

Brick Township Council
April 11, 2017
Caucus/Public Meeting
7:00 PM
Agenda No. 2

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press on January 13, 2017. 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 led by Webelos Pack 163 /Moment of Silence.
 - c. Approve Minutes of March 7th & March 21, 2017 Meetings.
 - e. Presentations:
 1. PILOT Check Presentation – Homes Now, Inc., to the Township of Brick.
 2. National Library Week – Brick Branch – Carolyn Belvin.
 3. **National Public Safety Telecommunicators Week.**
4. Budget Presentations:
 - ___1. Dan Santaniello – Recreation.
 - ___2. Ken Mathis – Parks Department
 - ___3. 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.”

5. Resolutions:
 - ___1. Recognize National Library Week – April 9th – 15th.
 - ___2. Authorize Receipt of Bids – Rental of Equipment & Operators.
 - ___3. Authorize Receipt of Bids – Snow Removal Services.
 - ___4. Authorize Award of Bid – Manufacture & Printing of Tax Bills.
 - ___5. Authorize Award of Bid – Hank Waltonowski Memorial Park Improvements.
 - ___6. Authorize Award of Contract – Vending Machine Services.
 - ___7. Authorize Award of Contract – Purchase & Delivery of Automotive Parts, Supplies and Repairs under the Stafford Township Co-operative Pricing System.
 - ___8. Authorize Appointment of Police Department Chaplain.
 - ___9. Authorize Amendment to the Shared Services Agreement for Driving While Intoxicated Enforcement Program.
 - ___10. Authorize Motor Vehicle Selling License Transfer – AAM Auto Sales, LLC – 2005 Rt. 88.
 - ___11. Authorize Placement of Tax Liens for Property Clean-ups
 - ___12. Authorize Special Events Permit – Laurelton Park Baptist Church Picnic.
 - ___13. Supporting Legislation – State Public Defender’s Office to Represent Defendants in Bail Hearings.
 - ___14. Bond Releases/Reductions:
 - a. Performance Bond Release – Feinberg & McBurney Realty - Hooper Ave.
 - b. Performance Bond Release – NVR, Inc. – Chambers Bridge Rd.
 - c. Performance Bond Release – Lake Real Estate – Old Burnt Tavern Rd.
 - d. Inspection Fund Release – AHG Landholdings – Brick Blvd.
 - e. Inspection Fund Release – Paul Wong – Route 88.
 - f. Inspection Fund Release – Robert Scott – Herbertsville Rd.
 - ___15. Tax Collector:
 - a. 100% Widow of Veteran Refund & Cancel Taxes – Block 869.07 Lot 3 – 115 Taylor Blvd.
 - b. Tax Overpayments – 2016.
 - c. State Tax Appeal Granted – Block 936 Lot 5.01 – 691 Princeton Ave.
 - d. State Tax Appeal Granted – Block 1385.07 Lot 1 – 604 Winding River Rd.
 - e. Redemption of Tax Sale Certificates.
 - ___16. **Recognize National Public Safety Telecommunicators Week – April 9th - 15th.**
*******End of Consent Agenda*******
 - ___17. Bill Resolution – Computer 2017.
 - ___18. Bill Resolution – Manual 2017.

Brick Township Council
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6. Ordinances on First Reading:

- _____1. Amend Chapter 245 – Affordable Housing.
- _____2. **Amend Chapter 98 – Animals.**

7. Ordinances on Second Reading:

- _____1. CAP Rate Index Ordinance.
- _____2. Amend Chapter 110 – Beach Hours.

8. 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.

9. Council Comments.

10. 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 25, 2017 at 7:00 p.m.**

RESOLUTION

WHEREAS, libraries are not just about what we have for people, but what we do for and with people; and

WHEREAS, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses and schools; and

WHEREAS, librarians are organizers and information experts who for centuries have guided people to the best information resources. Librarians provide more than facts. They provide the expertise and services that add meaning to those facts; and

WHEREAS, libraries and librarians are looking beyond their traditional roles and providing more opportunities for the community and engagement and deliver new services, such as access to technologies, that connect closely with patrons' needs; and

WHEREAS, libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and

WHEREAS, Brick Township is fortunate to be home to a branch of the Ocean County Library system; and

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

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 recognizing April 9-15, 2017 as National Library Week in the Township of Brick and we celebrate this year's theme "Libraries Transform."
2. We urge all residents to celebrate National Library Week by visiting the library and taking advantage of all they have to offer.

