

January 23, 2024

A 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.

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in the Asbury Park Press and The Ocean Star on January 12, 2024. 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 Marianna Pontoriero
Councilwoman Heather deJong
Councilman Steve Feinman
Councilwoman Melissa Travers
Council Vice President Derrick Ambrosino
Council President Vince Minichino

Also Present
Kevin Starkey, Township Attorney
Lynnette A. Iannarone, Township Clerk
Lisa Crate, Mayor
Joanne Bergin, Business Administrator

The meeting began with the Pledge of Allegiance followed by a moment of silence.

The Council accepted the Reports from Municipal Officers and Council President Minichino asked Clerk Iannarone to file same.

Motion by Councilman Ambrosino and seconded by Councilwoman Travers to dispense with the reading of the minutes from the December 29, 2023 meeting and January 2, 2024 meeting and approve same.

All Council Members voted AYE on the Roll Call.

Councilmen Albanese and Feinman abstained on the December 29, 2023 due to Their absence.

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

All Council Members voted AYE on Roll Call.

Authorization to Cancel Grant Appropriated Reserves & Receivables – 2021-22 and 2022-23 Municipal Alliance Grants

Councilwoman Travers advised this resolution authorizes the cancellation of \$4,975.73 for the 2021/2022 and 2022/2023 Municipal Alliance Grant program. These are unspent funds that are now being cancelled.

Authorize Green Acres Enabling Agreement - #1507-01-044 Township of Brick Planning Incentive Program

Mayor Crate explained this resolution authorizes an agreement with the NJDEP Green Acres program to provide funding for the Township's Planning Incentive Program. This agreement will increase Green Acres funding for the Township's open space acquisitions by \$1.2 million.

Authorize Green Acres Enabling and Supplemental Funding Agreement - #1507-01-0444 Township of Brick Planning Incentive Program

Councilwoman deJong stated this resolution authorizes a request to the NJDEP Green Acres Program for an additional \$1,565,000.00 that may be needed for potential open space acquisitions as recommended by the Mayor's Brick Open Space Savers Committee. The parcels are located on Hooper Avenue, Adamston Road, and Herbertsville Road.

Authorize Green Acres Enabling Agreement - #1507-21-030 – Mallard Point Park Redevelopment

Councilman Albanese said this resolution authorizes an agreement with the NJDEP Green Acres program in the amount of \$712,500.00 for the Mallard Point Park redevelopment project. Mallard Point Park is the next park scheduled to be upgraded in the Township's long-term strategy for neighborhood parks. The permitting process is underway and they hope to go out for bid on this project later this year.

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Authorize Shared Services Agreement with Ocean County Sheriff's Office – FY24 Child Restraint Program Grant

Council Vice President Ambrosino advised this resolution authorizes the execution of a shared services agreement with the County of Ocean for the FY24 Child Restraint Program Grant. In this grant, the Township will be reimbursed up to \$70.00 per hour for overtime expenses incurred by Certified Child Passenger Safety Technicians in the Township's EMS Department.

Authorize Shared Services Agreement with Ocean County Office of the Prosecutor – FY 2024 Fatal Accident Support Team (F.A.S.T.)

Councilman Feinman stated this resolution authorizes the execution of a shared services agreement in place with the Ocean County Prosecutor's Office to designate Brick Township Police officers to be assigned to the Fatal Accident Support Team for the purpose of assisting in investigation, prosecution of fatal accidents and in traffic enforcement and education. During times when additional manpower is needed for investigations and/or training, members of the F.A.S.T. will be called upon to assist. Officers will be paid from money in the Prosecutor's Program fund which has been designated by the Ocean County Prosecutor and the Ocean County Board of Commissioners.

Authorize Shared Services Agreement with Borough of Mantoloking – Code Enforcement and Zoning Officer Services

Councilwoman deJong said this resolution authorizes the renewal of a shared services agreement with the Borough of Mantoloking for code enforcement and zoning officer services. In this agreement, Brick Township code enforcement officers will respond to property maintenance violations on a part-time, as-needed basis in the Borough of Mantoloking and be reimbursed for those services to cover the costs. Those with the proper certifications will also assist with zoning issues at the employee's hourly rate.

