

March 27, 2018
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 and The Ocean Star on January 5, 2018. 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 Minutes of February 27, 2018 Meeting.
 - d. Presentations:
 1. Woman's History Month.
 2. Students of the Month.
4. Ordinances on First Reading:
 - _____1. CAP Rate Index Ordinance.
 - _____2. Amend Chapter 288 – Traffic Regulations.
5. Budget Presentations:
 - _____1. Land Use: Elissa Commins (Engineering), Michael Fowler (Planning) and Dan Newman (Building).
6. Resolution:
 - _____1. Introduction of the 2018 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."

7. Resolutions:
 - _____1. Establish Dedicated Trust by Rider for Police Department Donations.
 - _____2. Authorize Cancellations – Grant Appropriated Reserves & Receivables.
 - _____3. Authorize Receipt of Bids – Replacement of HVAC Units at Civic Plaza.
 - _____4. Authorize Receipt of Bids – Roadway Improvements to Fairview Avenue & Fairview Court.
 - _____5. Authorize Receipt of Bids – Roadway Improvements to Lions Head Boulevard South.
 - _____6. Authorize Award of Bid – Sanitation/Recycling Collection System Containers.
 - _____7. Authorize Award of Bid – Demolition of All Structures at 533 Central Avenue.
 - _____8. Authorize Award of Proposal – Sale of Mulch.
 - _____9. Authorize Change Order No. 1 Final – Police Aegis CAD System Project.
 - _____10. Authorize Disposal of Surplus Property – Regal Cabin 30' Boat.
 - _____11. Authorize Award of Bid – CDBG Rehabilitation Program Project #17-06.
 - _____12. Referring the Proposed Amendment to the Metedeconk Village Redevelopment Plan to the Planning Board for Review.
 - _____13. Authorize Special Events Permit – The Martin Family Benefit.
 - _____14. Authorize Special Events Permit – Brick PAL Beerfest.
 - _____15. Authorize Special Events Permit – Color Run Event.
 - _____16. Authorize Special Events Permit – Church of Epiphany Feast of the Assumption.
 - _____17. Bond Releases/Reductions:
 - a. Performance Bond Release – Home Mark Homes – Tanager Way.
 - b. Inspection Fund Release – 135 Brick Boulevard, LLC – Brick Blvd.
 - _____18. Tax Collector:
 - a. Tax Overpayments – 2008.
 - b. Tax Overpayments – 2010.
 - c. Tax Overpayments – 2011.
 - d. Tax Overpayments – 2012.
 - e. Tax Overpayments – 2017.
 - f. Tax Overpayments – 2018.
 - _____19. Authorize Safe & Secure Communities 2018 Grant Program.

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

**March 27, 2018
Caucus/Public Meeting
7:00 PM
Agenda No. 2**

- ___20. Bill Resolution – Computer 2018.
- ___21. Bill Resolution – Manual 2018.

8. Ordinances on Second Reading:

- ___1. Amend Chapter 245 – Land Use – Temporary Sleeping Quarters.
- ___2. Amend Chapter 245 – Land Use – Camp Osborn Overlay Zone.

9. Public Comments.

Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.

10. Council Comments.

11. Motion to Adjourn.

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

***** Next scheduled Caucus/Public meeting of the Township Council will be on Tuesday, April 10, 2018 at 7:00 p.m.**

ORDINANCE

CALENDAR YEAR 2018 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 2.5% 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 2018 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 \$2,627,850.34 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 2018 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 1.0%, bringing the percentage to 3.5% amounting to a \$750,814.38 increase, bringing the total to \$2,627,850.34 and that the CY 2018 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 27th day of March, 2018, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of April, 2018 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	27/18
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 288 AND ESTABLISHING VARIOUS TRAFFIC REGULATIONS APPLICABLE TO SKYLINE DRIVE

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

1. Chapter 288-41 is hereby amended to establish a portion of Skyline Drive as a one-way street.
2. The supplements to Chapter 288-41 shall read as follows:

In accordance with the provisions of §288-16, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated.

<u>NAME OF STREET</u>	<u>DIRECTION</u>	<u>LIMITS</u>
Skyline Drive	Southbound and Northbound at each side of traffic triangle	Boulevard Section of Skyline Drive at Winding River with itself

3. Chapter 288-42 is hereby amended to establish a portion of Skyline Drive as a through street.
4. The supplements to Chapter 288-42 shall read as follows:

In accordance with the provisions of §288-17, the following described streets or parts of streets are hereby designated as through streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where yield signs are provided for in the designation.

