

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

Councilman Perry Albanese
Councilwoman Andrea Zapcic
Councilwoman Heather deJong
Council Vice President Lisa Crate
Council President Vince Minichino

Also Present

Mayor John G. Ducey
Kevin Starkey, Township Attorney
Lynnette A. Iannarone, Township Clerk
Joanne Bergin, Business Administrator

Absent

Councilwoman Marianna Pontoriero
Councilman Arthur Halloran

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park and The Ocean Star on January 7, 2022. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

This meeting began with a 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 2022.

Motion by Vice President Crate and seconded by Councilwoman Zapcic to dispense with the reading of the minutes of February 8, 2022 Meeting and approve the same.

All Council Members voted AYE on Roll Call.

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

All Council Members voted AYE on Roll Call.

Authorize Cancellation of Stale Dated Checks – Municipal Court

Vice President Crate stated this resolution authorizes the cancellation of stale dated checks totaling \$142.00 in the Bail Account and \$30.00 in the Municipal Court General Account.

Authorize Receipt of Bids – Beer & Wine Garden Concession

Councilwoman deJong stated this resolution authorizes the receipt of bids for the beer and wine garden concession at Summerfest and Fall Fest. She said the most recent one-year contract was with Mantoloking Road Alehouse for \$7,000.00.

Authorize Receipt of Bids – Demolition & Secure Property at:

- 80 West Granada Drive.
- 24 Adair Drive.
- 478 East End Avenue.
- 204 Winchester Drive.
- 357 Kelly Avenue.

President Minichino stated this resolution authorizes the receipt of bids to secure the property and approve the demolition process for 80 West Granada Drive, 24 Adair Drive, 478 East End Avenue, 204 Winchester Drive and 357 Kelly Avenue. He advised the recommendation to proceed with demolition orders came from the Township’s Property Maintenance Board. He explained each of these properties have been heard before the Board with orders to make repairs or other work to secure the property and have been found in default of those owners. He said the owners do still have time to become compliant with the Board’s orders while the Township proceeds with the preparation of bid specs and completes the bidding process. He stated should these properties remain in their current state without adherence to the Board’s orders, another resolution will come back before the Council to award a demolition contract.

Authorize advice and consent for fair and open professional services contract with Municipal Prosecutor

Councilwoman Zapcic stated this resolution authorizes a contract with Destribats, Campbell Staub, Hamilton, specifically Anthony J. Destribats, for Municipal Prosecutor and attorneys Raymond Staub, David Schroth and Adam Lipps as Alternate Prosecutor. She said the firm has met all of the administrative requirements and have the qualifications and experience to provide this service to the Township.

Authorize Re-Bid of Proposals – Code Enforcement Prosecutor, Alternate & Conflict Code Enforcement Prosecutor

Councilwoman Zapcic stated this resolution authorizes the re-bid for code enforcement prosecutor, alternate & conflict code enforcement prosecutor. She advised the Township went out to bid for these services and received one bid and that bidder rescinded their proposal, resulting in the need to go back out to bid.

Authorize Award of Contract – Entertainment & Production Services for 2022 Summerfest Concerts

Councilman Albanese stated this resolution authorizes the award of contract to La Guardia Associates in the amount of \$33,650.00 for Entertainment and Production Services for the 2022 Summerfest concert series.

Authorize Award of Contract – Maintenance & Support of New World Public Safety Software Suite

President Minichino stated this resolution authorizes an award of contract to Tyler Technologies, Troy, Michigan in the amount of \$189,636.56 to provide maintenance and support services for the New World Public Safety Software Suite used by the Police Department. He advised 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 Bid – CDBG Housing Rehabilitation Program Project #19-11

Councilwoman deJong stated this resolution authorizes the award of bid for a project under the Community Development Block Grant, Housing Rehabilitation Program to Premier Property Management Services, LLC, for a total bid amount of \$26,000.00. She advised bid notices were sent to 30 prospective bidders from the bidders list of which two bidders picked up bid packages and one bid was received with Premier Property Management Services being the lowest responsive, responsible bidder.

Authorize Award of Bid – CDBG Housing Rehabilitation Program Project #19-16

Councilwoman deJong stated this resolution authorizes the award of bid for a project under the Community Development Block Grant, Housing Rehabilitation Program to Premier Property Management Services, LLC, for a total bid amount of \$22,570.00. She advised bid notices were sent to 30 prospective bidders from the bidders list of which two bidders picked up bid packages and one bid was received with Premier Property Management Services being the lowest responsive, responsible bidder.

Authorize Award of Bid – CDBG Housing Rehabilitation Program Project #19-20

Councilwoman deJong stated this resolution authorizes the award of bid for a project under the Community Development Block Grant, Housing Rehabilitation Program to Premier Property Management Services, LLC, for a total bid amount of \$24,425.00. She advised bid notices were sent to 30 prospective bidders from the bidders list of which two bidders picked up bid packages and one bid was received with Premier Property Management Services being the lowest responsive, responsible bidder.

