

**Brick Township Council**  
**March 22 2016**  
**Caucus/Public Meeting**  
**7:00 PM**  
**Agenda No. 1**

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press on January 8, 2016. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net). At this time please silence or turn off your cell phone.
3.
  - a. Roll Call.
  - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.
  - c. Approve Reports of Municipal Officers.
  - d. Approve Minutes of February 23, 2016 Meeting.
  - e. Presentations:
    1. Lee Ann Ray – Powerlifting Champion.
    2. Students of the Month.
    3. Joe Gilsenan – Ocean County Municipal Joint Insurance Fund Award.
4. Ordinance on First Reading:  
\_\_\_\_\_ 1. Cap Rate Ordinance.
5. Resolution:  
\_\_\_\_\_ 1. Introduction of the 2016 Municipal Budget.
6. Budget Presentation: Glenn Campbell – Department of Public Works.

**Consent Agenda**

***“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”***

7. Resolutions:  
\_\_\_\_\_ 1. Recognize Lee Ann Ray – Powerlifting Champion.  
\_\_\_\_\_ 2. Recognize Joe Gilsenan - Ocean County Municipal Joint Insurance Fund Award.  
\_\_\_\_\_ 3. Authorize Cancellation of Stale Dated Checks.  
\_\_\_\_\_ 4. Authorize Execution of Shared Services Agreement with County of Ocean – Child Restraint Program Grant.  
\_\_\_\_\_ 5. Authorize Change Order No. 1 Final – 2014 Paving Program Lake Riviera Phase II.  
\_\_\_\_\_ 6. Authorize Change Oder No. 1 – Purchase of One (1) Diagnostic Tool for Dump Trucks.  
\_\_\_\_\_ 7. Authorize Execution of Settlement Agreement – New Beginnings Christian Fellowship.  
\_\_\_\_\_ 8. Bond Releases/Reductions:
    - a. Inspection Fund Release – Stewart J. Dailey, III – Off Princeton Avenue.
  - \_\_\_\_\_ 9. Tax Collector:
    - a. Refund Overpayment for Automated Garbage Can – Block 868.11 Lot 4.
    - b. Tax Overpayments – 2016.
    - c. State Tax Appeal Granted – Block 45.07 Lot 24 – 241 Curtis Point Drive.
    - d. State Tax Appeal Granted – Block 379.02 Lot 3 – 25 & 15 Brick Boulevard.
    - e. State Tax Appeal Granted – Block 547 Lot 1 – 545 Brick Boulevard.
    - f. State Tax Appeal Granted – Block 565 Lot 1 – 2597 Hooper Avenue – GS Realty.
    - g. State Tax Appeal Granted – Block 565 Lot 1 – 2597 Hooper Avenue.
    - h. State Tax Appeal Granted – Block 932 Lot 2.02 – 613 Point Avenue – Conigliaro.
    - i. State Tax Appeal Granted – Block 932 Lot 2.02 – 613 Point Avenue.
    - j. State Tax Appeal Granted – Block 1170 Lot 26 – 525 Jack Martin Boulevard.
- \*\*\*\*\***End of Consent Agenda**\*\*\*\*\*
- \_\_\_\_\_ 10. Bill Resolution – Computer 2016.
  - \_\_\_\_\_ 11. Bill Resolution – Manual 2016.

8. Ordinance on Second Reading:  
\_\_\_\_\_ 1. Amend Chapter 245 – Permitted Yard Encroachments.
9. Public Comments.  
**Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.**

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March 22 2016  
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7:00 PM  
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10. Council Comments.

11. Motion to Adjourn.

**And any other matters which may come before Council.  
Formal Action may be taken at all meetings.**

**\*\*\* Next scheduled Caucus/Public meeting of the Township Council will be on Tuesday, April 5, 2016 at 7:00 p.m.**

**ORDINANCE**

**CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Brick in the County of Ocean finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$2,371,246.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Brick, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Brick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, bringing the total percentage to 3.5% and amounting to a \$2,371,246.46 and that the CY 2016 municipal budget for the Township of Brick be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 22<sup>nd</sup> day of March, 2016 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 19<sup>th</sup> day of April, 2016 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

\_\_\_\_\_  
JOHN G. DUCEY  
MAYOR

|          |         |
|----------|---------|
| Agenda # | 3/Date  |
| 4-1      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, The Township of Brick is home to many exemplary individuals; and