Authorize Receipt of Bids – Police Dept. Special Operations Garage Mechanical/HVAC/Plumbing Installation

Councilwoman Pontoriero advised this resolution authorizes the receipt of bids for the installation of mechanical, HVAC and plumbing work as needed for the Police Department Special Operations building located here at Town Hall. The building has a temporary certificate of occupancy, and this equipment and work is needed to complete the building.

Authorize Receipt of Bids – Mobile Ice Cream Truck

Councilwoman Travers stated this resolution authorizes the receipt of bids for an ice cream truck vendor at Windward Beach Park, Traders Cove Marina and various Township parks year-round. Last year, the successful bidder paid \$3,500 to the Township to provide this service.

Authorize Receipt of Bids – SummerFest Food Truck Vendors

Council President Minichino explained this resolution authorizes receipt of bids from vendors to provide food and refreshments during the four Summerfest concerts and the Annual Car Show with an option for the Green Fair, Craft & Yard Sale and Night Out Against Crime. Last year, the award was made to seven vendors in the total amount of \$11,880.00.

Authorize Receipt of Bids Beer & Wine Garden Concession

Councilman Albanese advised this resolution authorizes receipt of bids from vendors who currently have the appropriate ABC licensing to provide a beer and wine concession during the four Summerfest concerts and Fall Fest in 2024. Last year, the Township received \$9,100.00 for the one-year contract.

Authorize Receipt of Bids – Purchase and Delivery of Janitorial Supplies

Councilwoman Pontoriero stated this resolution authorizes the receipt of bids for the purchase and delivery of janitorial supplies. This bid covers purchase and delivery of various cleaning chemicals, street brooms, wasp sprays, hand cleaners for mechanics, garbage bags and other items used by Public Works, Parks, Buildings & Grounds and the Recreation Department.

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Authorize Receipt of Bids – Chemical Turf Maintenance

Councilman Feinman said this resolution authorizes the receipt of bids for seasonal turf application for fertilizer and weed control at 16 locations including Township parks, recreational facilities and the Municipal Complex. The contract provides for four (4) weed control and fertilizer applications per year for approximately 71 total acres per application. It begins with an early spring soil test at each location to determine the proper application of each. There is an early and late spring application and an early and late fall application. This is a unit price bid with a cost per application based on the seasonal treatment not to exceed \$60,000.00 for the two-year contract period.

Authorize Receipt of Bids – Road Improvements to Cherie Manor

Councilman Albanese said this resolution authorizes the receipt of bids for roadway improvements to Cherie Manor including Lisa Drive, Princess Avenue and Maria Court.

Authorize Receipt of Bids – Road Improvements to Emerson Street

Council President Minichino advised this resolution authorizes the receipt of bids for roadway improvements to Emerson Street.

Authorize Receipt of Bids – Manufacturing and Printing of Tax Bills

Councilwoman Pontoriero stated this resolution authorizes the receipt of bids for the manufacturing and printing of tax bills.

Authorize Award of Contract – Fireworks Exhibitions

Councilwoman deJong explained this resolution authorizes the award of contract to Schaefer Fireworks for \$30,000.00 for aerial fireworks at the Summerfest concert series and Fall Fest. Bid packages were sent to 12 bidders, four picked up packages but only one proposal was received.

Authorize Award of Contract – On-Site Environmentally Safe Truck Wash Services

Councilman Ambrosino advised this resolution awards a contract for an on-site environmentally safe wash on Township owned vehicles and equipment to Millspray, LLC at a rate per type of equipment. The vehicle wash recaptures wash water runoff during the cleaning process and prevents it from contaminating soil and groundwater. The Department of Public Works does not have a “closed” system for the capture of wastewater when washing trucks and equipment so we must contract out for this service. The Township’s New Jersey Discharge Elimination System Storm Water Permit mandates the capture of the wastewater runoff to prevent the contamination of soil and groundwater.

