

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\* (7:10)  
 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](http://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 also noted the "Raise your Hand" icon can also be found by clicking on the "More" option. 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](mailto: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 March 2021.

Motion by Councilwoman Zapcic and seconded by Councilman Minichino to dispense with the reading of the minutes of March 23, 2021 Parkland Scoping Hearing and approve the same.

All Council Members voted AYE on Roll Call; except:

Councilwoman Pontoriero ABSTAINED because she was absent.

**Budget Presentation:**

**Recreation Department** - Dan Santaniello, Recreation Director said throughout the past year, the Recreation Department, in association with the Township beaches and Traders Cove Marina, experienced many challenges in order to keep the residents safe while still trying to play an important role in bringing the Brick community together. He said they did this by serving many residents through a variety of play-at-home activities and events and these included: Adopt a Health Care Unit, Driveway Chalk Drawing Contest, various build kits supplied by Home Depot, Make Your Own Personal Pan Pizza, Drive In Movies at Drum Point Sports Complex, Concerts on the lawn at Traders Cove Marina, Farmer's Market and Trunk or Treat to name a few. He explained the Recreation Department was challenged in ways that none of them could have ever imagined, but they all came together as a staff and put together some great family fun events for Brick residents. He said their first and main priority for each one of these events, programs, or activities was to keep all participants safe – that meant limiting capacity at the beaches so that social distancing can be followed, limiting registration to Brick residents only for the Drive In Movies and Annual Trunk or Treat, spreading the kids out at multiple parks instead of just Windward for the summer camp, and changing the way the early childhood children were dropped off at the start of their day at Recreation's State Certified Pre-School classes. He said the Recreation Department's mission is to unify the

community by providing first-rate programs and facilities that help promote a healthy and enriching lifestyle. He said their goal as a staff is to create a small community feel with a large community presence to elevate the social, cultural, and physical well-being of the citizens of Brick Township and the visitors to the community. He said the Recreation Department also provides excellent opportunities for young people with physical and intellectual disabilities with the Challenger Program - this program welcomes these young people to participate in athletics and social activities such as bowling, basketball, baseball, Surf Day and a Halloween Fest.

**Brick Beaches & Traders Cove** - Last year, Brick Beaches set a record in season badge sales! They generated \$10,106.00, which is a 40% increase from the previous year. He said to ensure they were able to provide social distancing at the beach, they limited daily badges sold per day to 25 and as a result, the total revenue was down from our record-breaking numbers in 2019 by 4% (2019 \$495,718.30 2020 \$474,483.30). He advised this year salary and wage budget for 2021 is decreasing 22% as a result of the maintenance staff employees' salaries moving to the Parks Department salary & wage budget. He said the seasonal staff includes 74 lifeguards and 21 badges checkers – they will have about 40 returning lifeguards who are recognized for being some of the best trained lifeguards at the Jersey Shore. He said between the guards and badges checkers, they will once again be able to provide the beachgoers with a clean, safe and well managed beach. He advised the operating budget is increasing by \$4,100.00 due to the need to purchase cleaning supplies that the staff uses daily in between activities and a slight increase in pre-school and camp supplies. He said Trader's Cove Marina and Park had yet another successful season. He stated this park is becoming a favorite for many of Brick residents. The gazebo and picnic area is gaining in popularity for rentals, which increased about 20% from the previous year. He said in 2020, Trader's Cove Marina and Park generated \$225,331.41 in net revenue. This summer, once again, 120 boat slips have been rented and they also had 139 boats for winter storage this past winter which brought in \$132,384.00 and the boat ramp generated \$59,470.00 in revenue, an increase of 31% over 2019. He said this year they will keep progressing and continue to improve the lives of the community. He expressed that the entire staff has done a fantastic job in keeping our mission statement true to its word even though the circumstances this past year were not the easiest by any means. Again, none of this would be possible without their extraordinary work by the entire staff, including part-timers and seasonal employees, always have their foot on the pedal!

President Crate opened the public hearing on the Recreation Budget.

There were no comments from the public.

President Crate closed the public hearing on the Recreation Budget.