<u>NAME OF STREET</u>	<u>LOCATION</u>
Skyline Drive	From Winding River Road to Marina Lane

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 27th day of March, 2018, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of April, 2018 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person 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	3/27/18
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION introducing the Local Budget of the Township of Brick, County of Ocean for fiscal year 2018, with statements of Revenues and Appropriations which shall constitute the Local Budget for year 2018. Further, said budgets shall be published in the Asbury Park Press in the issue of **March 30, 2018**.

The governing body of the Township of Brick hereby approves the following as the budget for the year 2018.

A hearing on the budget will be held at the Municipal Building on **April 24, 2018 at 7:00 PM** at which time and place objections to said budget and tax resolution for the year 2018 may be presented by taxpayers or other interested persons.

Appropriations within "CAP", Municipal Purposes	\$ 79,011,576.82
Appropriations excluded from "CAPS" Municipal Purposes	\$ 17,077,308.21
Reserve for uncollected taxes, based on estimated 97.88 % tax collections	\$ 4,890,000.00
Total General Appropriations	\$100,978,885.03
Less: Anticipated Revenues Other Than Current Property Tax	\$ 28,363,534.60
Amount to be raised from taxes for support of Municipal Budget	\$ 72,615,350.43

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-1	3/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

Requesting approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Brick Township Police Department Donations Fund Pursuant to NJSA 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA 40A:5-29 allows any local unit to be authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift, provided however, that such bequest, legacy or gift shall not be put to any use which is inconsistent with the laws of this State and of the United States.

WHEREAS, Brick Township is desirous of accepting these monies to be used toward the purchase of equipment for and the training of the Brick Township Police Department to whom the bequest was made,

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Brick Township Police Department Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement

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 Township Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for the Brick Township Police Department Donations Fund as per N.J.S.A. 40A:4-39.
- 2. The Township Clerk of the Township of Brick is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-1	27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

Authorization to Cancel Grant Appropriated Reserves and Receivables

WHEREAS, certain balance sheet items remain outstanding, uncollectable, and unspent; and

WHEREAS, it is necessary to formally cancel said Grants Receivable and Appropriated Reserve balances which will not be received and not be expended.

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

The Grants Receivable balances as reflected below are hereby canceled:

Pumpout Boat 2017	<u>\$20,455.04</u>
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The Appropriated Reserve balances as reflected below are hereby canceled:

Pumpout Boat 2017	20,455.04
Pumpout Boat 2017 (to fund balance)	<u>55.00</u>
	<u>\$20,510.04</u>

A certified copy of this resolution is to be forwarded to the Chief Financial Officer.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the forgoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
7-2	3/27/18
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:

REPLACEMENT OF HVAC UNITS AT CIVIC PLAZA

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-3	27/18
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 project:

ROADWAY IMPROVEMENTS TO FAIRVIEW AVENUE & FAIRVIEW COURT

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 Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
- 2. That the Consulting Engineer for the project, ARH Associates, is hereby authorized to prepare formal 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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
7-4	3/27/18
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 project:

ROADWAY IMPROVEMENTS TO LIONS HEAD BOULEVARD SOUTH

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 Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the Consulting Engineer for the project, CME Associates, is hereby authorized to prepare formal 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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
7-5	3/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Division of Purchasing and Contracting received bids for the Sanitation / Recycling Collection System Containers on Friday, March 16, 2018; and

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

WHEREAS, the Interim Director of Public Works has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications; and

WHEREAS, the Interim Director of Public Works has recommended award to Otto Environmental Systems (NC), LLC, 12700 General Drive, Charlotte, NC 28273.