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-1	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, it has been brought to the attention of the governing body of the Township of Brick the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

RENTAL OF EQUIPMENT & OPERATORS

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 Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, 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 held on the 11th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-2	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION
AUTHORIZATION TO BID

WHEREAS, it has been brought to the attention of the governing body of the Township of Brick the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

SNOW REMOVAL SERVICES

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 Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, 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 held on the 11th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4/Date
5-3	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Manufacture & Printing of Tax Bills on March 24, 2017; and

WHEREAS, the bids have been reviewed by the Tax Collector; and

WHEREAS, the Tax Collector has recommended the award of said bid to the lowest responsive and responsible bidder in compliance with the Administrative Requirements, Technical Specifications and References.

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 the bid for the Manufacture and Printing of the Tax Bills is awarded to Vital Communications, Inc., 900 South Broad Street, Trenton, NJ 08611.
2. That this bid will be one (1) year contract commencing on April 12, 2017 and ending on April 11, 2018 at a rate not to exceed \$22,640.00.
3. A copy of this resolution shall be forwarded to the Vital Communications, Inc., Business Administrator, Tax Collector, Chief Financial Officer and the Purchasing Agent.
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.

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 11th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
3-4	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the **Hank Waltonowski Memorial Park Improvements**, a NJDEP Green Acres Funded Program, on April 4, 2017; and

WHEREAS, the bids have been reviewed by CME Associates, Consulting Engineer; and

WHEREAS, the Consulting Engineer has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

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 bid for the **Hank Waltonowski Memorial Park Improvements** is hereby awarded to **Precise Construction Inc., 1016 Highway 33, Freehold, N.J. 07728** for a total bid amount of \$1,228,513.00 (Base Bid \$1,204,713.00, Add A \$15,800.00 and Add B \$8,000.00).
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto.
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to Precise Construction Inc., NJDEP Green Acres, Business Administrator, Chief Financial Officer, CME Associates, Township Engineer, Recreation Director and the Purchasing Agent..

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, 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 held on the 11th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-5	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, formal proposals were solicited by the Township of Brick to provide, install and maintain coin and paper money vending machines in the confines of the areas designated by the Township to include the Municipal Complex, 401 Chambers Bridge Road and the Department of Public Works, 836 Ridge Road, Brick NJ; and

WHEREAS, the proposals have been reviewed by the Director of Public Works; and

WHEREAS, the Director of Public Works has recommended the award of said proposal to the highest responsive and responsible bidder.

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 proposal to provide, install and maintain coin and paper money vending machines for Snacks and Liquids Machines is hereby awarded to Skrip's Classic Vending Service, 1235 Mercedes Bend, Toms River, NJ 08755.
2. That the price for Liquids will be \$2,105.00 per year and the price for Snacks will be \$2,205.00 per year, making the total rate of \$4,310.00 per year.
3. That the term of this contract shall be for three (3) years to commence on May 1, 2017 and conclude on April 30, 2020
4. That a copy of this resolution shall be forwarded to Skrip's Classic Vending Service, Business Administrator, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, 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 held on the 11th day of April 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-6	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township of Brick is a participating agency under the Stafford Township Co-Operative Pricing System known as 33-OCCP; and

WHEREAS, Stafford Township as the Lead Agency has bid for the Purchase and Delivery of Automotive Parts, Supplies and Repairs under the contract 33-OCCP-2017-109; and

WHEREAS, said bid meets the requirements of the Township of Brick; and

WHEREAS, a contract has been awarded by said Lead Agency to;

- Advanced Fastener Industries Inc., 1026 S. US Hwy 1, Unit 407, Jupiter, FL 33477
- Barlow Automotive, LLC (dba Barlow Buick-GMC), 445 Route 72 East, Manahawkin, NJ 08050
- Beach Haven Automotive Inc., 816 Long Beach Blvd., Ship Bottom, NJ 08008
- Eastern Warehouse Distributors Inc., 355 South Flowers Mill Rd, Langhorne, PA 19047
- Chapman Ford Sales, 6744 Black Horse Pike, Egg Harbor Township, NJ 08324
- Gran Turk Equipment Co. Inc., One Schuylkill Parkway B, Bridgeport, PA; and

WHEREAS, the Township of Brick desires to join the above said contract; and

WHEREAS, the Business Administrator recommends award by this Council.