### **Budget Presentation:**

**Parks Department** – Rob Byrnes, Supervisor said the Parks Department is a division under the Department of Public Works there are 18 full-time employees that oversee the Township parks, sports field and grounds for all Township facilities. He said Parks employees maintain 20 Parks, 10 Basketball Courts, 8 Tennis Courts, 5 Pickle Ball Courts, 3 Bocce Courts, 2 Skate Parks, 3 Horseshoe pits, 3 Football Fields, 15 Soccer Fields, 2 Cornhole Game Areas, 6 miles of Bike Trails and 22 Softball and Baseball Fields. They are also responsible for all playground and picnic area maintenance and repairs and they maintain the sports fields including the 40-acre sports complex at Drum Point. This complex is consistently recognized as one of the best in the state. Now that Bayside Park has been completed and is open for use, there are additional maintenance responsibilities. This facility has added an additional 10 irrigation zones, over 200 sprinkler heads, and 2 corn hole game areas. He said the salary/wage budget increased 8% as a result of the maintenance staff moving out of the recreation budget into the parks budget. They are working hard to take on more responsibility in an effort to decrease the use of outside contractors. The operating budget increased as a result of the need for additional well calibrators.

He said they currently manage over 400 irrigation zones with 2,225 plus sprinkler heads. There are 147 acres of grass fields maintained by the Parks Department and also many intersections, roadsides, and detention basins maintained by the Parks Department. In addition, they maintain all Township owned properties such as Town Hall, Civic Center, and the Cultural Arts Center. He advised one of the most time-consuming tasks is the annual fall and spring leaf collections. This process takes approximately 10 weeks for the Fall – beginning at the end of October until the second week in January and then they immediately move into Christmas Tree collection for three weeks. He advised Spring leaf collection begins in April for approximately three weeks. Throughout the year they pick up brush and leaves,

deliver and repair Township issued automated cans and complete tax lien repairs as issued by the Township code enforcement department. He said outside of the daily maintenance of all above mentioned areas they also oversee the Lake Management, Fertilization Program, Solar Field Maintenance, and Synthetic Field Cleaning. This year the Parks Department will also take on the responsibility of the Windward Beach maintenance. He said this past year the Parks Department was proud to be called upon to assist in many ways throughout the pandemic. They worked side-by-side with the Recreation Department staff to host Drive-in Movies at Drum Point Sports Complex and the modified version of Trunk or Treat also and assisted each week at the Farmer's Market He said they welcomed the opportunities to be present at Township events to assist the public, whether it be directing cars where to park, or help people access Township events safely and easily. They were also called on to assist throughout the summer Brick beaches, where they helped ensure safety in the limited parking areas as needed for special distancing.

He said the Parks department continues to take on more responsibilities as they move forward in renovating Township parks. They look forward to that challenge and will continue to work hard in keeping the parks, playgrounds and sports fields safe and enjoyable for all of the residents of Brick.

President Crate opened the public hearing on the Parks Budget.

There were no comments from the public.

President Crate closed the public hearing on the Parks Budget.

#### **Budget Presentation:**

**Department of Public Works** – Stephen Krakovsky, General Supervisor said the Department of Public Works includes Utility Crew, Solid Waste Collection & Recycling, Buildings & Grounds, and Vehicle Maintenance.

**Sanitation** – He said the Sanitation Department makes more than 2.7 million stops per year to residents' homes. They drive over 600,000 miles per year. He advised the salary and wage budget for sanitation has increased 4.7% and the operating budget increased by \$46,000.00 as a direct result in the costs to purchase garbage cans and a \$6,000.00 increase in the outside contractor line item, which provides funds for the interlocal agreement with the Ocean County Road Department. He mentioned the Township does recoup the costs of the garbage cans, which are \$65 for a 95-gallon can, \$50 for a 65-gallon can and \$45 for a 35-gallon can. The Sanitation Department is proud to serve the residents and take great pride in their routes - and it shows. For them, 2020 was unprecedented - Sanitation workers were considered essential employees, and as such, worked tirelessly throughout the pandemic. With most people working from home, or simply choosing to stay at home due to pandemic-related restrictions, it was the perfect time for home improvement projects and spring cleaning. The amount of bulk collected by sanitation, and at the Hill, was unprecedented. He said the employees at the Hill and Brush Shack were busier than they have ever been and provided helpful assistance to our residents.

