

October 11, 2022

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 7:03 p.m.

Present

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

Also Present

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

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press 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).

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

Motion by Council Vice President Crate and seconded by Councilwoman Pontoriero to dispense with the reading of the minutes of the September 27, 2022 Meeting and approve same.

All Council Members voted AYE on Roll Call.

Council President Minichino read a letter of resignation from Councilman Halloran effective October 1, 2022.

Council President Minichino invited Mayor Ducey and Taya Petino, Branch Manager of the Brick Library to the podium for Mayor to present a proclamation for National Friends of Libraries Week. Ms. Petino introduced and thanked the Brick Friends of the Library for their support and efforts.

Council President Minichino asked attorney Scott Kenneally to explain the process of a council resignation.

Mr. Kenneally said it triggers the Municipal Vacancy Law which is dictated by the State. Since Brick is bi-partisan form of government and Councilman Halloran is a democrat, their municipal committee must submit three names to the council for consideration within 15 days and the council must select someone within 30 days, regardless of political party. A nomination is needed with a majority vote.

Councilwoman deJong advised that they received three great nominees: Maria Foster, a former MUA & BOE member; Tom Curtis, a current MUA member and member of the Knights of Columbus and Derrick Ambrosino, a 40-year resident married with 3 children and fiscal conservative like the council. He is also a current MUA member.

Motion by Councilwoman deJong and seconded by Council Vice President Crate to nominate Derrick Ambrosino to fulfill the council vacancy.

All Council Members voted AYE on Roll Call.

Motion by Council Vice President Crate and seconded by Councilwoman deJong to adopt the following resolutions.

All Council Members voted AYE on Roll Call.

Authorize Insertion of Chapter 159 – 2022 Clean Energy Community Energy Grant

Council Vice President Crate advised this resolution authorizes the insertion of a Clean Energy Community Grant in the amount of \$10,000.00 from the NJ Board of Public Utilities. This grant supports the Township's Sustainable Brick program.

Authorize Insertion of Chapter 159 – 2022 Clean Energy Electric Vehicle Tourism Grant

Councilwoman deJong stated this resolution authorizes the insertion of a Clean Energy Electric Vehicle Tourism Grant in the amount of \$14,000.00 from the NJ Board of Public Utilities. This grant supports the installation of EV charging stations at Drum Point Sports Complex and Windward Beach Park.

Authorize Insertion of Chapter 159 – 2022 MACADA Grant

Councilwoman Zapcic explained this resolution authorizes the insertion of a Municipal Alliance Grant in the amount of \$21,773.00 from the Ocean County Health Department. This grant supports the various programs offered by the Brick Municipal Alliance Committee.

Authorize NJ DCA Grant Application – Senior Citizen Dialysis Transportation

Mayor Ducey advised this resolution authorizes the submission of a grant application to the NJ Department of Community Affairs in the amount of \$400,000.00. He said there is a tremendous need and this funding will offer dialysis transportation to seniors. It will expand the services offered by Brick Senior Services to include dialysis transportation by acquiring a handicapped accessible bus and necessary staffing.

Authorize Shared Services Agreement – Ocean County Traffic Signals Upgrade

Mayor Ducey explained this resolution authorizes a shared services agreement with Ocean County to upgrade 26 traffic signals at major intersections throughout township. The upgrades will allow for the installation of battery backup systems and generator bypass switches which will be used to keep the signals working during power outages. After Superstorm Sandy generators were installed at some traffic lights but since they do not own any of the lights a shared services agreement is needed. The Chief selected 26 of the busiest intersections for the upgrade.

Authorize Receipt of Bids – Senior Services & EMS Building Renovation

Council Vice President Crate stated this resolution authorizes the receipt of bids for HVAC and plumbing work needed for the Senior Services/EMS building renovation. The building on Aurora Place is currently under construction and certain specialty services are needed as part of that renovation.