**WHEREAS**, Lee Ann Ray, through her achievements in the sport of Powerlifting is one of those inspiring residents; and

**WHEREAS**, Lee Ann, a wife and mother of five children, took up the sport just three years ago at the age of forty and has demonstrated that anything is possible if you set your mind to it and see it through; and

**WHEREAS**, Lee Ann currently holds three state records in the New Jersey and recently took home the gold medal at the American Open in Boston, giving her the opportunity to compete for a national title in October; and

**WHEREAS**, Lee Ann's remarkable physical strength is matched by her willpower and the example she sets for others.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. We join Mayor John G. Ducey in celebrating Lee Ann's achievements.
2. We urge all residents to join us in wishing Lee Ann success in all of her future endeavors.

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

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|----------|---------|
| Agenda # | Date    |
| 7-1      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, The Township of Brick is fortunate to have many dedicated employees who work to improve the quality of life for our residents; and

**WHEREAS**, Joe Gilsean, also known as Safety Joe, has been an employee of the township for nearly thirty years and currently serves as Director of Safety/Insurance and Liability as well as Deputy Coordinator for the Office of Emergency Management; and

**WHEREAS**, Joe was recently honored by his colleagues on the Ocean County Municipal Joint Insurance Fund with the W. Thomas Renkin Memorial Award for his dedication and his significant contributions to the continued safety and well-being of the funds membership; and

**WHEREAS**, In addition to Joe's role as Director of Safety, Joe also plays a critical role in the Office of Emergency Management and is a longtime member of the Howell Township Volunteer Fire Department; and

**WHEREAS**, we are grateful to Joe for consistently reminding us that "safety is no accident".

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. We join Mayor John G. Ducey in congratulating Safety Joe on this impressive award.
2. We urge all residents to join us in thanking Joe for his service to our community.

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

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| Agenda # | 3/Date  |
| 7-2      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**RESOLUTION TO CANCEL STALE DATED CHECKS**

**WHEREAS**, a reconciliation of the Township's Escrow accounts reflects outstanding checks; and,

**WHEREAS**, the check dates on these checks are now stale dated; and,

**WHEREAS**, attempts have been made to find the whereabouts of the payees, but to no avail, and,

**WHEREAS**, it is the intent of the Council to cancel these outstanding checks.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean, and State of New Jersey as follows:

1. The attached list totaling \$418.89 is to be cancelled and funds are to be returned to the appropriate accounts.
2. A certified copy of this resolution be forwarded to the Chief Financial Officer.

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

| TD ESCROW        |        |             |              |
|------------------|--------|-------------|--------------|
| Check #          | Amount | Date Issued | Payee        |
| 2797             | 318.86 | 2/20/15     | Walmart      |
|                  |        |             |              |
| Inspection Under |        |             |              |
| Check #          | Amount | Date Issued | Payee        |
| 3349             | 100.03 | 2/11/15     | New Cingular |

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| Agenda # | 3/Date |
| 7-3      | 22/16  |
| Agenda # | Date   |
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**RESOLUTION**

**WHEREAS**, the FY16 Child Restraint Program Grant (herein referred to as "CRG") is a program run by the Ocean County Sheriff's Office (hereinafter referred to as "Sheriff's Office") for the purpose of inspecting and installing child restraints in vehicles; and

**WHEREAS**, the CRG receives funding from the State of New Jersey and the County of Ocean; and

**WHEREAS**, the Sheriff's Office and the Municipality have determined it to be in their mutual interest for the Municipality to designate Nationally Certified Child Passenger Safety Technicians (hereinafter referred as CPS Technicians) to be assigned to CRG; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes local units as defined in the Act to enter joint agreements for the provision of governmental services; and

**WHEREAS**, N.J.S.A. 40A:65-5 requires that such an agreement be authorized by resolution; and

**WHEREAS**, the Municipality wishes to enter into an Agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of CPS Technicians employed by the Municipality to the Child Restraint Group.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean, State of New Jersey as follows:

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to Shared Services Agreement between the Township of Brick and the County of Ocean for the FY16 Child Restraint Program Grant (CRG) retroactive from October 1, 2015 and shall continue in full force and effect until September 30, 2016.
2. A Copy of the Agreement will be on file for public inspection in the Office of the Township Clerk.
3. A certified copy of this Resolution shall be provided by the Office of the Township Clerk to the Township Attorney, Chief of Police, Purchasing Agent, Business Administrator, Ocean County Sheriff's Office and the Ocean County Board of Chosen Freeholders.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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| Agenda # | 3/Date  |
| 7-4      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
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**RESOLUTION**