**Recycling** – He said the Township's Recycling Coordinator, Trish Totaro, spearheads an active successful recycling program that has resulted in 8,846 tons of Single Stream Recycling in 2020, 7,820 cubic yards of brush and 6,440 cubic yards of leaves. In 2021, they will be purchasing new front load dumpsters for recycling funded through the NJDEP Tonnage Grant. He said Trish does an excellent job educating business owners, the general public and Brick school students. She has multiple approaches to education including special events, brochures and giveaways that outline the recycling do's and don'ts. She is also present at public events with education on the benefits of recycling and is a frequent guest in classrooms, and at senior communities.

**Utility Crew** - Anthony Ventrino, General Supervisor said the Utility Crew does an outstanding job year-round. He said along with all the drainage repairs and replacements, the crew also fills potholes, fix sinkholes and seal cracks in the streets. He advised the salary & wage budget for the utility crew is included in the sanitation budget and the operating budget for the Utility Crew decreased 12% this year as they reduced the outside contractor budget to be more in-line with actual expenditures. He said the 20 employees on the all-purpose crew do everything - they fill in when sanitation needs drivers, they take care of all of the potholes, operate the street sweeper and Jet Vac, and complete necessary drainage projects. This past year, they installed a number of check valves in low-lying areas of Town. He said they also take care of Township parking lots and our public beaches and immediately respond as need

for brush and tree removal following weather events. He said one of the Utility Crew's favorite items is the asphalt recycler. They have not purchased cold patch, instead they use milling and broken pieces of asphalt that they have accumulated from road work. He said they also save on the cost of disposal of the asphalt. He advised cold patch was not a permanent fix and the asphalt recycler saves on manpower and wear and tear on vehicles and fuel. He stated they also have experienced tremendous return on investment with the paving machine - with the purchase of the paving machine in 2017 they were able to do larger jobs instead of outsourcing them. The smaller jobs that they would have to do by hand would take a few days, now they are being completed in one day. This is a safer and more productive way of paving - they are able to lay 272.15 tons of asphalt in two (2) days. This process could never have been done by hand. He said when paving with the machine the job comes out flawless, meaning no dips or bumps.

**In-house Construction** – He said In-house Construction does a variety of projects at Township-owned properties throughout the town. In 2020, they completed the renovation of the Detective Bureau & Traffic Safety areas at Town Hall and have nearly completed the renovation of the Police Records area. Their work has saved the Township hundreds of thousands of dollars from not having to use an outside contractor. The ten employees on this crew complete a significant list of projects that would cost significantly more to outsource – and they do a better job! The Buildings & Grounds salary & wage budget increased 4.4% and the operating budget increased 2.4% as they look to fund more in operating as opposed to extending it out over several years through capital bonds. He said in this budget, variances are more common and are based on the year's projects at hand. The Buildings and Grounds crew ensures the functionality of all Township properties including Town Hall, DPW, Civic Plaza, the Senior Center, Havens Farm, the EMS buildings and more. Throughout the pandemic they made sure all buildings were sanitized with weekly touch point cleaning. They purchased and learned to use foggers to sanitize areas in between the weekly schedule as needed to protect the workforce. As they worked to bring the workforce back to full staffing, they built countless plexiglass work areas to provide additional protection and ensure social distancing. Thanks to them, they have been able to be fully staffed to serve the public. He said public employees need to be present and available to assist the public and Brick Township was able to that thanks to the Buildings & Grounds crew. They plow, shovel, salt and do everything necessary to ensure the safety of employees and visitors at Town Hall and all of the public buildings. He said looking ahead to 2021 projects, Buildings & Grounds will finalize the renovation of the Police Records area and they will also take the lead on construction projects needed to relocate our seniors to their new home on Aurora Place.