Authorize Award of Contract – Tree Trimming, Removal and Disposal Services

Councilman Feinman said this resolution authorizes the award of bid for tree trimming, removal and disposal services to Falkinburg Tree Expert Company in accordance with a schedule of prices based on various services. This will be an open-ended contract not to exceed \$60,000.00 per year with funds to be certified prior to each service. Bid notices were sent to 33 prospective bidders from the bidders list and 9 picked up bid packages. Three bids were received with Falkinburg Tree Experts being the lowest responsive, responsible bidder. To date, the Township has encumbered approximately \$60,000.00 for the current two-year contract.

Authorize Award of Contract – Snow Removal Services

Councilwoman Travers stated this resolution authorizes the award of contract for snow removal services with JBH Paving and Excavating. This vendor will be added to the list of contractors that the Township uses to plow Township roads during a snow event. This is a two-year contract with an option to renew for a third year.

Authorize Award of Contract – 2022 Local Roadway Resurfacing and Water Main Replacement Contract – Laurel Manor

Council Vice President Ambrosino advised this resolution authorizes an award of contract in the amount of \$629,149.00 with ANAR Construction for water main replacement and roadway resurfacing in Laurel Manor. This project will be completed in accordance with the Shared Services Agreement dated September 23, 2023 with the Brick Township Municipal Utilities Authority. The Township will be reimbursed by the BTMUA for their portion of the work completed which is estimated to be \$371,561.00. The major work items to be

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performed under this contract consists of roadway milling and resurfacing, full depth pavement restoration, drainage improvements, retrofitting of manhole frames, castings, inlet grates, curb pieces and bicycle safety grates, water main replacement and connections to existing mains and sewers. Bid notices were provided to 74 prospective bidders and 14 requested bid packages. Eight bids were submitted with ANAR Construction being the lowest responsive, responsible bidder.

Authorize Rejection of Bids – Demolition of 478 East End Avenue

Council President Minichino said this resolution authorizes the rejection of bids for the demolition of 478 East End Avenue. This property has been demolished by the property owner and therefore, no further action is necessary.

Authorize Sale of Surplus Personal Property – Solar and Class 1 Renewable Energy Certificates

Councilwoman deJong stated this resolution authorizes the sale of the Township's Solar Renewable Energy Credits and Class 1 Renewable Energy Certificates through a public auction. The Township of Brick intends to utilize the online auction services of Flett Exchange, LLC. At this time, there are Solar Renewable Energy Certificates from Township's rooftop and parking lot solar panels to auction on the Flett Exchange website. In addition, there are Renewable Energy Certificates from the wind turbine located at the Drum Point Sports Complex. The Township previously utilized Flett Exchange, LLC for the sale of Solar Renewable Energy Certificates through public auction and received \$35,872.50.

Bond Releases/Reductions: Clerk Iannarone advised of the following:

- Inspection Fund Release – Block 36, Lots 13, 18, 22 & 24
- Inspection Fund Release – Block 549, Lot 11
- Performance Bond & Inspection Fund Release – Block 646, Lots 7-9
- Performance Bond Release – Block 1338.15, Lot 22
- Performance Bond Release – Block 1409.08, Lot 25
- Performance Bond Release – Block 1447.02, Lots 23, 24 & 25

Tax Collector: Business Administrator Bergin advised of the following:

- Veterans Deductions – Block 870.09, Lot 4 and Block 548, Lot 19.18
- Senior Citizen Deductions – Block 87.02, Lot 8
- Overpayments 2023 – Block 1270, Lot 2 and Block 1407.06, Lot 103
- Cancel Tax Balances - \$10 and under
- Tax Exemption – Block 211, Lot 31

Council President Minichino opened the public hearing on the Resolutions.

John Sluka questioned the Laurel Manor project from 2022 and the safe truck wash services.

Councilwoman deJong said that the Laurel Manor project was planned then but not started until everything was in place.

Business Administrator Bergin advised that the company hired for the safe truck wash collects the water within a bubble and has the infrastructure to properly dispose of the waste water.

Vic Fanelli questioned the Planning Incentive Program and where the money is going. He also questioned the need of bids for the mechanical, HVAC and plumbing for the police garage, where is it located and why it was not done during construction.