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

1. A subsidiary contract for the Purchase and Delivery of Automotive Parts, Supplies and Repairs is hereby awarded to the following vendor in accordance with the attached schedule of discounts;
 - Advanced Fastener Industries Inc., 1026 S. US Hwy 1, Unit 407, Jupiter, FL 33477
 - Barlow Automotive, LLC (dba Barlow Buick-GMC), 445 Route 72 E., Manahawkin, NJ 08050
 - Beach Haven Automotive Inc., 816 Long Beach Blvd., Ship Bottom, NJ 08008
 - Eastern Warehouse Distributors Inc., 355 South Flowers Mill Rd, Langhorne, PA;
 - Chapman Ford Sales, 6744 Black Horse Pike, Egg Harbor Township, NJ 08324
 - Gran Turk Equipment Co. Inc., One Schuylkill Parkway B, Bridgeport, PA; and
2. This shall be a two (2) year contract beginning April 4, 2017 to April 3, 2019 as awarded by the lead agency.
3. That this is a unit priced bid not to exceed \$100,000.00 per year with funds to be certified prior to each order.
4. That the Mayor is hereby 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. A copy of this resolution shall be forwarded to Advanced Fastener Industries Inc., Barlow Automotive (dba Barlow Buick-GMC), Beach Haven Automotive, Eastern Warehouse Distributors Inc., Chapman Ford Sales, Gran Turk Equipment Co. Inc., Business Administrator, Chief Financial Officer, Director of Public Works 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 11th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

Agenda #	Date
5-7	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING A POLICE CHAPLAIN

WHEREAS, the Township Council desires to appoint a Police Chaplain, in accordance with the provisions of Section 48-5 of the Township Code, to serve the Chief of Police, officers, patrolmen, their families and the residents of the Township;

WHEREAS, Rev. Douglas G. Chase has exemplary qualifications for the position of Police Chaplain, having served as the Pastor of the Brick Presbyterian Church for the past 25 years, is an active leader in the Brick Clergy Association, holds a Master in Divinity from the Louisville Theological Seminary, and a BA in Religion from Maryville College and is currently an affiliate member of the International Conference of Police Chaplains; and

WHEREAS, Rev. Chase has also served as US Army Chaplain, a Pastor at Henryville Community Presbyterian and Mt. Lebanon Churches in Indiana, as well as Pastor of the First Presbyterian Church in Springville, NY; and

WHEREAS, the Township Council now desires to appoint Rev. Chase to the position of Police Chaplain;

NOW, THEREFORE, BE IT RESOLVED:

1. The Township Council hereby appoints Rev. Douglas G. Chase to the position of Police Chaplain, in accordance with Section 48-5 of the Township Code.
2. Rev. Chase shall, in the position of Police Chaplain, have the authority, duties and responsibilities set forth in Sections 48-6 and 48-7 of the Township Code, and shall be of service to the Chief of Police, officers, patrolmen, their families and the residents of the Township of Brick as needed.
3. The Township Clerk shall forward a certified copy of this Resolution to Rev. Chase and to the Chief of Police.

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-8	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, there is a need to use the services of the local police in conjunction with the Ocean County Prosecutor’s Office for certain Law Enforcement Projects; and

WHEREAS, the Driving While Intoxicated Enforcement Program (hereinafter referred to as “**DWIEP**”) is a traffic safety program run by the Ocean County Prosecutor’s Office (hereinafter referred to as “Prosecutor’s Office”) for the purpose of identifying and removing intoxicated drivers from the roadways; and

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

WHEREAS, the Shared Services Act NJSA 40:8A-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services; and

WHEREAS, the Township Council by Resolution 492-16 authorized the execution of a Shared Service Agreement for this purpose; and

WHEREAS, as a result of changes to the 2016/2017 DWIEP Program it is necessary to amend the agreement; and

WHEREAS, the Township of Brick wishes to amend the Agreement with the county for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Municipality to the **DWIEP**; and

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to the Amendment to the Shared Services Agreement between the Township of Brick and the County of Ocean for Driving While Intoxicated Enforcement Program (**DWIEP**).
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 Prosecutor’s Office and the Ocean County Board of Chosen Freeholders.