**Vehicle Maintenance** - Stephen Krakovsky said Vehicle Maintenance includes eight exceptional mechanics, two supervisors and a shop keeper. They service more than 190 vehicles in DPW, including all sanitation trucks, trailers, bulldozers, dump trucks and plows/sanders. The mechanics also service the pump out boats and police boats along with their trailers. There are also 40 additional vehicles at Town Hall the mechanics service along with 180 pieces of Police equipment and ambulances that are maintained and kept operational. The mechanics use the Township's tow truck regularly and often, significantly reducing the expenditure to outside contractors. The tow truck was dispatched 97 times last year, not just to tow vehicles but to also help deliver dumpsters for sanitation, and help other departments move whatever is needed. Mechanics also supervise the vehicle truck wash to ensure storm water compliance. He said the salary and wage budget for vehicle maintenance increased 5.2% and the operating budget increased 0.8%. This amount is also subject to fluctuation based on the fleet and needed repairs.

**Sign Shop** - Anthony Ventorino said the Township's Sign Shop has two staff members who manufacture and install hundreds of signs annually. They also mark Township vehicles and are responsible for striping Township facilities as needed. He said the Sign Shop was the hidden treasure during the pandemic - as guidelines continued to change, so did the need for proper signage. Township parks were opened, then closed, then opened again.... Social distancing guidelines required signs not only in Town Hall and other public buildings, but also for public events such as the Farmer's Market and all the playgrounds. Not only did they manufacture thousands of signs, they also installed them. The Township worked hard to communicate all of the changing guidelines, and the only way to do that effectively was through signage.

**Call Center** - He said last but not least are the professional and knowledgeable office staff that operate the Call Center. The Call Center consists of five exceptional employees who answered 96,560 calls in 2020 from residents and assisted them with their requests. He said they use an electronic database system that logs bulk, metal, brush, leaves, potholes, sinkholes and many residents' requests. He advised the Call Center staff makes sure all requests for assistance are addressed. In 2020, they went above and beyond and, in some

cases, were the main lifeline for residents feeling isolated and afraid.

President Crate opened the public hearing on the Public Works Budget.

There were no comments from the public.

President Crate closed the public hearing on the Public Works Budget.

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

All Council Members voted AYE on Roll Call.

#### **Authorize Grant Application – Governor’s Council on Alcoholism and Drug Abuse**

President Crate stated this resolution authorizes the submission of a strategic plan for the Brick Municipal Alliance Grant fiscal Year 2022 in the amount of: Drug Enforcement and Demand Reduction Grant of \$21,773.00; Cash Match of \$5,443.25 and In-Kind Match of \$16,329.75.

#### **Authorize Receipt of Bids – Public Safety Uniforms**

President Crate stated this resolution authorizes the receipt of bids for Public Safety Uniforms. She said this contract is used mainly for clothing for new hires within the Police and EMS Departments, clothing allowances for full- and part-time Emergency Medical Technicians and replacement uniforms for all divisions including Police, SERT, EMS, etc. She advised the current two-year contract is with Action Uniform Company, Egg Harbor Township, and will expire May 28, 2021 and to date, the Township has an approximate expenditure of \$126,000.00.

#### **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 \$825.00. She said this award is for the 2021 summer season, concluding on September 6, 2021. She said a notice to bidders was placed in the Asbury Park Press and on the Township web site. She advised bid notices were provided to 97 bidders from the bidders list of which three bidders picked up bid package one bid was received, that being Cool Concessions.

#### **Authorize Award of Bid – Summerfest Food Truck Vendors**

Mayor Ducey stated this resolution authorizes the award of bid for Summerfest food truck vendors in the following categories: Category 1, hot food (sausage sandwiches and cheesesteaks): Tony’s Italian Sausage, bid amount \$1,025.00; Category 2, grilled/friend items (hamburgers, hot dogs, grilled chicken, French fries, mozzarella sticks, chicken fingers): Delano’s Food service, bid amount \$1,792.00; Category 4 specialty – surf & turf, Highway 2 Ohana, bid amount \$802.00; Category 4 specialty – shakes & smoothies, Shore Shake, bid amount \$750.00; and Category 4, specialty – wood fired pizza, Woodshed Pizza, bid amount \$750.00. He said a notice to bidders was placed in the Asbury Park Press and on the Township web site. He advised bid notices were provided to 97 bidders from the bidders list of which 12 picked up bid packages and six bids were received.