**Change Order Resolution No. 1 - Final**

**WHEREAS**, it has come to the attention of the governing body of the Township of Brick that a Change Order representing as built quantity adjustment is needed to successfully complete the **2014 Paving Program – Lake Rivera Resurfacing Phase II, Ordinance #19-14**; and

**WHEREAS**, in accordance with N.J.S.A. 5:30 14.4, the Business Administrator has recommended that Change Order No. 1 - Final be authorized and that the contract issued to **Earle Asphalt Co.** be decreased by \$133,369.29 and the contract be commensurately decreased from \$1,015,413.13 to \$882,043.84.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, as follows:

1. That Change Order No. 1- Final is hereby authorized as stated above.
2. That a certified copy of this resolution shall be forwarded to Earle Asphalt Co., ARH Associates, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 22<sup>nd</sup> day of March, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

| Agenda # | Date    |
|----------|---------|
| 7-5      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |



**RESOLUTION**

**CHANGE ORDER #1**

**WHEREAS**, on May 19, 2015 a contract was awarded to Campbell Freightliner, LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831 for the purchase and delivery of two (2) 2016 or Newer, Tandem Axle, Dump Truck with Stainless Steel, Fourteen (14) Yard Dump Bodies and Snow Plow, Ordinance #19-14; and

**WHEREAS**, it was brought to the attention of the Purchasing Department that Item #151, Diagnostic Tool / Test Equipment was inadvertently not awarded in the original contract; and

**WHEREAS**, the Diagnostic Tool / Test Equipment is a USB Cabling / Adapter to connect existing DPW Shop computer to the new truck diagnostic port; and

**WHEREAS**, the Director of Public Works recommends the purchase of one (1) Diagnostic Tool at a cost of \$3,350.00.

**NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. That Item #151, for the purchase of one (1) Diagnostic Tool / Test Equipment, is hereby awarded to Campbell Freightliner, LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831 at a cost of \$3,350.00.
2. That the Chief Financial Officer has submitted a Certificate of Available Funds in the amount of \$3,350.00 and is attached hereto.
3. That all other terms and conditions of the original bid remain as awarded.
4. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the Office of the Township Clerk during normal business hours.
5. That a copy of this resolution shall be forwarded to Campbell Freightliner, Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone Township Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 22<sup>nd</sup> day of March, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this the 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

| Agenda # | Date    |
|----------|---------|
| 7-6      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SETTLEMENT OF A LAWSUIT BETWEEN THE TOWNSHIP AND NEW BEGINNINGS CHRISTIAN FELLOWSHIP, INC.**

**WHEREAS**, a lawsuit was filed in the United States District Court for the District of New Jersey against the Township and the Zoning Board of Adjustment by New Beginnings Christian Fellowship, Inc., which lawsuit was entitled New Beginnings Christian Fellowship, Inc. v. Township of Brick and Brick Township Zoning Board of Adjustment, Civ. No. 13-06775 (the "Lawsuit"); and

**WHEREAS**, the Lawsuit alleged claims of: discrimination under the Religious Land Use and Institutionalized Persons Act "(RLIUPA)"; improper denial of land use approvals; violation of civil and constitutional rights; and related claims; and

**WHEREAS**, the Township and the Zoning Board have denied the allegations in the Lawsuit and have vigorously defended against the claims; and

**WHEREAS**, the parties have engaged in settlement discussions, in an effort to reduce the costs to the Township, to eliminate the inherent risks of litigation and to reach a mutually acceptable resolution of the claims; and

**WHEREAS**, the parties have tentatively agreed to terms of settlement, as more specifically set forth in the attached Settlement Agreement and Release attached to this Resolution; and

**WHEREAS**, the Township Attorney and the Special Counsel for the Township in the Lawsuit have reviewed the terms of the settlement and recommend the terms to the Mayor and Township Council as a reasonable settlement of the Lawsuit; and

**WHEREAS**, the Township Council desires to authorize the settlement upon the terms set forth in the attached Settlement Agreement and Release;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Mayor is authorized to execute the Settlement Agreement and Release on behalf of the Township, to fully and finally settle the lawsuit entitled New Beginnings Christian Fellowship, Inc. v. Township of Brick and Brick Township Zoning Board of Adjustment, Civ. No. 13-06775, upon the terms set forth therein.
2. That the Township Attorney and Special Counsel for the Township are authorized to take the necessary action to have the Lawsuit dismissed with prejudice and to implement the terms of the settlement.
3. That a copy of said Settlement Agreement and Release shall be kept on file and made available for public inspection at the Office of the Township Clerk during normal business hours.
4. That the Township Clerk shall forward a certified copy of this resolution to New Beginnings Christian Fellowship, Inc., through its counsel.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council held on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 22nd day of March, 2016.

