

November 22, 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 7:05 p.m.

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).

Present

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

Also Present

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

The 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 October 2022.

Motion by Councilwoman Pontoriero and seconded by Councilwoman Zapcic to dispense with the reading of the minutes of the November 9, 2022 Meeting and approve same.

All Council Members voted AYE on roll call except Councilwoman deJong abstained due to her absence.

Motion by Councilwoman Zapcic and seconded by Councilman Albanese to adopt the following resolutions.

All Council Members voted AYE on the roll call.

Authorize Budget Appropriation Transfers

Council Vice President Crate advised this resolution authorizes budget appropriation transfers as needed for year-end. These transfers do not increase the overall Municipal Budget in any way it is simply moving funds from one account to another.

Authorize Cancellation of Unexpended Budget Appropriation

Councilwoman Zapcic stated this resolution authorizes the cancellation of an unexpended 2022 budget appropriation in the amount of \$248.04. The unexpended appropriation is in the form of prior year bills that are outdated and no longer need to be paid.

Authorize Cancellation of Stale Dated Checks for Municipal Court

Councilman Albanese said this resolution authorizes the cancellation of stale dated checks totaling \$312.00 in the Bail Account and \$4.50 in the Municipal Court General Account.

Authorize Fifth Amendment Lease with T-Mobile USA Tower LLC

Councilman Ambrosino explained this resolution authorizes a fifth amendment lease with T-Mobile USA Tower LLC. The Township Municipal Building property is the location for a cell tower owned and operated by Crown Castle. As part of the agreement with Crown Castle, the Township receives a portion of the rent for any tenants who lease space on the cell tower, of which there is currently two, T-Mobile and Verizon. The purpose of the amendment is to allow a tower rental and ground space - property rental for a third party which is DISH Network. The township did remove a storage shed from the rear property area, squared off the plot and provided a fenced in area which now increased the available ground rental space. By fencing off the area it provides a private and secure area for ground rental equipment for the property rental users, separate from township equipment. This now allows for three (3) separate property renters providing additional income for the Township.

Authorize Close-Out Change Order #1 – Roof Replacement

Councilwoman Pontoriero stated this resolution authorizes change order #1 and close out of the contract with Northeast Roof Maintenance for the roof replacement project at the Municipal Building. The change order decrease in the amount of \$20,000.00 is the result of final as-built quantities.

Authorize Appointment of Temporary Purchasing Agent

Councilwoman deJong advised this resolution appoints the Township Business Administrator as the temporary purchasing agent for the Township. This appointment is the direct result of an unexpected, immediate vacancy in the Purchasing Department. This appointment is being made in compliance with the N.J. Department of Community Affairs, Division of Local Government Services. This resolution makes a temporary appointment to allow the Township time to complete its due diligence in identifying a qualified, capable replacement.

Authorize Board of Adjustment Appointments

Council President Minichino stated this resolution authorizes an appointment of Kathy M. Russell as a Board of Adjustment alternate member needed to fill a vacancy.

Tax Collector

Business Administrator Bergin advised of the following:

- 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 383.12, Lot 75 in the amount of \$2,484.65.
- 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 1124.01, Lot 3 in the amount of \$10,430.25.
- 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 380.20, Lot 1 in the amount of \$1,384.01.
- 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 324.29, Lot 21 in the amount of \$1,503.13.
- Tax Overpayment 2022 – Block 1285.58, Lot 12 in the amount of \$5,725.30.

Authorize Support for Acquisition of Property by County of Ocean

Mayor Ducey explained for approximately a year an Open Space Committee (BOSS) was formed with residents from all throughout the Township to determine properties to obtain for open space. Four properties at a time are selected and owners are contacted. One response was received regarding 20 Brower Lane and they learned that Ocean County was interested in the property as well. This property is adjacent to the airport tract, Block 321, Lot 23. The Ocean County Natural Lands Trust will be funding 100 percent of the purchase and needs township support. Property will be passive recreation with walking trails, etc. The BOSS Committee will now reach out to the next four properties for consideration. There is a total of 38 properties on the list that BOSS feels are appropriate for acquisition.