#### **Authorize Award of Bid – Beer & Wine Garden Concession**

Mayor Ducey stated this resolution authorizes the award of bid for beer & wine garden concession to ZMRA, LLC., otherwise known as Mantoloking Alehouse, Brick, in the amount of \$7,000 to provide this service at the four Summerfest events and Fall Fest. He said a notice to bidders was provided to 24 bidders from the bidders list of which two bidders picked up bid packages and one bid was received, that being ZMRA, LLC.

#### **Authorize Award of Contract – Maintenance & Support of the New World Public Safety Software Suite for Police Department.**

President Crate stated this resolution authorizes an award of contract to Tyler Technologies, Troy, Michigan in the amount of \$178,549.51 to provide maintenance and support services for the New World Public Safety Software Suite used by the Police Department for dispatch. She said this service falls under N.J.S.A. 40A:11-5 of the Local Public Contracts Law as an approved exemption which allows for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software.

#### **Authorize Award of Contract – Entertainment & Production Services for 2021**

**Summerfest Concerts**

Mayor Ducey stated this resolution authorizes the award of contract to La Guardia Associates, in the amount of \$27,650.00 for Entertainment and Production Services for the 2021 Summerfest concert series.

**Authorize Award of Contract through NJ Cooperative Purchasing Program – Purchase, Delivery & Installation of Radio Equipment**

President Crate stated this resolution authorizes the award of contract to PMA Associates in the amount of \$233,995.16 for the necessary equipment needed for the emergency services radio equipment improvement project, a multi-year capital project. She advised PMA Associates is a State contract vendor.

**Authorize Re-Bid – Fall Fest Food Vendor Concession**

President Crate stated this resolution authorizes the Re-Bid for Fall Fest Food Vendor Concession. She said a notice to bidders was placed in the Asbury Park Press and the Township website. She advised bid notices were provided to 14 bidders from the bidders list of which four picked up packages and at the appointed date and time no bids were received.

**Authorize Re-Bid – Operation of Brick Beach I Food Concession**

President Crate stated this resolution authorizes the Re-Bid for the Operation of Brick Beach I Food Concession. She said a notice to bidders was placed in the Asbury Park Press and the Township website. She advised bid notices were provided to 26 bidders from the bidders list of which two bidders picked up packages and at the appointed date and time no bids were received.

**Authorize Re-Bid – Operation of Brick Beach III Food Concession**

President Crate stated this resolution authorizes the Re-Bid for the Operation of Brick Beach III Food Concession. She said a notice to bidders was placed in the Asbury Park Press and the Township website. She advised bid notices were provided to 26 bidders from the bidders list of which six bidders picked up packages and one bid was received, but the amount was below the Township's set minimum and therefore, rejected.

**Authorize Appointment of Alternate I Member to the Board of Adjustment**

President Crate stated this resolution authorizes the appointment of Brian V. Formica as an Alternate 1 Member of the Board of Adjustment for a two-year term effective April 14, 2021 and expiring December 31, 2022.

**Authorize Execution of Agreement – Life Guard Services for Curtis Point Property Owners Association**

President Crate stated this resolution authorizes an agreement with the Curtis Point Property Owners Association for life guard services for the 2021 summer season. She said in this agreement, the Association will reimburse the Township for use of the guards.

**Support the County of Ocean for Open Space Acquisition – Osprey Pointe**

Mayor Ducey stated this resolution supports the Ocean County Natural Lands Trust acquisition of 12 acres of property located between Cherry Quay Road and Hooper Avenue (Block 340, Lots 75 & 76) for open space. He said additionally, Brick Township will contribute the dedication of Block 340, Lot 88, a Township-owned parcel of 1.24 acres as open space and list the property on NJ DEP Green Ares Recreation and Open Space inventory as encumbered land.

