

Brick Township Council
April 25, 2017
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 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/Moment of Silence.
 - c. Approve Reports of Municipal Officers.
 - d. Presentations:
 1. Osbornville School – Pitfalls of Plastic Video and Tony Scurzo – Stop & Shop Manager.
 2. Liam Bergin and Thomas Kraft – Presentation to Mayor Ducey – Monarch Waystation Recognition.
 3. Students of the Month.
4. Municipal Budget Hearing:
 - ___1. Motion to Open Public Hearing on Budget.
 - ___2. Resolution Authorizing Reading of Budget by Short Title.
 - ___3. Motion to Close Public Hearing on Budget.
 - ___4. Authorize State Required Budget Amendment Resolution (Pending Review DLGS).
 - ___5. Adoption of 2017 Municipal Budget.

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 Volunteer Week – April 23rd – April 29th.
 - ___2. Authorize Receipt of Bids -Purchase & Delivery One Triaxle 40 Cubic Yard Roll-Off Truck.
 - ___3. Authorize Award of Bid – Riviera Beach Roadway Improvements Phase I.
 - ___4. Authorize Transfer of Plenary Retail Distribution Liquor License - Forbes
 - ___5. Support the BTMUA Voluntary Water Conservation.
 - ___6. Bond Releases/Reductions:
 - a. Inspection Fund Release – Linda & Vincent LoPiccolo – Princeton Ave.
 - b. Inspection Fund Release – Fellowship Chapel of Jersey Shore – Duchess Ln.
 - c. Inspection Fund Release – CRP Worthington Lessee, LLC – Jack Martin Blvd.
 - ___7. Tax Collector:
 - a. 100% DAV Refund & Cancel Taxes – Block 382.30 Lot 14 – 236 Essex Ct.
 - b. Tax Overpayment – 2017.
 - c. State Tax Appeal Granted – Block 44.01 Lot 14 – 199 Helm Rd.
 - d. State Tax Appeal Granted – Block 44.06 Lot 6 – 198 Pointe Dr.
 - e. State Tax Appeal Granted – Block 446.19 Lot 7 – 635 Duquesne Blvd.
 - f. State Tax Appeal Granted – Block 1170 Lot 5 – 1722 Route 88.

*******End of Consent Agenda*******

 - ___8. Bill Resolution – Computer 2017.
 - ___9. Bill Resolution – Manual 2017.

6. Ordinance on Second Reading:
 - ___1. Amend Chapter 98 – Animals.
7. 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.
8. Council Comments.
9. 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, May 9, 2017 at 7:00 p.m.

RESOLUTION

WHEREAS, N.J.S.A. 40A:4-8 provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Budget:
 - a. Shall be made available for public inspection, in the free county library, (Ocean County Library - Brick Township Branch) located in the municipality.
 - b. Copies are made available to each person requesting same during said week and during the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean, State of New Jersey, that it is hereby declared that the conditions of N.J.S.A. 40A:4-8 1(a) and 1(b), have been met and therefore the Budget for 2017 shall be read by title only.

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4/Date
4-2	4/25/17
Agenda #	Date
Agenda #	Date
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RESOLUTION

WHEREAS, the Local Municipal Budget for the year 2017 was approved on the 21st day of March, 2017; and,

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, the Township Council of the Township of Brick desires to amend the introduced and approved budget; and,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, that the following amendments to the approved 2017 budget be made:

	FROM	TO
SUMMARY of CURRENT FUND SECTION of APPROVED BUDGET		
General Appropriation For:		
1. Appropriations within "CAPS"		
(a) Municipal Purposes {(Item H-1, Sheet 19) (N.J.S. 40A:4-45.2)}	\$ 74,925,235.22	\$ 75,081,438.22
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes {(Item H-2, Sheet 28) (N.J.S. 40A:4-45.3 as amended)}	\$ 16,981,907.21	\$ 16,925,704.21
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)	\$ 16,981,907.21	\$ 16,925,704.21
4. Total General Appropriations (Item 9, Sheet 29)		
	\$100,407,142.43	\$100,507,142.43
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Misc. Revenues and Receipts from Delinquent Taxes)		
	\$ 29,969,672.95	\$ 30,069,672.95
GENERAL REVENUES		
3. Miscellaneous Revenues - Section A: Local Revenues (Continued)		
Beach Privileges	\$ 300,000.00	\$ 315,000.00
Total Section A: Local Revenue - Includes Total of "Group 3." items from Sheet 4	\$ 2,086,457.41	\$ 2,101,457.41
3. Miscellaneous Revenues - Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations (N.J.S. 40A:4-36 and N.J.A.C. 5:23-4.17)		
Uniform Construction Code Fees	\$ 2,706,000.00	\$ 2,791,000.00
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	\$ 2,706,000.00	\$ 2,791,000.00

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(O) Total General Appropriations Excluded From CAPS	\$ 16,981,907.21	\$ 16,925,704.21
(L) Subtotal General Appropriations {Items (H-1) and (O)}	\$ 91,907,142.43	\$ 92,007,142.43
9. Total General Appropriations	\$100,407,142.43	\$100,507,142.43

SUMMARY OF APPROPRIATIONS

(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	\$ 74,925,235.22	\$ 75,081,438.22
(A) Operations - Excluded from "CAPS"		
Other Operations	\$ 152,986.00	\$ 96,783.00
Total Operations - Excluded from "CAPS"	\$ 2,607,670.21	\$ 2,551,467.21
Total General Appropriations	<u>\$100,407,142.43</u>	<u>\$100,507,142.43</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2017 budget so amended.