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-9	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, AAM Auto Sales, LLC, has made application to operate a business for the selling of Motor Vehicles, pursuant to Chapter 466 of the Township Code for the year 2017; and

WHEREAS, J&C, Inc, 2005 Route 88 East, Brick, NJ 08724, has agreed to transfer their current Motor Vehicles Sales Category 1 License to AAM Auto Sales, LLC.

WHEREAS, the aforesaid application has been found to be in proper form and the proper fee has been collected; and

WHEREAS, Code Enforcement, Zoning Department and Fire Bureau have inspected the aforesaid and have found it to be in compliance; and

WHEREAS, the Township Clerk recommends that this application be approved; and

WHEREAS, the Township Council is satisfied with the recommendation of the Township Clerk.

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 Brick Township Motor Vehicle Sales license previously granted to J&C, Inc., 2005 Route 88 East, Brick, NJ 08724 is hereby transferred to AAM Auto Sales, LLC to be located at 2005 Route 88 East, Brick, NJ 08724.
2. A certified copy of this resolution shall be forwarded to J&C Inc., and AAM Auto Sales, LLC.

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	4/11/17
3-10	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE DIRECTOR OF PUBLIC WORKS CONCERNING ADDITIONAL COSTS INCURRED IN THE REMOVAL OF DEBRIS AND CLEANING UP OF THE PROPERTY LOCATED AT MULTIPLE BLOCKS/LOTS AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTIES FOR SAID COSTS.

WHEREAS, in accordance with the provisions of N.J.S.A. 40:65-12 and Chapter 331, specifically Section 331-5 through 331-9, of the Township Code of the Township of Brick, the Township of Brick removed debris and cleaned up the property located at

**283 Leswing Drive – Block 321.03/Lot 4 - \$819.01
364 Essex Drive – Block 383.18/Lot 31 - \$1023.01**

after duly-giving notice to the property owner of said property pursuant to Chapter 56; and

WHEREAS, the Director of Public Works has certified the costs incurred by the Township in removing the debris and cleaning up the aforementioned property; and

WHEREAS, the total additional costs incurred by the Township for the removal of the debris and cleaning up the property, as certified by the Director of Public Works, are

**283 Leswing Drive – Block 321.03/Lot 4 - \$819.01
364 Essex Drive – Block 383.18/Lot 31 - \$1023.01**

WHEREAS, Chapter 331 of the Township Code, in accordance with N.J.S.A. 40:65-12, et seq. authorizes the governing body to have a lien placed against the subject property for the costs incurred by the Township in the removal of the debris from the subject premises and cleaning up the property, together with interest at the same rate as other taxes as set forth in N.J.S.A. 40:48-2.14.

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

1. That the Mayor and Township Council do hereby formally accept and approve the certification submitted by the Director of Public Works for the removal of debris and cleaning up the property located at

**283 Leswing Drive – Block 321.03/Lot 4 - \$819.01
364 Essex Drive – Block 383.18/Lot 31 - \$1023.01**

2. That the Mayor and Township Council do hereby direct the Tax Collector to place an assessment against the subject property in accordance with this resolution.
3. That a copy of the certified costs incurred by the Township in removing the debris and cleaning up the property, together with a copy of the resolution, shall be forwarded to the owner of the property by certified mail.
4. That a certified copy of this resolution be forwarded to the Tax Collector and to the Code Enforcement Officer.

CERTIFICATION

I, Lynnette A. Iannarone, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

Agenda #	Date
5-11	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Laurelton Park Baptist Church Brick d/b/a Living Faith Bible Church has applied for a special event permit to conduct a Church Picnic Event on June 4, 2017 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Township Clerk has requested, and received, a report from the various departments on the effect of the special event and the recommendations are incorporated herein; and

WHEREAS, the Mayor and Council desire to approve the Laurelton Park Baptist Church application to conduct a Picnic at 1595 Route 88 on June 4, 2017 with the conditions and restrictions detailed below.

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

SECTION 1. That the Laurelton Park Baptist Church's request for special event application to conduct a Picnic Event on Sunday, June 4, 2017 between the hours of 12:00 pm and 4:00 pm, at 1595 Route 88 with the conditions and restrictions as follows:

1. All fire lanes and fire access areas must remain open and accessible at all times and all occupancy limits must be maintained.
2. A permit must be obtained for any tents and/or food trucks from the Brick Township Bureau of Fire Safety.
3. Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
4. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police, the Township Planner and the Laurelton Park Baptist Church.