**Authorize Renewal of Trailer Park License – JSM @ Martin Blvd., LLC**

President Crate stated this resolution authorizes the renewal of the trailer park license to JSM @ Martin Blvd, LLC located at Route 88 and Jack Martin Boulevard. She said this application has been reviewed and the mobile home park has been inspected by the Township's Zoning Official and found to be in compliance with Township Code.

**Authorize Placement of Tax Liens for Property Cleanups**

President Crate stated this resolution authorizes the placement of a tax lien for property cleanup at 6 Cardinal Avenue, Block 157 Lot 123 in the amount of \$772.67.

**Bond Releases/Reductions:**

Clerk Iannarone advised the following:

- Inspection Fund Release for Shippee Family Partnership, Sunset Boulevard, in the amount of \$205.98.

**Tax Collector:**

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes for Block 377.06 Lot 5 in the amount of \$1,114.14.
- 100% DAV Refund & Cancel Taxes for Block 603 Lot 1.08 in the amount of \$6,043.98.
- 100% DAV Refund & Cancel Taxes for Block 869.08 Lot 7 in the amount of \$3,294.30.
- 100% DAV Refund & Cancel Taxes for Block 1210.05 Lot 39 in the amount of \$5,026.48.
- 100% DAV Refund & Cancel Taxes for Block 1426.07 Lot 7 in the amount of \$3,018.78
- Tax Overpayments for 2021 due to Homestead Rebates, there are 21 in total.

**Recognize National Public Safety Telecommunicators Week – April 11 – 17, 2021**

Mayor Ducey stated this resolution recognizes April 11 - 17 as National Public Safety Telecommunications Week. He said this national crisis is a perfect time to recognize the dispatchers - the men and women who work behind the scenes making sure all calls for assistance are answered. He said the Brick dispatchers are the calm, friendly, helpful voices who answer calls 24 hours a day, seven days a week and make sure the proper help is dispatched. They are a vital link in to emergency response. He said the dispatchers know the town, the neighborhoods and the abilities and they are the unsung heroes and tonight they are thrilled to have an opportunity to say thank you!

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

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

**2021 Computer Bill Resolution in the amount of \$12,655,001.65**

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

- All Council Members voted AYE on Roll Call.

**2021 Manual Bill Resolution in the amount of \$1,712,228.03**

**Ordinance on First Reading: Amend Chapter 245 – Prohibit the Operation of Cannabis Businesses**

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

President Crate explained this ordinance bans the operation of cannabis establishments and

distributors or delivery service locations in Brick Township. A law enacted in February of this year legalizes the recreational use of marijuana by adults 21 or older and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession. She advised the law states that municipal regulation or prohibition must be adopted within 180 days of the effective date (by August 22, 2021) and failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones and the retail selling of cannabis items to consumers shall be a conditional use on all commercial and retail zones. She said at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis business, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality. She advised the Council's Land Use Committee reviewed the new law and is recommending the Council act on banning the operation of cannabis establishments.

Motion by Councilwoman Zapcic 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.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 245 AND DELETING CHAPTER 340 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK**

**Ordinance on Second Reading: Amend Chapter 245-3 – Impervious Coverage**

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

Mayor Ducey explained residents on the Barrier Island have requested the Township consider an ordinance regarding impervious lot coverage based on observations that homeowners are covering most of their property with impervious stone or concrete. With the increase in lot coverage, rainwater tends to build up in the streets, which is particularly problematic in the Township's low-lying areas. He said the Land Use staff recommended the Committee consider this request as one approach to help reduce flooding. He added there are no impervious coverage limitations in residential zones, but there are ones in place for commercial zones. He said the Township's Floodplain Management Committee has also recommended the limitation of impervious cover on residential properties as part of the Floodplain Management Plan that was accepted and adopted by the Township's Planning Board as a Master Plan Element. The Stormwater Management Plan also recommends the implementation of impervious cover limitations to assist in the management of stormwater infrastructure and increase areas of groundwater infiltration. He said therefore, impervious limitations are consistent with the Township's Master Plan. He said the proposed impervious cover limitations are: Zone R-5, 70% impervious cover limitation; Zone R-7.5, 65% impervious cover limitation; Zone R-10, 60% impervious cover limitation; Zone R-15, 55% impervious cover limitation; Zone R-20, 50% impervious cover limitation; and Zone RR, 30% impervious cover limitation.