Council President Minichino opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, commented that additional information was given but some was still insufficient. She questioned the T-Mobile lease and asked where she could find a list of the 38 properties BOSS is considering for open space. She said in addition to block and lot, addresses should be given.

Council President Minichino advised there will be three leases for the T-Mobile tower.

Business Administrator Bergin said she was not privy to the number of customers but that there would be three leases and they will receive 40 percent of the gross revenues from each.

Township Attorney Cunningham advised that Block and Lot is the legal designation and that the duty of the Council is to give the location.

Sam Foster, 108 Teakwood Drive, agreed with Mrs. Coll about providing addresses. He also questioned the cell tower lease and asked if it is legal for the Township build the tower and then lease it.

Township Attorney Cunningham replied that addresses are not required and said he was asking two different questions regarding the cell tower.

Mayor Ducey tried to answer Mr. Foster but he kept interrupting both the Mayor and Township Attorney.

Council President Minichino advised that he was trying to get an answer from the most qualified person – the Mayor and Business Administrator.

Township Attorney Cunningham asked Mr. Foster to please stop interrupting so they could answer but he refused.

Mr. Foster said that they shouldn't complain when he challenges them.

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

All Council Members voted AYE on Roll Call.

2022 Computer Bill Resolution in the amount of \$7,439,157.08

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 Pontoriero and seconded by Councilman Albanese to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2022 Manual Bill Resolution in the amount of \$5,002,201.89

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

John Sluka, 950 Sylvia Court, read his letter regarding health concerns with the Parkway widening project and the need for the installation of a 14-20 ft. high noise/pollution wall.

Nan Coll, 18 Greenbriar Boulevard stated certain things should not be on a consent agenda and that the council fails to use Robert Rules. She read portions of the council meeting pamphlet, specifically item #4. Under Rules and Procedures.

Sam Foster, 108 Teakwood Drive agreed with Mrs. Coll and that Mr. Cunningham not lecture him on his conduct.

Councilman Ambrosino advised that he should address the Council President.

Mr. Foster argued stating that he is disabled.

Council President Minichino said he was sorry he was disabled but he was not going to be abused. He said he treats Mr. Foster with the utmost respect and directed the police officer at the meeting to remove Mr. Foster from the room.

There were no further comments from the public.

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

Mayor Ducey said it was an interesting evening and stressed the fact that we need to maintain

calmness and use common sense. One can disagree but needs to be respectful. It is a public meeting and if everyone agreed there would be no need for government but when things are done properly good legislation can result, such as the recent light pollution ordinance. Mayor Ducey then advised of the upcoming tree lighting ceremony complete with Santa and a train ride, Mr. Cupcakes Grand Opening, Wreaths Across America Ceremonies taking place in town on December 17 and the PBA annual toy drive. He also wished everyone a Happy Thanksgiving.

The Township Attorney, Clerk and Council Members wished everyone a Happy Thanksgiving.

Councilwoman Pontoriero added that the EMS was honored with the 2022 NJ EMS Award for Prehospital Program of the Year which is a tribute to their hard work. The EMS has 56 employees whose work impacts not only the community but surrounding communities as well. She also recognized that four EMTs were awarded NJ State EMT of the Year. She said she has used their services and they are kind and compassionate.

Councilman Ambrosino echoed the Mayor's comments and the need to show courtesy and respect at the meeting.

Council Vice President Crate said this is the biggest travel weekend – drive safely.

Motion by Councilwoman deJong and seconded by Councilwoman Zapcic to adjourn the meeting at 7:55 p.m.

All Council Members voted AYE.

Vince Minichino
Council President

Lynnette A. Iannarone
Township Clerk