

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 on January 30, 2021 and The Ocean Star on February 5, 2021. 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.

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 January 2021.

Motion by Vice President Halloran and seconded by Councilwoman Zapcic to dispense with the reading of the minutes of January 19, 2021 meeting and approve the same.

All Council Members voted AYE on Roll Call.

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

All Council Members voted AYE on Roll Call.

Authorize Receipt of Bids – Demolition & Secure Property at 478 East End Avenue

Mayor Ducey stated this resolution authorizes the receipt of bids for the demolition and to secure the property at 478 East End Avenue as per a recommendation from the Township's Property Maintenance Board. He advised this property has been before the board since October of 2019 with no improvements made.

Authorize Change Order No. 1 – 2020 Bulkhead Replacement – Various Locations

President Crate stated this resolution authorizes a change order increase in the amount of \$3,300.00 as part of the 2020 bulkhead replacement contract with Kremer & Son Marine Contractors. She advised the change order is the result of the need to use a helical anchor system instead of a traditional tie-back system as needed in the vicinity of the water main and hydrant on Brower Drive.

Authorize Acceptance of Donation from CSD Kitchen & Bath, LLC – Police Department Renovation

President Crate stated this resolution authorizes the acceptance of a donation and installation of kitchen cabinets and countertops by CSD Kitchen and Bath NJ LLC, Brick, NJ to be used in the renovation of the Brick Township Police Department and noted the value of this donation is \$1,937.78.

Authorize Acceptance of Donation from Brick Township Board of Education

President Crate stated this resolution authorizes the acceptance of a donation of surplus property from the Brick Township Board of Education for a wrestling mat for the Recreation Department.

Authorize Execution of Shared Services Agreement with Seneca Dunes Homeowners Association – Beach Maintenance

President Crate stated this resolution authorizes the execution of a shared services agreement with the Seneca Dunes Homeowners Association for beach sweeping maintenance for the 2021 summer season. She advised all cost for manpower and equipment will be paid for by the Association, including the manpower, equipment and diesel fuel for the beach rake.

Authorize Execution of Agreement – Life Guard Services for Mantoloking Shores Beach Association

President Crate stated this resolution authorizes an agreement with the Mantoloking Shores Beach Association for lifeguard services for the 2021 summer season. She advised in this agreement, the Association will reimburse the Township for the use of the life guards.

Authorize Special Events Permit – BCCT’s Theatre in the Park Events

President Crate stated this resolution authorizes a special event permit for Brick Community Children’s Theatre to conduct two Theatre in the Park events on May 20 - 22 with a rain date of May 23 and August 14 – 16 with a rain date of August 17 at Windward Beach Park.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Performance Bond Release – Shippee Family Partnership on Sunset Boulevard in the amount of \$9,882.21.
- Performance Bond Release – PSD Corporation on Mantoloking Road in the amount of \$17,892.30
- Inspection Fund Release – Urban Edge Properties - Phase 2 on Route 70 in the amount of \$1,951.70.
- Inspection Fund Release – Urban Edge Properties - Phase 3 on Route 70 in the amount of \$1,623.33.
- Inspection Fund Release – Roberto Blanco for Pine & Hillcrest Avenue in the amount of \$1,787.41.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes for Block 1385.05 Lot 4 in the amount of \$8,431.56.
- Tax Overpayments for 2021 there are three: Block 1320 Lot 18 in the amount of \$1,534.58; Block 902.29 Lot 5 in the amount of \$1,669.60 and Block 900 Lot 3 in the amount of \$2,157.31.
- State Tax Appeal Granted for Block 380.19 Lot 1.02 – 74-80 Brick Boulevard in the amount of \$52,315.00, which is a two-year appeal.

Authorize Execution of Hold Harmless Agreements

Mayor Ducey stated this resolution authorizes a Hold Harmless agreement for each of the two developers of the property known as the former Foodtown site. He said the Township has two separate contracts to sell the property, in two separate parcels, to HFZ Super Dome and M&M at Route 70 LLC. He advised the applicants have applied for site plan approval for the construction of a 122,800 square foot indoor and outdoor sports facility and for the construction of two retail buildings and one restaurant with a drive-through along with proposed parking spaces and associated site improvements. He said the applicants’ plan for the project provides for stormwater runoff from Brick Boulevard, a county roadway, to be co-mingled with onsite stormwater which will be routed throughout onsite piping, treated and discharged into

Forge Pond. He advised the County has approved a utility plan for the site regarding the stormwater runoff conditioned upon the applicants consenting to hold the County harmless from any liability for the approval, acceptance or installation of the utility plan. He noted both applicants have signed those agreements, which now must be signed by the Township in order to be submitted with the County application. He said for the future of this site they are done with the NJDOT and the NJDEP and if the council agrees to authorize him to sign this agreement they will be delivered to the County for the Ocean County Planning Board and then the BTMUA will need to sign off on the plans.