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 Minichino 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 245-3**

**Ordinance on Second Reading: Amend Chapter 396 – Stormwater Management**

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

President Crate explained the NJDEP Stormwater Rules have been modified through March of 2020. She advised 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.

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 AND SUPPLEMENTING CHAPTER 396 OF THE TOWNSHIP CODE ENTITLED "STORMWATER MANAGEMENT"**

- **Ordinance on Second Reading: Amend Chapter 445 – Trailers and Storage Containers-HELD**

**Ordinance on Second Reading: Authorize Sale of Block 1393.20 Lot 6.**

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

President Crate explained the property owners at 550 California Avenue would like to purchase a 20-foot section of property in the rear of their property that belongs to the Township, Block 1393.20, Lot 6. She said the residents own lots 7,8,9, and 10 according to the deed and they would like to install a fence, but it would involve Lot 6. She said they would like to purchase that piece from the Township. She advised the only other adjacent property owners have waived any interest in the parcel. She said the Township can only offer property to an adjacent property owner when the Township-owned property is both vacant and undersized for the zone and those conditions are met. She advised the law requires the Township receive at least fair market value for the property, which in the case of a vacant parcel, is set by the Municipal Tax Assessor and noted the assessed value of the Township parcel is \$3,600. She said the Council's Land Use Committee reviewed the request and is recommending the sale of the parcel.

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.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF LAND KNOWN AS BLOCK 1393.20 LOT 6**

**Ordinance on Second Reading: Cap Rate Ordinance**

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

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

President Crate stated this ordinance allows the Township to establish a cap bank for future use. She explained the ordinance allows for increases to budget appropriations, and allows the Township to bank any unused monetary room. She advised this cap bank ordinance allows the Township to increase budget appropriations by 3.5 % over the prior year's appropriations, and

to bank any unused appropriation room for the next two succeeding years. She noted the ordinance is simply precautionary and it is not funded through a tax increase, since it is only used in subsequent years should they need to fund a one-time expenditure. She said the monies available by this cap rate ordinance may be used to offset costs of any future disasters and the need for any future emergency appropriation. She advised they are not generating cash, they are creating the ability to raise money should they need it. She noted if the funds are not needed in the succeeding two years, the bank is simply dissolved.

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 Minichino and seconded by Councilwoman deJong 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.

**CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**Ordinance on Second Reading: Refunding Bond Ordinance**

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

President Crate stated the Township's CFO has recommended the Council proceed with a Refunding Bond Ordinance to maximize on interest rates when the time is right. She advised in August 2020, the Council authorized a Refunding Bond Ordinance and the Township recouped \$93,000.00 as a result. She said the Township's Professional Accountant and Bond Counsel brought this to their attention that there is another opportunity on the horizon. She said the rates are falling off but will come back up and when they do, the Township needs to be prepared to move forward. She explained if they have the Refunding Bond Ordinance in place they can act and jump on it when the time is right. She advised the accountant estimates \$366,000.00 in savings. She said the Council's Business and Finance Committee has requested consideration of this ordinance after review with the Township CFO.

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 Vice President Halloran and seconded by Councilman Mummolo 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.