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| Agenda # | 3/Date  |
| 7-7      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Township Clerk by letter dated March 4, 2016 that there is \$206.70 remaining in the engineering inspection fund from Stewart J. Dailey, III, 2511 River Road, Point Pleasant, NJ 08742 for Block 901.22 Lots 7 & 8 (off Princeton Avenue, PB-2440) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the \$206.70 remaining in the engineering inspection fund be returned to the applicant; and

**WHEREAS**, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. That the \$206.70 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
  - a. Assistant Township Engineer
  - b. Chief Finance Officer
  - c. Applicant

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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| Agenda # | 3       |
| 7-8a     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there is an overpayment for the automated garbage can as it was purchased on a commercial property that is not picked up by the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner who was responsible for the overpayment.

| <u>Block/Lot/Account #</u>       | <u>Name</u>           | <u>Amount</u> |
|----------------------------------|-----------------------|---------------|
| 868.11/4/415168<br>1868 Route 88 | R & J Associates, LLC | \$ 60.00      |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

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|----------|--------|
| Agenda # | 3/Date |
| 7-9 a    | 22/16  |
| Agenda # | Date   |
| Agenda # | Date   |
| Agenda # | Date   |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2016.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

| <u>Block/Lot/Account #</u>           | <u>Name</u>   | <u>Amount</u> |
|--------------------------------------|---|---------------|
| 1383/7c150/625048<br>134 Skyline Dr. | Ocean First Bank<br>(owner: Scicutella, Michael & Joan) | \$ 526.10     |
| 211.03/36/103922<br>86 Rochester Dr. | Hoare, Helen  | \$2,092.97    |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

|          |         |
|----------|---------|
| Agenda # | Date    |
| 7-9b     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2014 & 2015 on Block 45.07, Lot 24, Account # 101083, 241 Curtis Point Dr. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2014 & 2015 from 1,677,100 to 1,535,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u> | <u>Name</u>                      | <u>Amount</u>           |
|----------------------------|----------------------------------|-------------------------|
| 45.07/24/101083            | Jacobus & Assoc, LLC Trustee for | \$ 2,989.78-2014        |
| 241 Curtis Point Dr.       | Schaedel, Gary 2012 Trust        | <u>\$ 3,013.94-2015</u> |
|                            |                                  | \$ 6,003.72             |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WTINESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

|          |         |
|----------|---------|
| Agenda # | Date    |
| 7-9c     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2013-2015 on Block 379.02, Lot 3, Account # 207924, 25 & 15 Brick Blvd. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2013-2015 from 2,081,000 to 1,900,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u>             | <u>Name</u>                     | <u>Amount</u>  |
|--|---------------------------------|--|
| 379.02/3/207924<br>25 & 15 Brick Blvd. | GBR Brick LLC % National Realty | \$ 3,741.27-2013<br>\$ 3,808.24-2014<br><u>\$ 3,839.01-2015</u><br>\$11,388.52 |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WTINESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

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|----------|---------|
| Agenda # | Date    |
| 7-9d     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2011 & 2012 on Block 547, Lot 1, Account # 311160, Collective Fed. Sav c/o Bank of America due to State Appeals being granted; and as the State Appeal reduces the assessment for 2011 & 2012 from 2,030,900 to 1,600,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u> | <u>Name</u>                                | <u>Amount</u>           |
|----------------------------|--|-------------------------|
| 547/1/311160               | Collective Federal Sav c/o Bank of America | \$ 8,549.06-2011        |
| 545 Brick Blvd.            |  | <u>\$ 8,618.00-2012</u> |
|                            |  | \$17,167.06             |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

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|----------|---------|
| Agenda # | Date    |
| 7-9e     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |



