to clear out in the afternoon.

President Crate encouraged everyone to log onto the Go to Bat for Vets.org website to check out how to get involved with helping them to encourage the VA to consider Brick as the next site for the new VA Clinic.

Motion by Councilman Mummolo and seconded by Vice President Halloran to Adjourn the meeting at 7:40 p.m.

All Council Members voted AYE.

Lisa Crate
Council President

Lynnette A. Iannarone
Township Clerk