**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE TOWNSHIP TO ACHIEVE DEBT SERVICE SAVINGS, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR**

**WHEREAS**, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") issued (i) \$28,655,000 General Improvement Bonds, Series 2012, dated September 28, 2012, \$5,645,000 of which are currently outstanding and maturing on or

after August 15, 2023 and which bonds are subject to redemption on or after August 15, 2022 at a redemption price equal to 100% of the par amount to be redeemed (the "2012 Refunded Bonds"), and (ii) \$23,650,000 General Obligation Bonds (French's Landfill Solar Redevelopment Project), Series 2014B (Federally Taxable), dated September 26, 2014, \$11,000,000 of which are currently outstanding and maturing on or after September 1, 2024 and which bonds are subject to redemption on or after September 1, 2023 at a redemption price equal to 100% of the par amount to be redeemed (the "2014 Refunded Bonds" and together with the 2012 Refunded Bonds, the "Refunded Bonds"); and

**WHEREAS**, the Township Council has determined that refunding bonds can be issued to refund, in whole or in part, such Refunded Bonds which, under current market conditions, can generate net present value debt service savings to the Township equal to or greater than three percent (3%), which savings is the minimum amount required by the Local Finance Board, Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board") to undertake such refunding of the Refunded Bonds; and

**WHEREAS**, the Township Council has determined to provide for the refunding of the Refunded Bonds through the issuance by the Township of not to exceed \$18,000,000 aggregate principal amount of General Obligation Refunding Bonds.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

**SECTION 1.** The refunding of all or a portion of the Refunded Bonds is hereby authorized.

**SECTION 2.** In order to refund the Refunded Bonds and to pay all related costs of issuance associated therewith, the Township is hereby authorized to issue General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$18,000,000 (the "Refunding Bonds"), to be issued in one or more issues, all in accordance with the requirements of N.J.S.A. 40A:2-51, and to appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds, Series 2021", with such other designation as may be necessary to identify such bonds, including each series thereof.

**SECTION 3.** The purposes for which the Refunding Bonds are to be issued are to achieve debt service savings for the Township by refunding all or a portion of the callable principal amount of the Refunded Bonds, including the payment of interest accrued thereon on each interest payment date to the dates fixed for redemption for the applicable series of Refunded Bonds.

**SECTION 4.** An aggregate amount not exceeding \$180,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance premiums, advertising, paying agent and escrow fees, verification agent fees, rating agency fees, accounting, municipal advisory, legal and other expenses in connection therewith.

**SECTION 5.** The purpose of the issuance of the Refunding Bonds is to realize net present value interest cost savings for property taxpayers residing in the Township ("net" meaning savings after payment of all costs of issuance of the Refunding Bonds). Applicable State requirements mandate that such net present value interest cost savings equal at least 3% of the principal amount of the Refunded Bonds. In addition, the issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within 10 days of the date of the closing on the Refunding Bonds, the Clerk shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the Refunded Bonds' debt service which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; and (d) a certification of the Clerk that (i) all of the conditions of section (b) of N.J.A.C. 5:30-2.5 have been met, and (ii) a resolution authorizing the issuance of the Refunding Bonds, adopted pursuant N.J.S.A. 40A:2-51(c), was approved by a two-thirds vote of the full membership of the Township Council.

**SECTION 6.** The Supplemental Debt Statement relating to the Refunding Bonds, required by the Local Bond Law, has been duly made and filed in the Office of the Clerk of the Township, and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township, as defined in the Local

Bond Law, is increased by the principal amount of the authorization of the Refunding Bonds provided for in this Refunding Bond Ordinance, and will be decreased by the principal amount of the Refunded Bonds.

**SECTION 7.** To the extent that the Refunding Bonds are issued as federally tax exempt obligations, the Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, and investment of the proceeds of the Refunding Bonds, and the timely reporting and rebate of investment earnings on such proceeds as may be required thereunder. The Refunding Bonds are also authorized, if required, and with the consent of the Chief Financial Officer of the Township, in consultation with the Township's financial advisor and bond counsel, to be issued as taxable bonds.

**SECTION 8.** This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

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 thanked Wal-Mart, PAL, Police and EMS for organizing the recent COVID-19 Vaccine event; he mentioned some upcoming events.

Council Members thanked all who presented their departmental budget presentations and congratulated and thanked the Public Safety Telecommunicators.

Motion by Vice President Halloran and seconded by Councilman Minichino to Adjourn the meeting at 8:02 p.m.

All Council Members voted AYE.

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Lisa Crate  
Council President

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Lynnette A. Iannarone  
Township Clerk