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 Minichino 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

2021 Computer Bill Resolution in the amount of \$1,091,140.72

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 Mummolo and seconded by Vice President Halloran to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

2021 Manual Bill Resolution in the amount of \$1,697,393.98

Ordinance on First Reading: Amend Chapter 396 – Stormwater Management

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

President Crate said the NJDEP Stormwater Rules have been modified through March of 2020. She explained all municipalities are required to amend the Township's stormwater management ordinance to comply with the model ordinance as provided by the State. She said the ordinance includes a number of requirements that are designated to improve the quality of stormwater runoff.

Motion by Councilman Minichino and seconded by Councilwoman Pontoriero 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.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 396 OF THE TOWNSHIP CODE ENTITLED "STORMWATER MANAGEMENT"

Ordinance on Second Reading: Amend Chapter 288-42 Vehicles & Traffic – Through Streets

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

Mayor Ducey said the Public Safety Committee is recommending the amendment of this ordinance to make Salmon Street a through street. He advised the Police Department's Traffic Safety Office is requesting the Council consider this amendment to increase safety. He said the roadway extends several blocks out to Pier Avenue. He stated there are no stop signs at any of the intersecting streets because Salmon is not recognized as a through street. He said once approved, stop signs will be installed on Salmon Street.

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 Councilwoman Pontoriero and seconded by Councilwoman Zapcic 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 OF THE TOWNSHIP OF BRICK, TO DESIGNATE SALMON STREET AS A THROUGH STREET

President Crate opened the public hearing portion of the meeting.

Robert Palmisano, 525 Broad Avenue, stated his displeasure with Administration not responding to his emails; he stated his concerns with the flooding and the catch basins and flapper valves; he questioned if the Township contacted the manufacturer of the flapper valves and if the Township has not he wants to know why; he asked if the residents can attend when the manufacturer inspects the flapper valves; he spoke about the pump stations in other towns; he spoke of a grants; most of his discussion was inaudible.

Mayor Ducey advised the manufacturer will be coming out to inspect and they should be out soon; he advised there will be no resident engagement with the manufacturer; he advised they will provide a report.

Joanne Bergin clarified the grant with the NJ Environmental Infrastructure Trust (EIT Program) is a low interest loan not a grant; she advised no two projects are the same when it comes to pump stations it depends on how far you have to go to pump the water, what kind of process you have to get permits it's not one price fits all – it's based on the project and they don't have estimates but they know that it would be a significant cost beyond what they could manage in the Capital Budget; she advised they are focusing on roadway elevations as the solutions and have applied for funding sources for that project.

Jean McCurdy, 527 Broad Avenue, questioned if the Township contacted the manufacturer of the flapper valves to come and inspect and see what's working and what isn't and asked if they can attend the meeting when the manufacturer comes out to inspect and she said that she believes that they are not working; she stated her concerns with not getting any answers; she questioned if Broad Avenue is ever being raised; she questioned what construction work is being done shortly; she state her concerns with the flooding and how much worse it is now.

Mayor Ducey and President Crate both answered the question with contacting the manufacturer and noted Mr. Palmisano asked the same question earlier and advised they do not have a specific date yet but once they come out to inspect they will report back what their findings are; Mayor Ducey advised the upcoming construction work is being done the BTMUA.

Joanne Bergin clarified her question on elevating of the roads.

There were no further comments from the public.

President Crate closed the public hearing portion of the meeting.

Mayor Ducey said most seniors can access the council meetings via B-20 and FIOS if they do not have internet access; he gave an update and particulars on the COVID-19 vaccines sites; he spoke about upcoming events.

Councilwoman Zapcic spoke about the email she received from JCP&L that telephone scammers might be posing as JCP&L employee demanding immediate payment and urged residents not to give out any personal/payment information.

Councilwoman Pontoriero thanked all that were involved with the recent Rabies Clinic and stated her pleasure on how smooth it ran.

Vice President Halloran urged residents who do get the COVID vaccine not to drop their guard and not wear a face mask – you can still be a carrier and pass it on to others.

Motion by Vice President Halloran and seconded by Councilman Minichino to Adjourn the meeting at 7:54 p.m.

All Council Members voted AYE.

Lisa Crate
Council President

Lynnette A. Iannarone
Township Clerk