Authorize Submission of Application for Sustainable Jersey Grant

Councilman Albanese stated this resolution authorizes the submission of a grant in the amount of \$2,000.00 to the Sustainable Jersey Grant funded by PSEG. He said the grant application is for a pollinator garden that will be located at the Robert Anstett Cultural Arts Center on Herbertsville Road. He said the Township's Environmental Commission is designing a pollinator garden that will feature regionally-appropriate plants that attract bees and butterflies.

Support Companion Animal Management Pledge

Councilman Albanese stated this resolution pledges that the Township will do its best to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and support. He said this resolution is part of the Township's efforts under the Sustainable Brick Program.

Support Anti-Idling Education

President Minichino stated this resolution supports the Township's anti-idling education campaign. He said the Township's Sustainable Brick Committee recognizes that they can avoid producing unnecessary greenhouse gas emissions and exposure to air toxins by reducing or eliminating wasteful vehicle idling. He advised in this campaign, the Township will install signage in commercial parking lots including Brick Plaza and Kohl's Plaza.

Authorize Special Events Permit – St. Patrick's Day Event

Vice President Crate stated this resolution authorizes a Special Events permit for PJ Sweeney's to conduct a St. Patrick's Day Event on March 17th between the hours of 11 am and 1am at the restaurant on Brick Boulevard.

Authorize Special Events Permit - Bike MS: Coast to Coast

Vice President Crate stated this resolution authorizes a special event permit for the National MS Society to conduct a Bike MS Coast to Coast Event on Saturday, May 7th between the hours of 7am and 6 pm. She said the event will use the north and southbound bike lanes along Route 35.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Performance Bond Release for Ocean Medical Park Association on Jack Martin Boulevard in the amount of \$3,734.83 along with and inspection fund release in the amount of \$896.56.
- Inspection Fund Release for LaFontana Restaurant on Drum Point Road in the amount of \$87.50.
- Inspection Fund Release for Paramount Plaza @ Brick, LLC on Chambers Bridge Road in the amount of \$561.10.
- Inspection Fund Release for Stars-N-Stripes Asphalt on Chambers Bridge Road in the amount of \$173.27.
- Inspection Fund Release for Zakson's on Brick Boulevard in the amount of \$645.56.
- Inspection Fund Release for Nicholas Catone on Brick Boulevard in the amount of \$79.26.
- Inspection Fund Release for AAM Auto Sales, LLC on Route 70, Route 88 and Burnt Tavern Road in the amount of \$732.08.
- Inspection Fund Release for Delaware Valley Paving on Route 70 in the amount of \$13,717.67.
- Inspection Fund Release for Urban Edge Properties on Route 70 in the amount of \$3,323.66.
- Inspection Fund Release for Conrow Construction on Route 70 in the amount of \$1,461.91.
- Inspection Fund Release for Matthew R. Baroni on Route 70 in the amount of \$129.14.
- Inspection Fund Release for Brixmor Operating Partnership on Route 88 in the amount of \$1,081.48.
- Inspection Fund Release for Brick Professional Plaza Association on Route 88 in the amount of \$329.84.
- Inspection Fund Release for River Rock Sports Bar & Grill on Route 70 in the amount of \$1,223.08.
- Inspection Fund Release for Quality 1st Contracting, Inc. on Brushy Neck Drive in the amount of \$1,3212.98.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes for Block 974 Lot 5 in the amount of \$2,981.17.
- 100% DAV Refund & Cancel Taxes for Block 1050 Lot 20 in the amount of \$4,952.23.
- 100% DAV Refund & Cancel Taxes for Block 1192.02 Lot 103 in the amount of \$797.78.
- 100% DAV Refund & Cancel Taxes for Block 1306.100 Lot 4 in the amount of \$1,680.00.
- Tax Overpayments for 2021 for Block 1210.08 Lot 9 in the amount of \$1,062.71.

- Tax Overpayments for 2022 for Block 324.09 Lot 27 in the amount of \$1,473.61 and Block 903.01 Lot 2 in the amount of \$1,601.32.
- State Tax Appeal Granted for Block 1192.38 Lot 6.01 - 1041 Burnt Tavern Road in the amount of \$6,273.75.

President Minichino opened the public hearing on the Resolutions.

James Fozman, 456 Rhode Island Avenue, questioned if the Township would be lowering the percent of the bond for the securing/demolition of the properties because this might give other small construction companies a better chance of bidding on these jobs.

Kevin Starkey said he believes the bond requirement is set by State law and advised that he will look into it to see if there is a possibility of reducing the percentage but they might not have the discretion to reduce the amount of bond.