BE IT FURTHER RESOLVED, that a copy this resolution be forwarded to the following:

1. Business Administrator
2. Chief Financial Officer
3. Purchasing Agent

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

RESOLUTION

BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 70,437,469.48 – (Item 2 below) for municipal purposes, and
- (d) \$ 1,028,284.22 – Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

RECORDED VOTE:

AYES:

NAYS:

SUMMARY OF REVENUES

1	GENERAL REVENUES:	
	Surplus Anticipated	\$ 10,928,024.40
	Miscellaneous Revenues Anticipated	\$ 16,208,648.55
	Receipts from Delinquent Taxes	\$ 2,933,000.00
2	AMOUNT to be RAISED for TAXATION for MUNICIPAL PURPOSES:	
	(Item 6(a), Sheet 11)	\$ 70,437,469.48
	TOTAL REVENUES	\$100,507,142.43

SUMMARY OF APPROPRIATIONS

5	GENERAL APPROPRIATIONS:	
	Within "CAPS"	
	(a & b) Operations Including Contingent	\$ 75,081,438.22
	(e) Deferred Charges and Statutory Expenditures - Municipal	\$ -
	(g) Cash Deficit	\$ -
	Excluded from "CAPS"	
	(a) Operations - Total Operations Excluded from "CAPS"	\$ 2,551,467.21
	(c) Capital Improvements	\$ 425,000.00
	(d) Municipal Debt Service	\$ 12,465,237.00
	(e) Deferred Charges - Municipal	\$ 1,484,000.00
	(f) Judgements	\$ -
	(n) Transferred to Board of Education	\$ -
	(g) Cash Deficit	\$ -
	(m) Reserve for Uncollected Taxes	\$ 8,500,000.00
	TOTAL APPROPRIATIONS	\$100,507,142.43

Agenda #	Date
4-5	4/25/17
Agenda #	Date
Agenda #	Date
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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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, National Volunteer Week is celebrated from April 23rd through April 29th 2017; and

WHEREAS, National Volunteer Week was first celebrated in the U.S. in 1972 and sponsored by the National Volunteer Center; and

WHEREAS, The National Observance began in 1974 when an executive order established the week as an annual celebration of volunteering; and

WHEREAS, Service Unites, the theme for National Volunteer Week, captures the power of change makers to come together to build stronger, more vibrant communities through service; and

WHEREAS, the impact and power of volunteerism and service is an integral aspect of our civic leadership, and

WHEREAS, the Township of Brick has numerous service clubs that improve the quality of life for our residents.

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 the contributions that volunteers make every single day in and around our community.
2. We urge all residents to celebrate the service provided by volunteers and make an effort to volunteer some of their own time to help others.

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-1	4/25/17
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:

Purchase & Delivery of one (1) Triaxle with 40 Cubic Yard Roll-Off Truck

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 25th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-2	4/25/17
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 **Roadway Improvements to Riviera Beach, Phase I** on Tuesday, April 18, 2017; and

WHEREAS, the bids have been reviewed by Maser 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 **Roadway Improvements to Riviera Beach, Phase I** is hereby awarded to **Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510** for a total bid amount of \$602,366.05 (Base Bid, Alternates A – D).
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 Meco, Inc., Maser Consulting, Business Administrator, Chief Financial Officer, Township Engineer, Public Works 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 25th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-3	4/25/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail distribution license number 1506-44-004-003 heretofore issued to Forbes Liquors, Inc. to be transferred to SP Holdings, LLC t/a Forbes Wines & Liquors, 580 Brick Boulevard, Suite D, Brick, NJ 08723; and

WHEREAS, the Municipal Clerk has advised that the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, no objections have been filed to the proposed person-to-person transfer; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, and the regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the Municipal Clerk has advised that the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license, as well as the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Municipal Clerk has advised that the application for a person- to-person transfer has been submitted in accordance with requirements of the Division of Alcoholic Beverage Control, and the applicant has been reviewed and approved by the Brick Township Police Department; and

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

1. The application for the person-to-person transfer of plenary retail distribution license number 1506-44-004-003 to SP Holdings, LLC t/a Forbes Wines & Liquors , 580 Brick Boulevard, Suite D, Brick, NJ 08723 is hereby approved in accordance with the application submitted effective May 2, 2017.
2. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the 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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-4	4/25/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