**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2012 on Block 565, Lot 1, Account # 311450, 2597 Hooper Ave. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2012 from 507,000 to 270,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u>       | <u>Name</u>     | <u>Amount</u> |
|----------------------------------|-----------------|---------------|
| 565/1/311450<br>2597 Hooper Ave. | GS Realty Corp. | \$ 4,740.00   |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WTINESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

|          |         |
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| Agenda # | Date    |
| 7-9f     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2013-2014 on Block 565, Lot 1, Account # 311450, 2597 Hooper Ave. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2013-2014 from 507,000 to 270,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u>       | <u>Name</u>             | <u>Amount</u>                                      |
|----------------------------------|-------------------------|--|
| 565/1/311450<br>2597 Hooper Ave. | Pontoriero Realty Group | \$4,898.79-2013<br><u>\$4,986.48</u><br>\$9,885.27 |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

|          |         |
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| Agenda # | Date    |
| 7-9a     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2014 on Block 932, Lot 2.02, Account # 517412, 613 Point Ave due to State Appeals being granted; and as the State Appeal reduces the assessment for 2014 from 1,390,800 to 1,100,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u>        | <u>Name</u>               | <u>Amount</u> |
|-----------------------------------|---------------------------|---------------|
| 932/2.02/517412<br>613 Point Ave. | Conigliaro, Thomas & Lisa | \$ 6153.33    |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

\_\_\_\_\_  
LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

|          |   |      |         |
|----------|---|------|---------|
| Agenda # | 3 | Date | 3/22/16 |
| Agenda # |   | Date |         |
| Agenda # |   | Date |         |
| Agenda # |   | Date |         |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2015 on Block 932, Lot 2.02, Account # 517412, 613 Point Ave due to State Appeals being granted; and as the State Appeal reduces the assessment for 2015 from 1,390,800 to 1,100,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u>        | <u>Name</u>        | <u>Amount</u> |
|-----------------------------------|--------------------|---------------|
| 932/2.02/517412<br>613 Point Ave. | Cappiello, Anthony | \$ 9,940.17   |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

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| Agenda # | Date    |
| 7-91     | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |
| Agenda # | Date    |

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2012-2015 on Block 1170, Lot 26, Account # 520448, 525 Jack Martin Blvd. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2012-2015 from 7,311,400 to 5,500,000.

**WHEREAS**, refunds are to be issued pursuant to the listing below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

| <u>Block/Lot/Account #</u>              | <u>Name</u>                     | <u>Amount</u>   |
|---|---------------------------------|---|
| 1170/26/520448<br>525 Jack Martin Blvd. | Prof. Medical Arts Center % NAI | \$ 36,445.37-2012<br>\$ 39,699.78-2013<br>\$ 42,561.22-2014<br><u>\$ 45,057.28-2015</u><br>\$163,763.65 |

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on March 22, 2016.

**IN WTINESS WHEREOF**, I have hereunto set my hand and seal of this Township this 22<sup>nd</sup> day of March, 2016.

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LYNNETTE A. IANNARONE, RMC  
MUNICIPAL CLERK

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| Agenda # | Date    |
| 7-9j     | 3/22/16 |
| Agenda # | Date    |
|          |         |
| Agenda # | Date    |
|          |         |
| Agenda # | Date    |
|          |         |

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, SO AS TO AMEND CHAPTER 245-330.4, ENTITLED "PERMITTED YARD ENCROACHMENTS"

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Brick, County of Ocean, and State of New Jersey, as follows:

SECTION 1. § 245-330.4 of the Township Code of the Township of Brick captioned "Permitted yard encroachments" is hereby amended and supplemented to amend the permitted rear yard encroachments for access staircase with a stoop or platform in special flood hazard areas. The amended section shall read as follows:

§ 245-330.4. Permitted yard encroachments.

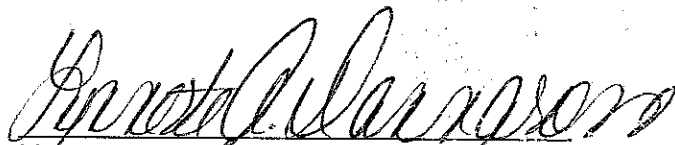
B. An access staircase, with an entry stoop or platform, not to exceed a total 100 square feet in area, may project no further than 5 feet into a required rear yard setback area. The previously mentioned entry stoop or platform may be covered or uncovered.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 23rd day of February, 2016 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 22nd day of March, 2016 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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JOHN G. DUCEY  
MAYOR

|          |         |
|----------|---------|
| Agenda # | Date    |
| 6-1      | 2/23/16 |
| Agenda # | Date    |
| 8-1      | 3/22/16 |
| Agenda # | Date    |
| Agenda # | Date    |