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
S-12	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING LEGISLATIVE ACTION REQUIRING THE STATE PUBLIC DEFENDER'S OFFICE TO REPRESENT DEFENDANTS IN THE SUPERIOR COURT BAIL HEARINGS FOR THOSE ELIGIBLE DEFENDANTS CHARGED WITH DISORDERLY PERSONS OFFENSES OR PETTY DISORDERLY OFFENSES IN LIEU OF THE MUNICIPAL PUBLIC DEFENDER

WHEREAS, the Bail Reform Act became effective January 1, 2017; and

WHEREAS, the Bail Reform Act requires bail hearings to be conducted in the Superior Court; and

WHEREAS, bail hearings for Disorderly Persons Offenses and Petty Disorderly Offenses are held in the Superior Court notwithstanding jurisdiction for these offenses being in the Municipal Courts; and

WHEREAS, the State Public Defender who has attorneys routinely appearing in the Superior Court does not represent defendants charged with Disorderly Persons Offenses or Petty Disorderly Offenses even in the Superior Court; and

WHEREAS, the foregoing necessitates Municipal Public Defenders being required to appear in Superior Court at considerable inconvenience and expense to local municipalities; and

WHEREAS, this results in an unfunded State Mandate.

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 Brick Township Council hereby supports legislative action requiring the State Public Defender's Office to represent defendants in the Superior Court bail hearings for those eligible defendants charged with Disorderly Persons Offenses or Petty Disorderly Offenses in lieu of the Municipal Public Defender.
2. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, the 9th, 10th, 12th and 30th Legislative Districts representatives, Ocean County Freeholders, all Ocean County Mayors and the New Jersey State League of Municipalities.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, 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 held on the 11th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April 2017.

Agenda #	Date
5-13	4/11/17
Agenda #	Date
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Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Feinberg & McBurney Realty Development, 18711 E. Marlton Pike-Suite 10, Cherry Hill, NJ 08003 had posted Liberty Mutual Insurance Co. Performance Surety Bond No. 012019050 in the amount of \$873,334.33 and a cash performance bond in the amount of \$67,926.00 to guarantee certain site improvements to Block 552.01 & 554 Lots: 18, 19 & 16 (CVS Pharmacy, PB-2703) within the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated March 16, 2017 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer is recommending that the Liberty Mutual Insurance Co. Performance Surety Bond No. 012019050 in the amount of \$873,334.33 and a cash performance bond in the amount of \$67,926.00 (plus interest if applicable) be returned to the applicant; and

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 Liberty Mutual Insurance Co. Performance Surety Bond No. 012019050 in the amount of \$873,334.33 and a cash performance bond in the amount of \$67,926.00 (plus interest if applicable) be returned to the applicant; and
2. That certified copies of this resolution be forwarded to:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	4	Date	4/11/17
Agenda #		Date	
Agenda #		Date	
Agenda #		Date	

RESOLUTION

WHEREAS, NVR, Inc. (Ryan Homes), 11700 Plaza America Drive, Reston, VA 20190 had posted US Specialty Insurance Co. Performance Surety Bond #1000963230 in the amount of \$18,625.15 and a cash performance bond in the amount of \$2,069.47 to guarantee certain site improvements to Block 701 Lot 9 (Nobility Crest, Sales Trailer, PB-2571) within the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated March 17, 2017 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer is recommending that the US Specialty Insurance Co. Performance Surety Bond #1000963230 in the amount of \$18,625.15 and a cash performance bond in the amount of \$2,069.47 be returned to the applicant; and

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 US Specialty Insurance Co. Performance Surety Bond #1000963230 in the amount of \$18,625.15 and a cash performance bond in the amount of \$2,069.47 be returned to the applicant; and
2. That certified copies of this resolution be forwarded to:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-146	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Lake Real Estate/Alex Hartstein, 725 Ridge Avenue, Lakewood, NJ 08701 had posted Santander Bank Irrevocable Standby Letter of Credit Number 8206 in the amount of \$45,492.33 and a cash performance bond in the amount of \$5,055.43 to guarantee certain site improvements to Block 1282.70 Lot: 29 (700 Old Burnt Tavern Road, PB-2739) within the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated March 31, 2017 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer is recommending that the Santander Bank Irrevocable Standby Letter of Credit Number 8206 in the amount of \$45,492.33 and a cash performance bond in the amount of \$5,055.43 (plus interest if applicable) be returned to the applicant; and