Business Administrator Bergin said the special operations garage is under construction and is located in the back of this building these items are needed in order to complete the building for staff to work within the structure. The Planning Incentive Program needs to be outlined to the State for open space purchase. The Township has to notify the need and idea for space such as the Breton Woods property for 1.4 million.

There were no further comments from the public.

Council President Minichino closed the public hearing on the Resolutions.

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Council President Minichino opened up 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 Councilman Albanese to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2024 Computer Bill Resolution in the amount of \$11,457,359.55

Council President Minichino opened up 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 Council Vice President Ambrosino and seconded by Councilwoman Travers to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2024 Manual Bill Resolution in the amount of \$5,664,264.04

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

John Sluka read his letter dated January 19th addressed to the Mayor, Council, residents, workers and news reporters regarding the adverse effects of air pollution. He said it aggravates health issues and vehicles are a major source of it. The Garden State Parkway continues to impact the citizens and nothing is being done. He said it is linked to higher dementia cases, higher breast cancer cases and affects the adolescent brain. A 14-20 ft. wall and trees are needed near Evergreen Woods, Greenbriar and Briar Mills (and these are not the richest communities in town) to protect the residents. He said help is needed and wanted to know if anyone cared because very little has been done.

Charlie Bacon questioned the Popeye's project that the Board of Adjustment approved to go next to the WaWa on Rt. 88. He said there's a lot of concerns about the traffic and left-hand turn out of that facility but it was still approved even though they were aware of the issue. He noted there was a condition approved on the WaWa application and questioned how it could be approved knowing it was going to be an issue with traffic.

Business Administrator Bergin replied that the DOT requested the no left-turn but has done nothing to correct the situation. She said there has been follow up by the Mayor, Traffic Safety and herself. The Township supports it but said it is out of their hands.

Charlie Bacon also asked if the Dunkin Donuts on Herbertsville Road can be looked at. He said there is only one drive thru bay and it becomes problematic on the weekends when the que gets full. He said it is a public safety issue. He thanked the council for their time.

There were no further comments from the public.

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

Mayor Crate spoke about the Dr. Farrell article in the last edition of The Ocean Star with regards to school funding and the S-2 Bill. She said they deserve to be fully funded and that the school submitted an application to the State for stabilization and she saw it and it was excellent. She said she spoke with the Chair of Education and Senator Vin Gopal to advised that Brick needs this funding and would like it restored because every child deserves a quality education. She hoped the schools would get some good news and said she will continue to fight for fair funding. She attended the EMT awards ceremony in the beginning of January and wanted to congratulate Alexis Sweeney and Michael Magnetti – the 2023 EMTs of the Year. In talking with residents one thing that has resonated is that our EMTs

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are the best. She said they are kind and caring and on days when it could be the worst days for those families. They are an asset to the community. She also attended the Brick Twp. High School vs Brick Memorial High School girls' and boys' basketball games – and noted Brick Twp. won both games. She did a ribbon cutting for Unscathed Cuts located in the Town Hall Shoppes. In addition to being a barber, he is also a musician and highlights new and upcoming hip hop artists. She spoke of upcoming events.

Councilwoman Pontoriero advised the annual rabies clinic has been rescheduled to January 27th at 10am. It's not too late to register on the Township's website.

Councilwoman deJong added that Unscathed Cuts is also part of the Buy in Brick program. She said that the Brick Hero Awards will be taking place in March and they are currently accepting applications.

Councilman Feinman recognized the police department. He said they do a phenomenal job but cannot be everywhere at once so they do rely on the community. He gave the non-emergency police number for residents to call if they see something. He said there is also information on their website www.brickpd.com and told everyone to stay safe.

Council Vice President Ambrosino welcomed winter. He thanked the Township employees for their coordinated response to last week's snow. He said they did a very good job and hopefully there will not be more to come.

Council President Minichino agreed with Mr. Bacon's comments about the left-turn by WaWa and thanked him for bringing it up. He thanked everyone for coming.

Motion by Council Vice President Ambrosino and seconded by Councilwoman Travers to Adjourn the meeting at 7:48 p.m.

All Council Members voted AYE.

Vince Minichino
Council President

Lynnette A. Iannarone
Township Clerk