A Resolution Urging Voluntary Water Conservation by Brick Utilities Customers

WHEREAS, the Township of Brick and Brick Township Municipal Utilities Authority (the "Brick Utilities") relies on the Metedeconk River as its primary source of water supply; and

WHEREAS, the Metedeconk River is used to supply water to the William Miller Water Treatment Plant as well as the Brick Reservoir; and

WHEREAS, our region has experienced a prolonged dry weather pattern and the lack of precipitation has depleted streamflows and shallow groundwater, resulting in Metedeconk River flows that are significantly below normal; and

WHEREAS, Brick Utilities notified its customers of the need for voluntary water conservation measures during summer 2016; and

WHEREAS, the Commissioner of the New Jersey Department of Environmental Protection issued Administrative Order No. 2016-10 on October 21, 2016 declaring a Drought Warning for most of the State of New Jersey, including Ocean and Monmouth Counties; and

WHEREAS, there has been only marginal improvement to the water supply situation this past winter and the water supply deficits of 2016 remain as we approach the 2017 high-demand season; and

WHEREAS, the Township of Brick offers its full support of the Brick Township Municipal Utilities Authority and upholds cooperation of every Brick Utilities customer to voluntarily conserve water as a necessity in order to lessen stress on the water supply and avoid the need for more restrictive measures on water usage; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY for the reasons stated hereinabove and under the conditions mentioned herein urge the Brick Township Municipal Utilities Authority customers to voluntarily conserve water and avoid non-essential water use.

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-5	4/25/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated April 14, 2017 that there is \$757.95 remaining in the engineering inspection fund from Linda & Vincent LoPiccolo, 5 North Veprek Lane, S. Hackensack, NJ 07606 for Block 934 Lot 11, 11.01, 11.02 & 12 (Off Princeton Avenue, PB-2720) 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 \$757.95 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 \$757.95 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 April 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-6a	4/25/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated April 14, 2017 that there is \$958.81 remaining in the engineering inspection fund from Fellowship Chapel of Jersey Shore, 170 Duchess Lane, Brick, NJ 08724 for Block 1026.20 Lot 5 (Fellowship Chapel, BA-2756) 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 \$958.81 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 \$958.81 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 April 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-6 b	4/25/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated April 14, 2017 that there is \$895.30 remaining in the engineering inspection fund from CRP Worthington Lessee, LLC, 458 Jack Martin Boulevard, Brick, NJ 08724 for Block 1169 Lot 3 (Chelsea @ Brick) 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 \$895.30 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 \$895.30 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 April 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4	Date	4/25/17
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% DAV has been granted on Block 382.30, Lot 14, Account # 308437 as of March 7, 2017.

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 March 7, 2017 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
382.30/14/308437 236 Essex Ct.	Murray, Edward & Carol	\$ 362.33

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-7a	4/25/17
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 2017 due to a previously approved 100% DAV and a Homestead Credit being applied to the property after the approval.

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>
869.07/3/415528 115 Taylor Blvd.	Flores, Michael & Deborah	\$ 427.17

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4/25/17
5-7b	
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 2016 on Block 44.01, Lot 14, Account # 100669, 199 Helm Rd. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2016 from 1,022,600 to 941,100.

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>
44.01/14/100669 199 Helm Rd.	Jacobus & Assoc, LLC, Trustee for Sheldon, Jennifer	\$1,775.07

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-7c	4/25/17
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 2016 on Block 44.06, Lot 6, Account # 100761, 198 Pointe Dr. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2016 from 2,367,300 to 2,155,800.

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>
44.06/6/100761 198 Pointe Dr.	Jacobus & Assoc, LLC, Trustee for Prestifilippo, Christine	\$4,606.47

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-7d	4/25/17
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 446.19, Lot 7, Account # 310533, 635 Duquesne Blvd. due to State Appeals being granted; and as the State Appeal reduces the assessment for 2015-2016 from 1,656,000 to 1,400,000.

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>
446.19/7/310533	The Irwin Law Firm Trust Acct. FBO	\$ 5,429.76-2015
635 Duquesne Blvd.	Duquesne Holdings, LLC	<u>\$ 5,575.68-2016</u>
		\$11,055.44

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-7e	4/25/17
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 2011-2012 on Block 1170, Lot 5, Account # 520425, 1722 Route 88 due to State Appeals being granted; and as the State Appeal reduces the assessment for 2011-2016 from 15,649,500 to 15,149,500.

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>
1170/5/520425 1722 Route 88	Home Depot c/o Brian A. Fowler, Esq	\$ 9,975.00-2011 <u>\$10,060.00-2012</u> \$20,035.00

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 25, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of April, 2017.

Agenda # 5-7f	Date 4/25/17
Agenda #	Date
Agenda #	Date
Agenda #	Date

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.

Agenda #	Date
6-2	4/11/17
Agenda #	Date
6-1	4/25/17
Agenda #	Date
Agenda #	Date

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