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 Santander Bank Irrevocable Standby Letter of Credit Number 8206 in the amount of \$45,492.33 and a cash performance bond in the amount of \$5,055.43 (plus interest if applicable) be returned to the applicant; and
2. That certified copies of this resolution be forwarded to:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-14c	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated February 17, 2017 that there is \$8,856.62 remaining in the engineering inspection fund from AHG Landholdings of Brick, LLC, PO Box 1877, Toms River, NJ 08754 for Block 380 Lot 1.01 (PB-2697 Roy Rogers Restaurant) 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 \$8,856.62 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 \$8,856.62 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, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-14d	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated March 31, 2017 that there is \$227.03 remaining in the engineering inspection fund from Paul Wong, 25 Greylawn Drive, Lakewood, NJ 08701 for Block 1037.21, Lot 28 (2063 Route 88-Sentosa Restaurant) 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 \$227.03 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 \$227.03 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, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-14e	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated March 17, 2017 that there is \$467.00 remaining in the engineering inspection fund from Robert Scott- Scott's Lawn Care, 318 Nancy Drive, Point Pleasant, NJ 08742 for Block 1308.102 Lot 15-18 (366 Herbertsville Road) 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 \$467.00 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 \$467.00 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, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-146	4/11/17
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 100% Widow of a DAV has been granted on Block 869.07, Lot 3, Account # 415528 as of November 29, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from November 29, 2016 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
869.07/3/415528 115 Taylor Blvd.	Flores, Michael & Deborah	\$ 1957.89

CERTIFICATION

I, Lynnette A. Iannarone, Clerk for 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 April 11, 2017,

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-15a	4/11/17
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>
869/20/415077 97 Princeton Ave.	Linares, Jose & Gail	\$ 2929.50

CERTIFICATION

I, Lynnette A. Iannarone, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-15b	4/11/17
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 2015-2016 on Block 936, Lot 5.01, Account # 517470, 691 Princeton Ave. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2015-2016 from 1,325,500 to 1,272,500.

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>
936/5.01/517470 691 Princeton Ave.	Jacobus & Assoc Trustee for Miller, Jeffrey	\$1,131.02-2015 <u>\$1,161.23-2016</u> \$2,292.25

CERTIFICATION

I, Lynnette A. Iannarone, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-15c	4/11/17
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 2014-2016 on Block 1385.07, Lot 1, Account # 725309, 604 Winding River Rd. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2014-2016 from 1,250,000 to 1,126,600.

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>
1385.07/1/725309 604 Winding River Rd.	Jacobus & Assoc. Trustee for	\$2,609.91-2014
	Pitrelli, Anthony & Mary	\$2,635.82-2015
		<u>\$2,707.40-2016</u>
		\$7,953.13

CERTIFICATION

I, Lynnette A. Iannarone, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4/11/17
5-15d	
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 have been redemptions of tax sale certificates on the properties listed below.

WHEREAS, monies have been received and deposited in the current account for the Township of Brick.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Mayor and Clerk be and are hereby authorized to sign and seal the aforementioned tax sale certificate.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Cert. #</u>
210.37/6/103360	Senerchia, Steven	# 2017-0047
210.37/8/103361	Senerchia, Steven	# 2017-0048

CERTIFICATION

I, Lynnette A. Iannarone, 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 April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4/11/17
5-15e	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, April 9 through April 15, 2017 has been designated as National Public Safety Telecommunications Week and it is dedicated to the men and women who serve as public safety telecommunicators; and

WHEREAS, National Public Safety Telecommunications Week enhances public awareness and promotes education regarding important public safety issues; and

WHEREAS, dispatchers and other public safety telecommunicators represent a vital link between the public and other aspects of the emergency services community; and

WHEREAS, public safety telecommunicators provide consistent excellence in customer service with the shared goal of protecting life and property, while also maintaining the highest level of professionalism even under the most extreme circumstances; and

WHEREAS, these heroic individuals, often in anonymity, help save countless lives by responding to emergency calls, dispatching emergency professionals and equipment and providing moral support to citizens in distress.

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 praising the men and women who serve the Township of Brick and all communities as Public Safety Telecommunicators.
2. We urge all residents to give thanks for the individuals who serve on the very first line among First Responders.

