

June 25, 2024

A meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:01 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 February 16, 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
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

Absent

Councilman Steve Feinman
Councilwoman Melissa Travers

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 Council Vice President Ambrosino and seconded by Councilman Albanese to dispense with the reading of the minutes from the June 11, 2024 meeting and approve same.

All Council Members voted AYE on the Roll Call.

Motion by Council Vice President Ambrosino and seconded by Councilman Albanese to adopt the following Resolutions:

All Council Members voted AYE on the Roll Call.

Authorize Insertion of Chapter 159 – NJDCA – Brick Senior Center 2022 Grant

Councilwoman deJong stated this resolution authorizes the insertion of a grant in the amount of \$200,000.00 from the New Jersey Department of Community Affairs for the Brick Senior Center dialysis transportation program. As of June 16, 595 rides have been given for 18 patients to two different centers saving them money on transportation and respite care. The buses are also ADA compliant.

Authorize Grant Application – NJDOT – 2025 Municipal Aid Program – Roadway Elevation of Channel Drive Project

Council President Minichino said this resolution authorizes a grant application to the New Jersey Department of Transportation's Municipal Aid program for the Channel Drive Roadway Elevation project.

Authorize Award of Contract for Purchase of Two EMS Power Cots

Councilwoman Pontoriero explained this resolution authorizes an award of contract in the amount of \$55,415.88 with Stryker EMS Equipment for the purchase of two Power-PRO stretchers for the Brick Township EMS Squad. This purchase was approved in the 2024 capital budget.

Authorize Award of Contract for Purchase and Delivery of One 2024 Chevrolet Tahoe

Council Vice President Ambrosino advised this resolution authorizes the award of contract in the amount of \$50,117.22 to Hetrich Fleet Services for the purchase and delivery of one 2024 Chevrolet Tahoe. This purchase was previously approved in the 2024 capital budget for the Police Department.

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Authorize Award of Contract for Purchase and Installation of New Gym Floor at Civic Plaza

Councilman Albanese stated this resolution authorizes the award of contract in the amount of \$63,378.50 to Direct Flooring for the purchase and installation of a new gym floor at Civic Plaza. This purchase is being made through the Education Services Commission of NJ cooperative agreement and was funded in the 2024 capital budget.

Authorize Award of Contract for Upfit to Six Police Interceptor Utility Vehicles

Council Vice President Ambrosino stated this resolution authorizes the award of contract for the purchase and installation of various equipment for new Police patrol vehicles. This award is being made through the State of New Jersey Cooperative Purchasing Program through two vendors: East Coast Emergency Lighting in the amount of \$105,050.88 and PMC Wireless in the amount of \$14,113.14.

Authorize Award of Contract for Roadway Improvements to Courtshire Drive

Council President Minichino advised this resolution authorizes the award of contract in the amount of \$488,783.50 to Meco Inc. for the Roadway Improvements on the Courtshire Drive project. This project was funded in the 2024 capital budget.

Authorize Lease Agreements for Wireless Telecommunications Facility at 401 Chambers Bridge Road

Councilman Albanese said this resolution authorizes the lease agreement for wireless telecommunications facility located here at Town hall with Dish Wireless for the initial term annual rent of \$44,000.00. The rent for each term will increase by a minimum of 2.75 percent on the commencement date. Bid notices were provided to four vendors for the Township's bidder's list and one bidder picked up the package.

Authorize Demolition of 204 Winchester Drive

Councilwoman deJong stated this resolution authorizes the demolition of 204 Winchester Drive, as recommended by the Township's Property Maintenance Board.

Authorize Demolition of 250 Riverside Drive North

Councilwoman deJong stated this resolution authorizes the demolition 250 Riverside Drive North, as recommended by the Township's Property Maintenance Board.

Authorize 2024-2025 Distribution Liquor License Renewal Without Restrictions – BC Rest of Brick Town Inc. t/a NJ Wine Gallery

Councilman Albanese advised this resolution authorizes the renewal of a plenary retail distribution liquor license without restrictions to NJ Wine Gallery on Brick Boulevard.

Authorize 2024-2025 Plenary Retail Consumption Liquor License Renewals With Restrictions – JSM at Brick IV, LLC

Councilwoman Pontoriero said this resolution authorizes the renewal of a plenary retail consumption license with restrictions, which is currently in the inactive status, to JSM at Brick IV, LLC.

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

- Performance Bond Release – Block 1170, Lot 10.01

Tax Collector: Business Administrator Bergin advised of the following:

- Veteran Deduction – Block 25.02, Lot 89
- 100% DAV/Widow of Veteran Deduction – Block 493, Lot 22
- 100% DAV/Widow of Veteran Deduction – Block 894, Lot 1
- Tax Overpayments 2024 – Block 270, Lot 60; Block 109, Lot 39

Council President Minichino opened the public hearing on the Resolutions.

There were no 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.

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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 Ambrosino to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2024 Computer Bill Resolution in the amount of \$14,168,572.68

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

All Council Members voted AYE on the Roll Call.

2024 Manual Bill Resolution in the amount of \$2,223,670.11

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

John Sluka read his letter to the Mayor and Council dated June 16, 2024 regarding the noise and toxins affecting bus stops, playgrounds and various areas in town due the Garden State Parkway expansion project 12 years ago. He said it has gotten worse and one can hear and feel the danger. While the Township may have done things, there are still issues with lack of trees and brush and people are being harmed. He said there are over 700 homes located in that area and requested action.