Authorize Contract – Purchase & Delivery Rear Loading Refuse Collection Vehicle

Council Vice President Crate said this resolution authorizes a contract with Hunter Jersey Peterbilt in the amount of \$275,995.00 for the purchase and delivery of a rear loading refuse collection vehicle. Bid notices were provided to 71 prospective bidders on the bidders list and eight bidders requested bid packages. One bid was received. The purchase of this vehicle was approved in the 2022 capital budget.

Authorize Contract – Purchase & Delivery Automated Side Loading Refuse Collection Vehicles

Councilman Albanese stated this resolution authorizes a contract with Hunter Jersey Peterbilt, in the amount of \$777,830.00 for two 33 cubic yard side loading refuse collection vehicles for the Department of Public Works. Bid notices were provided to 71 bidders on the bidders list and seven requested bid packages. One bid was received. The purchase of these vehicles was approved in the 2022 capital budget.

Authorize Contract – Stepp Parts, Supplies & Repairs

Councilwoman Zapcic advised this resolution authorizes a contract with W.E. Timmerman Company, at a labor rate of \$175.00 per hour for parts, supplies and repairs. Bid notices were mailed to 3 prospective bidders from the bidders list and 2 requested bid packages. One bid was received. This will be a two-year contract ending October 13, 2024. To date, they have spent approximately \$25,000.00 during the current contract period. Funding for this contract will be included in the Vehicle Maintenance operating budget.

Authorize Contract – Peterbilt Parts, Supplies & Repairs

Council President Minichino advised this resolution authorizes a contract with Hunter Jersey Peterbilt, at a labor rate of \$115.00 per hour for parts with a 25 percent discount on parts. Bid notices were mailed to 11 prospective bidders from the bidders list and 6 requested bid packages. Three bids were received with Hunter Jersey Peterbilt being the lowest responsive, responsible bidder. This will be a two-year contract ending October 18, 2024. To date, they have spent approximately \$283,000.00 during the current contract period. Funding for this contract will be included in the Vehicle Maintenance operating budget.

Authorize Contract – State Vendor, Radio Upgrade – Public Works

Council President Minichino stated this resolution authorizes a contract with State Contract vendor PMC Associates, in the amount of \$201,649.90. This contractor will complete radio upgrades as needed for the Department of Public Works.

Authorize Placement of Lien

Business Administrator Bergin advised of a lien for Removal of Debris & Clean-up at Block 1086.01/Lot 1 in the amount of \$155.95.

Authorize Plenary Retail Distribution Liquor License – BRX NJ License LLC

Councilwoman Pontoriero stated this resolution authorizes the award of a plenary retail distribution license to BRX NJ License LLC, Conshohocken, PA for the premises located at 1980 Route 88, Brick. The license was sold for \$575,000.00.

Authorize Motor Vehicle Selling License – Joe’s Towing & Auto Truck Repair

Councilman Albanese explained this resolution authorizes a motor vehicle selling license to Joe’s Towing & Auto Truck Repair, Midstreams Road. The site will be limited to three parking spaces to display cars for sale. Township Code Enforcement, Zoning Department and Fire Bureau have inspected the property and found it to be in compliance

Authorize Special Events Permit – St. Paul’s United Methodist Church Blessing of the Animals

Councilwoman Pontoriero said this resolution authorizes a special events permit for the annual Blessing of the Animals from 10 am to 2 pm Saturday, October 22 at St. Paul’s United Methodist Church located at 714 Herbertsville Road. In addition, rescue groups and the police canine will be present.

Bond Releases/Reductions

Clerk Iannarone advised of the following:

- Inspection Fund Release for Mr. Keys — Block 1351.36, Lot 20 in the amount of \$481.02.
- Performance Bond & Inspection Fund Release for Eastern Enterprises, LLC – Block 1170, Lot 24, a performance bond in the amount of \$124,874.42 and \$8,571.08 from the engineering inspection fund.

Tax Collector

Business Administrator Bergin advised of the following:

- 100% DAV/Widow of Veteran Cancel & Refund Taxes for Block 1422.19, Lot 2 in the amount of \$8,114.13.
- Tax Exemption on Block 907, Lot 1.
- Tax Exemption on Block 380.26, Lot 1.