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 of the Township of Brick at a meeting of said Township Council on April 11, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-16	4/11/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE AFFORDABLE HOUSING PROVISIONS OF CHAPTER 245 PART 2 ARTICLE V OF THE CODE OF THE TOWNSHIP OF BRICK ENTITLED "AFFORDABLE HOUSING"

WHEREAS, on July 2, 2015 the Township of Brick ("Township") filed a declaratory judgment action, in accordance with procedures established by the New Jersey Supreme Court in In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) (Mount Laurel IV), seeking a determination that it is in compliance with its constitutional affordable housing obligations under the *Mount Laurel Doctrine* and the Fair Housing Act of 1985, N.J.S.A. 53:27D-301 et seq.

WHEREAS, on December 30, 2016 the Township entered into a Settlement Agreement with Intervenor Fair Share Housing Center which provides, among other things, for mechanisms for the Township to address its affordable housing obligation; and

WHEREAS, one mechanism agreed to by the Parties under the Settlement Agreement, endorsed by the Special Master and accepted by the Court in entering a Conditional Order of Compliance on January 27, 2017, is for the Township to adopt a set-aside ordinance providing for an inclusionary zoning requirement on future multifamily development of ten (10) or more units in the Township developed through planning board approval, zoning board approval, or a redevelopment or rehabilitation plan provided such set-aside requirement does not convey to a property owner or applicant any right to develop multi-family housing by entitlement or variance or impose any obligation on the part of the Township or its land use boards and agencies to approve any such application,

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

SECTION 1. Chapter 245 Part 2 Article V. of the Code of the Township of Brick entitled "Land Use Regulations" is hereby amended, revised, and supplemented in accordance with the provisions of this ordinance.

SECTION 2. A new § 245-42.1 is hereby adopted as follows:

§ 245-42.1 Affordable Housing Set-Aside

A. Requirements for Affordable Housing in Multifamily Residential Developments. All development approvals for new multi-family residential development in the Township shall include a set-aside for affordable housing as described herein.

(1) Purpose. The purpose of these provisions is to supplement Section 245-42 to provide for affordable housing in new multifamily developments in accordance with a Conditional Order of Compliance entered on January 27, 2017 and the Brick Township Housing Plan Element and Fair Share Plan, as adopted by the Brick Township Planning Board on March 22, 2017 and endorsed by the Brick Township Council on April 25, 2017.

(2) Applicability. The requirement for the mandatory provision of affordable housing as set forth in this Section shall apply to all new applications for land use approvals, made after the effective date of this Section, for multifamily residential developments of ten (10) or more units, including applications for use or density variances, site plans, or subdivisions, and applications for land use approvals made pursuant to new or amended redevelopment plan adopted after the effective date of this Section pursuant to a finding of an area in need of redevelopment or rehabilitation. These provisions shall likewise govern substantial revisions to previously approved developments. A substantial revision to a development approval shall, for the purposes of these affordable housing regulations, be any revision that increases the number of multifamily residential units by ten (10) or more units.

(3) Definition of Multifamily. For the purposes of this Section, multifamily residential development shall mean residential development comprising ten (10) or more dwelling units, including, but not limited to, dwelling units that are located one over another, garden apartments, townhouse developments, multistory apartment or condominium buildings, and mixed-use developments containing a combination of non-residential and residential uses.

(4) Set-Aside Requirements for Multifamily Development. All development approvals for multifamily residential development shall provide an affordable housing set-aside of fifteen (15) percent of the residential units in a rental development and twenty (20) percent of the residential units in a for-sale

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development. At least 50 percent of the affordable units in each development shall be affordable to low-income households including 13 percent in rental developments affordable to very-low-income households

- (a) When the required set-aside results in a number that is not a whole number, the set-aside requirement shall be rounded to the closest whole number.
- (b) At the developer's option, or per the terms of a developer or redeveloper agreement with the Township, the developer may provide a greater affordable housing set-aside than required by this Section.
- (c) A developer of a multi-family residential development may not intentionally avoid the requirements of this Section by, for example, subdividing a project into two lots and then make each of them a number of units just below the threshold.
- (d) A developer of a multi-family residential development may provide a payment-in-lieu-of-construction to fund the construction of affordable housing required by this Section on another site within the Township. The amount of the contribution shall be calculated in accordance with N.J.A.C. 5:97-6.4(c)5.
- (e) The set-aside requirement of this Section shall not be interpreted to convey upon any property owner or applicant the right to develop multi-family housing by entitlement or variance nor shall it be construed to impose any obligation on the part of the Township or its land use boards and agencies to approve any such application.
- (f) Provision of affordable housing units in accordance with this Section shall otherwise comply with the requirements for affordable housing set forth in this Article V.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. Effective date. This ordinance shall take effect upon final passage and approval, filing with the Ocean County Planning Board, 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 11th day of April, 2017 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 9th day of May, 2017 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