John McConaghie was seeking assistance from the Mayor and Council regarding damage that was done to his home and his many neighbors' homes from an MUA project done on Valencia Drive. He said that he sent an email to the Mayor and Council on April 1st but did not get a response. The MUA hired a contractor to do work and they reported damages done by UUC (Underground Utilities Corp.) immediately and was told UUC was responsible but now UUC insurer is denying their claims. They brought it to the MUA's attention but they do not seem to answer anyone. He was told the council appoints the commissioners so they came to the meeting tonight for assistance. They were told it was a minor project – it couldn't have been a minor project because it took nearly two years to complete. 16 out of the 50 homes on the block suffered damaged and they are hoping the council could help resolve.

Don Sapanara said that the MUA has turned their backs on them. The MUA approved this company and sent letters out but once claims were filed they were told to contact UUC. Now, they all received a form letter from UUC saying that the damages were all pre-existing. His house was built in 2018 and not affected by previous storms.

Jill Myers said she purchased her home in May 2021 prior to the start date of the project and now with their constant vibrations, she has a lot of damage – cracks in her walls, issues with windows, damage to her deck and air-conditioning unit. She said pictures were taken by UUC too. She said that there were no issues with her home at the time of the purchase and now she has many.

Nan Coll of Greenbriar Blvd. said that she was told the DCA oversees these authorities and they should bombard them with phone calls. She demanded action for these residents from the council.

Attorney Kevin Starkey said that he also received the emails and spoke with the MUA attorney and was advised they are trying to work with the contractor and insurer. He said he appreciated the residents coming out but the MUA is a separate entity and while the

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council appoints its members, they cannot interfere with their business. State law prohibits it. He suggested bringing their concerns directly to the MUA because the council is powerless to direct them. He also suggested filing a law suit either with the MUA or separately or even against the MUA. (Residents advised they also appealed to the MUA and their appeals were denied by their three-worker committee.) He said their meetings are open to the public and one was held earlier tonight.

Robert Lee was in attendance tonight with his wife and asked for assistance regarding flooding on Cartagena Drive. He said there was never flooding until the Township allowed development of the marshland and now the water has no where to go. Even the mosquito commission does not come to spray anymore. He said he has a heart problem and is concerned that he could not get out in an emergency. He said he spoke with the Mayor and thought something was going to be done. He asked the town to team up with the County, State and Federal governments to do something to protect the marine life and citizens.

Maryann McEvoy said she has been a resident since 1996 and now has to move cars due to the flooding on Cartagena Drive. She asked the council to hire an outside engineer and pleaded for them to do anything to help. She said even fire hydrants get blocked by the flood waters.

John McEvoy said they need action.

Dave Przybylko said he is new to the area and the flooding is getting worse and worse. People cannot get to their jobs and he's lost days of work. He also had damage to his truck. He said while the Mayor is great, he would appreciate something to be done.

Debbie Rooney has lived there for five years and this year the flooding has been the worse. She said she could not get out to help her daughter and her husband's car had to have the rotors replaced due to rust. She said there has been times when she had to drive through the waters and the car started to float. She has a job to get to and can't. She said the flooding is 2 – 3 feet high at times and asked if a bulkhead could be installed.

There were no further comments from the public.

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

Business Administrator Bergin advised three residents have made pleas for Evergreen Woods and they have not gone unanswered. Since 2014, she has attended several meetings at Evergreen and this issue was never on their agenda or on the agendas of Sutton Village or the Board of Education. Walls cannot help the toxins and the Township spent over \$52,000.00 for a noise study which showed levels were not excessive. There is nothing else the Township can do. She also mentioned that a sound wall was installed in East Brunswick but the homeowners were assessed for the cost. The Evergreen Woods Association has not directed them to do so.

Mayor Crate thanked the residents of Valencia for coming out tonight to discuss their issues with the MUA. She said she has had conversations with many of them and suggested a meeting with both counsels and then report back to them, although they do not have any influence over the MUA. She also said she has spoke with the MUA Executive Director and they are holding back the payment to the contractor. She said they are not ignoring the pleas and will continue to look into it. With regards to the Cartagena flooding she has received many emails and calls and needs to update the council. She said that the engineer has met with the DEP to see what we can do but everything they have proposed was not acceptable to them. She added that the roadways have already been raised so that is not an option. She said they keep hitting roadblocks but will reach back out to the DEP and hopefully they can better explain to the residents the situation. With regards to safety, they do have a high-water vehicle and boats if needed so please call the police in an emergency.

Councilman Albanese echoed what the Mayor said and said they will do all they can.

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Councilwoman Pontoriero thanked the residents for coming out even though they did not have answers tonight. She said she was aware of the Cartagena flooding because she has a friend that lives there. She is glad money is being held back on the MUA Valencia project but said if there are grounds to file a lawsuit or even a class action lawsuit they can do so.

Councilwoman deJong also echoed everyone's comments. She also mentioned three new art classes being offered by Recreation and was happy that the Township was able to bring the arts back for the residents.

Council Vice President Ambrosino appreciated that so many residents came to the meeting tonight. He said they do listen but the wheels move slowly.

Council President Minichino advised the residents that they would do their due diligence with regards to their concerns.

Motion by Councilwoman deJong and seconded by Council Vice President Ambrosino to Adjourn the meeting at 7:54 p.m.

All Council Members voted AYE.

Vince Minichino
Council President

Lynnette A. Iannarone
Township Clerk