Council President Minichino opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, said that there should be transportation in Ocean County for things such as dialysis. She also said that in addition to the generators at the traffic lights, they should change automatically for emergency vehicles or when no one else is at the light. She stated that some things should not be included on the consent agenda and should be discussed. Roberts Rules are not being followed and a Parliamentarian is needed.

There were no further comments from the public.

Council President Minichino closed the public hearing on the Resolutions.

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

There were no comments from the public.

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

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

All Council Members voted AYE on Roll Call.

2022 Computer Bill Resolution in the amount of \$1,256,565.75

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

There were no comments from the public.

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

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

All Council Members voted AYE on Roll Call.

2022 Manual Bill Resolution in the amount of \$2,055,311.52

Ordinance on First Reading to Amend Chapter 245 – Authorize and Encourage Electric Vehicle Supply, Equipment & Parking Spaces

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

Councilwoman deJong explained the Township's Electric Vehicle and Land Use Committees have proposed this ordinance to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EV and Make-Ready parking spaces through municipal parking regulations and other standards. The goals are to: provide adequate and convenient EV and Make-ready parking spaces to serve the needs of the traveling public; provide opportunities for residents to have safe and efficient personal EV located at or near their place of residence; provide the opportunity for non-residential uses to supply EV to their customers and employees; and create standard criteria to encourage and promote safe, efficient and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

Motion by Councilwoman Zapcic and seconded by Councilman Albanese 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 CHAPTER 245 TO AUTHORIZE AND ENCOURAGE ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES

Ordinance on Second Reading Authorizing the Acceptance of Donation of Property – Block 210.31, Lots 4, 5, 6, & 7

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

Councilwoman Zapcic explained this acceptance of property came as the result of a recommendation by the Township's Land Use Committee. The owner of 69 Hollycrest (vacant Block 210.31, Lots 4, 5, 6, and 7) contacted the Township about donating the land to the municipality. These lots are a hardship to build on due to the classification of wetlands. As a result, they would like to donate the lots to Brick.

President Minichino opened the public hearing on the Ordinance.

Nan Coll, 18 Greenbriar Boulevard, asked for the address.

Councilwoman Zapcic replied she said the property address in the explanation, 69 Hollycrest.

There were no further 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.

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE DONATION OF PROPERTY KNOWN AS BLOCK 210.31, LOTS 4, 5, 6 AND 7 FOR NO CONSIDERATION

Ordinance on Second Reading to Amend Chapter 288 – Prohibit Parking – One-Side of Davos Road

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

Council President Minichino explained that at a meeting in July a resident brought to their attention an issue that occurred with emergency vehicles getting down their street. It was sent to the Public Safety Committee. At the last meeting they heard a lot of public concerns about completely restricting parking so at the Township Council's request, the Police Department's Traffic Safety Unit and Fire Bureau re-evaluated Davos Road to address concerns for emergency vehicle access and the need for parking. Their re-evaluation suggested that one-side-of-the-street parking can work as opposed to a full parking restriction, so this ordinance is different from first reading and will allow parking on one side of the street. Traffic Safety determined that the right side of the roadway, leading out of Davos Road, is the side that can accommodate parking because it has curbs. The area in front of the tree (which is on private property and is not Township owned) will be signed as no parking. The remainder of that side of the street will be available for parking.

Council President Minichino opened the public hearing on the Ordinance.

Nan Coll, 18 Greenbriar Boulevard, asked whether or not this was a substantial change and should go back to first reading.

Township Attorney Kenneally advised it was not a material change.

Terry Linardakis, 45 Davos Road, said she has lived there for 20 years and this was an isolated incident. She felt this could be dealt with in a less restrictive manner. Garbage trucks and snow plows have never had an issue. She said it would be an inconsistent approach as there are many small roads throughout the Township and this would open a Pandora's Box. She advised she only received a letter today advising of this change and based upon that letter she felt the decision was already made.

There were no further comments from the public.

President Minichino closed the public hearing on the Ordinance.