Anthony Forsina, 80 West Granada Drive, stated his concerns with the demolition of his house; he said he will do his best to work with the property maintenance board; he gave a brief history of the contractor that was going to raise the house took their money and left and they were advised by the Attorney General's Office not to do any work to the house while under investigation; he advised they have done some cleanup; he spoke of getting fined for putting siding of the house without a permit; he stated his concerns with the Boards notification process; he advised again that they will do their best to cooperate with the board.

Joanne Bergin thanked Mr. Forsina for his comments and they look forward to having this matter resolved; she advised this case was first heard before the property maintenance board in July 2020, and it's a process before it gets to this board, and heard again December 2020 and then again in December 2021; she said they generally do exercise patience and do want willing participation and tonight does not mean the demolition trucks are going to show up tomorrow but they do take this very seriously on behalf of the residents/neighbors that want to see properties improve.

Nan Coll, 18 Greenbriar Boulevard, stated her displeasure with the way council meeting are conducted and the five-minute rule; she commented on several resolutions.

Councilwoman Zapcic wanted to clarify that tonight they are only authorizing the receipt of bids for the demolition and this is not the authorization to demolish the properties and that there is still time for these property owners to work with the board and do what needs to be done.

Kevin Starkey said yes and this will come back to council again before that happens.

There were no further comments from the public.

President Minichino closed the public hearing on the Resolutions.

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

There were no comments from the public.

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

Motion by Vice President Crate and seconded by Councilwoman deJong to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

2022 Computer Bill Resolution in the amount of \$815,584.48

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

There were no comments from the public.

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

Motion by Councilman Albanese and seconded by Councilwoman deJong to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

2022 Manual Bill Resolution in the amount of \$1,869,253.55

Ordinance on Second Reading: Amend Chapter 145-6 – Extend the Time for Waiver of Fees for Construction – Renovation of Existing Vacant Commercial Structures

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

Councilwoman deJong explained in July 2017 and again in 2019 the Council renewed an ordinance waiving fees for business owners who renovate an existing vacant commercial property. She said the program started in 2015 to encourage businesses to come to Brick and occupy vacant storefronts. In this ordinance, the Township is encouraging any new business looking to fill any vacant commercial space under 5,000 square feet that has been vacant for at least a year to open for business. She said all Township permit fees are waived to encourage the start up. She advised the Business and Finance Committee has recommended renewing the ordinance which expired December 31, 2020. She said this renewal extends the waiver through December 31, 2022. She advised in total, 28 new businesses have opened and taken advantage of this program. She said businesses from bakeries to yoga studios and florists have opened in locations that were vacant and with these businesses have been able to save over \$40,000.00 in permit fees.

President Minichino opened the public hearing on the Ordinance.

James Fozman, 456 Rhode Island Avenue, said if there have been 28 businesses that have opened how many of those 28 have closed since COVID and he said if none than that money was well spent.

Joanne Bergin said none have closed with the list she was provided.

There were no further comments from the public.

President Minichino closed the public hearing on the Ordinance.

Motion by Vice President Crate 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 CHAPTER 145-6 OF THE TOWNSHIP CODE TO EXTEND THE TIME FOR THE WAIVER OF FEES FOR CONSTRUCTION TO PROMOTE THE RENOVATION OF EXISTING VACANT COMMERCIAL STRUCTURES

Ordinance on Second Reading: Amend Chapter 396 – Stormwater Management

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

President Minichino stated the NJDEP Stormwater Rules have been modified. He explained all municipalities are required to amend the Township's stormwater management ordinance to comply with the model ordinance as provided by the State. He said the ordinance includes a number of requirements that are designated to improve the quality of stormwater runoff. He said in February of 2021, the Council updated the stormwater ordinance and is now incorporating four new sections as required. He advised those sections address illicit connections, private storm drain retrofitting, refuse containers & dumpsters and the improper disposal of waste.

President Minichino opened the public hearing on the Ordinance.

There we no comments from the public.

President Minichino closed the public hearing on the Ordinance.

Motion by Councilwoman Zapcic 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.

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

President Minichino opened the public hearing portion of the meeting.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and the need for a sound wall and various reforestation in various areas in Brick.

Nan Coll, 18 Greenbriar Boulevard, stated her displeasure with the Planning Board apparently approved a business to be located across from Kohls/Shop Rite Plaza entrance/exit which is a very high traffic area and asked if there was a traffic study done.

There were no further comments from the audience.

President Minichino closed the public hearing portion of the meeting.

Mayor Ducey spoke of some events he attended and some upcoming events; he congratulated Brick Memorial Girls Bowling team for winning the Tournament of Champions; he mentioned he was at a speaking engagement earlier this evening and advised he would be happy to speak at any club or organization to give an update on what is going on around town.

Councilwoman deJong gave particulars on some upcoming senior outreach events.

Motion by Councilwoman deJong and seconded by Vice President Crate to Adjourn the meeting at 7:48 p.m.
All Council Members voted AYE.

Vince Minichino
Council President

Lynnette A. Iannarone
Township Clerk