ORDINANCE

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING TOWNSHIP CODE CHAPTER 98,
"ANIMALS," TO RESTRICT THE SALES OF DOGS AND
CATS**

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. The Township Code of the Township of Brick is hereby amended in Chapter 98 entitled "Animals," to amend Sections 98-69 and 98-70 in the manner set forth below (language with strike-outs is hereby deleted):

§ 98-69 Definitions. For purposes of this article, the following definitions shall be applicable:

KENNEL

Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on.

KENNEL OPERATOR

A person who owns and/or operates a kennel.

LEGALLY EXISTING NONCONFORMING USE

~~Any pet store, pet store operator, kennel or kennel operator that displayed, sold, offered for sale, bred, or otherwise disposed of cats or dogs, or both, in the Township of Brick prior to the effective date of this article. A legally existing nonconforming use does not include any pet store, pet store operator, kennel or kennel operator whose license issued in accordance with Chapter 98, §98-10, is subsequently revoked.~~

PET STORE

A retail establishment open to the public and engaging in the business of selling cats or dogs, or both, at retail. Any person who sells, exchanges, or otherwise transfers only animals that were bred and reared on the premises owned by the person shall be considered a breeder and not a pet store.

PET STORE OPERATOR

A person who owns and/or operates a pet store.

§ 98-70 Prohibited acts; exceptions.

No pet store, pet store operator, kennel or kennel operator shall sell, offer for sale, barter, auction, breed or otherwise improperly dispose of cats or dogs, or both, in the Township of Brick. ~~This section shall not apply to legally existing nonconforming uses or to the adoption of cats or dogs, or both.~~ Nothing contained herein shall prohibit a shelter, pound or other establishment from keeping, displaying, selling or otherwise transferring any cat or dog, or both, that has been seized, rescued or donated.

SECTION 2. The provisions of this ordinance shall become effective as of June 30, 2017.

SECTION 3. 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.

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6-2	4/11/17
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SECTION 4. 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 on first reading at a meeting of the Township Council of the Township of Brick held on the 11th day of April, 2017, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 25th day of April, 2017 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

ORDINANCE

CALENDAR YEAR 2017 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 0.5% 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 2017 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 \$2,502,052.32 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 2017 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 3.0%, bringing the percentage to 3.5% amounting to a \$2,144,616.27 increase, bringing the total to \$2,502,052.32 and that the CY 2017 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 21st day of March, 2017 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of April, 2017 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		3/31/17
Agenda #	4	Date
7-1		4/11/17
Agenda #		Date
Agenda #		Date

ORDINANCE

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING TOWNSHIP CODE CHAPTER 110-15 TO SET
HOURS FOR BATHING AT TOWNSHIP BEACHES**

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. The Township Code of the Township of Brick is hereby amended in Chapter 110 entitled "Beaches and Waterfront Area," to set hours of operation for bathing and swimming in areas designated by lifeguards, which amended provision shall read as follows:

§ 110-15. Bathing hours and surf fishing hours established.

- A. Bathing hours in areas designated by lifeguards are hereby established between the hours of 9:30 a.m. and 5:30 p.m., weather permitting, on weekend days between Memorial Day and June 15. Bathing hours shall be from 9:30 a.m. to 5:30 p.m. every day, weather permitting, from June 16 through Labor Day. No person shall swim in an area of the beachfront that is not designated for swimming. No person or persons shall engage in surf fishing in an area designated for swimming during bathing hours.
- B. Any section or part of any beach may be declared closed to the public at any time and for any interval of time, either temporary or at regular and stated intervals, daily or otherwise, and either entirely or merely for certain uses.

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 21st day of March, 2017 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of April, 2017 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 #	Date
4-2	3/21/17
Agenda #	Date
7-2	4/11/17
Agenda #	Date
Agenda #	Date