Motion by Councilwoman deJong and seconded by Councilwoman Pontoriero 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 IN CHAPTER 288-31, TO PROHIBIT PARKING ON ONE-SIDE OF DAVOS ROAD

Council President Minichino opened the public hearing portion of the meeting.

Douglas Lanzo, 6 Ritchie Court, spoke of the recently passed light trespassing ordinance. He stated that he lives and works in Bergen County and this is his family's summer home. It has 230 feet of bayfront and has the best view in Shore Acres. He said that he installed the lights for safety reasons. He had also installed a pool and was concerned for his four young granddaughters. He said some lights have motion detectors. Since this ordinance, he removed some of the lights and installed dimmer switches. He said his neighbors were calling him names but the lights were installed for safety reasons only not to antagonize his neighbors. He noted he emailed the Mayor immediately after the passing of the ordinance advising he would modify the lights.

Council President Minichino thanked him for trying to work with his neighbors.

John Sluka, 950 Sylvia Court, read his recent letter regarding the Turnpike Authority and the need for a sound wall. He suggested the Township consider budgeting some of the sports dome PILOT for the school district. He then spoke of the health issues created by the NJ Turnpike Authority from the Garden State Parkway project. He also questioned the qualifications of the new council person.

Stephen Brill, Evergreen Woods, said that the meetings need to be longer and there should be more discussion. The public has the right to receive answers.

Nan Coll, 18 Greenbriar Boulevard, researched democracy and that the Township is not doing what it's supposed to and needs a complete change.

There were no further comments from the public.

Council President Minichino closed the public portion of the meeting.

Business Administrator Bergin bid farewell to Councilman Halloran.

Mayor Ducey said Councilman Halloran was a great councilman and New York business man. He said he had a lot of common sense and he will be missed. He wished him well on his retirement. He welcomed new councilman Derrick Ambrosino. He said he knows him and he will do well. He mentioned upcoming events. He said that with regards to Davos Road, he explained that this concern was brought to a council meeting by a resident advising the emergency vehicles could not get down the street. He said they had their professionals did a study and made a recommendation. The Council is not doing it. They respect the opinions of the professionals and then act on it. He said it's a great system but once it was brought to the Township's attention, something had to be done or the Township would be held responsible. He thanked everyone that was involved with this process.

Township Attorney Kenneally, Clerk Iannarone and Secretary Murphy all wished Councilman Halloran well and said they enjoyed working with him.

Councilman Albanese wished both councilmen well, outgoing and incoming.

Councilwoman Zapcic thanked Councilman Halloran for his service. She said he was a good councilman and friend and that Derrick Ambrosino is up to the challenge. She then spoke in depth about the school-based services program that offers on-site counseling in schools and is going to be eliminated as of July 1, 2023 and reconfigured to 15 regional hubs that would not be able to provide immediate help. With the mental health crisis and the increase in teen suicide this new model will put us into a deeper crisis. New Jersey should be proud of the school-based program. She urged residents to contact nj4sfeedback@dcf@nj.gov by October 14 supporting the current school-based program.

Councilwoman deJong wished Art Halloran well on his retirement. She said he was an amazing councilman and gentleman and his business background saved the Township a lot of money. She stated October 15 through December 7 is open enrollment for Medicare and said senior residents should contact the Senior Services Office if they need assistance.

Councilwoman Pontoriero commended Councilman Halloran's work. She welcomed Derrick Ambrosino and said he is highly intelligent, compassionate and wants what's best for residents.

Council Vice President Crate said she and Art started this journey together and she wished him the best. She said that she spent last Saturday traveling through town at the yard sales and thanked all who hosted. It was a very successful event.

Council President Minichino echoed all of the comments about Art Halloran. He said he was a pleasure to work with and Derrick will be an asset. He advised the next meeting will be October 25 at 7:00 p.m.

Motion by Councilwoman Zapcic and seconded by Vice President Crate to Adjourn the meeting at 8:18 p.m.

All council Members voted AYE.

Vince Minichino
Council President

Lynnette A. Iannarone
Township Clerk