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 Sanitation / Recycling Collection System Containers is hereby awarded to Otto Environmental Systems (NC), LLC, 12700 General Drive, Charlotte, NC 28273.
2. This is a unit price bid with not to exceed amount of \$45,000.00 per year; therefore, funds shall be certified prior to each order.
3. This bid will be a two (2) year contract commencing on March 28, 2018 and ending on March 27, 2020.
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. That a copy of this resolution shall be forwarded to Otto Environmental Systems (NC), LLC, Business Administrator, Chief Financial Officer, Interim 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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-6	/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Division of Purchasing and Contracting received bids for the **Demolition of All Structures at Block 511, Lot 1, 533 Central Avenue, Brick, N.J. 08723** on Thursday, December 7, 2017; and

WHEREAS, the bids have been reviewed by the Construction Official; and

WHEREAS, the Construction Official has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specification; and

WHEREAS, the Construction Official recommends award to Frank Lurch Demolition Co., LLC, 515 Main Street, Avon by the Sea, N.J. 07717.

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 Demolition of All Structures at Block 511, Lot 1, 533 Central Avenue, Brick, N.J. 08723 is hereby awarded to Frank Lurch Demolition Co., LLC, 515 Main Street, Avon by the Sea, N.J. 07717 at the following rate:
 - \$12,900.00 – Demolition of all structures
 - \$2,000.00 / ton – Asbestos Remediation
2. That the Chief Financial Officer has submitted a Certificate of Available Funds in the total amount of \$18,900.00 and is attached hereto.
3. 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.
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. That a copy of this resolution shall be forwarded to Frank Lurch Demolition, Business Administrator, Chief Financial Officer, Construction Official, Interim Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynette 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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
7-7	3/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Pursuant to N.J.S.A. 40A:11-5(1)(s) lists the marketing of compost materials as an exemption and may be negotiated and awarded by the governing body without public advertising for bids; and

WHEREAS, formal proposals were solicited by the Office of Purchasing and Contracting for the Sale of Screened and Unscreened Mulch stockpiled at the Department of Public Works, 836 Ridge Road, Brick NJ; and

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

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

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 for the sale of mulch stockpiled at the Brick Department of Public Works is hereby awarded to Advance Soil Technologies, 990 Cedar Bridge Avenue Suite B7 Unit 175, Brick, NJ 08723 in the amount of \$2.00 per cubic yard of screened mulch.
2. That the proposal for the sale of mulch stockpiled at the Brick Department of Public Works is hereby awarded to Carl Fraley & Son, 3540 Shafto Road, Tinton Falls, NJ 07753 in the amount of \$0.58 cents per cubic yard of unscreened mulch.
3. That the term of this contract shall conclude on December 31, 2018.
4. That a copy of this resolution shall be forwarded to Advance Soil Technologies, Carl Fraley and Son, the Interim Director of Public Works, the Division of Purchasing and Contracting, Chief Financial Officer and the Business Administrator.

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-8	27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

Change Order Resolution No. 1 - Final

WHEREAS, it has come to the attention of the Governing Body of the Township of Brick that a Change Order representing a service adjustment is needed to successfully complete the **Decision Support Software Module for the Police Aegis CAD System Project, Capital Ordinance #10-15;**and

WHEREAS, in accordance with N.J.S.A. 5:30 14.4, the Business Administrator has recommended that Change Order No. 1 – Final be authorized and that the contract issued to **Tyler Technologies, Inc., 840 W. Long Lake Road, Troy, MI 48098** be decreased by \$3,383.22 and the contract be commensurately decreased from \$42,000.00 to \$38,616.78.

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

1. That Change Order No. 1-Final is hereby authorized as stated above.
2. That a certified copy of this resolution shall be forwarded to Tyler Technologies, Business Administrator, Director of IT, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-9	27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

**DISPOSAL OF SURPLUS PERSONAL PROPERTY
NO LONGER NEEDED FOR PUBLIC USE**

WHEREAS, it has been brought to the attention of the Governing Body of the Township of Brick by the Purchasing Agent that there exists a surplus of personal property no longer needed for public use; and

WHEREAS, the Local Public Contract Law 40A:11-36 provides for the sale and/or other disposition of personal property which mandates the options available to the municipality for such disposal; and

WHEREAS, the Township has attempted on four occasions to auction a 1994 Regal Cabin Gas 30' Boat S/N RGMJA0211394 to no avail; and

WHEREAS, the Risk Manager has deemed the boat to have no value and the fair market value of the boat does not exceed 15 percent of the bid threshold and considers the boat to be unusable and unrepairable; and

WHEREAS, the Township of Brick intends to dispose of the aforementioned boat as personal property no longer needed for public use.

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 Risk Manager is hereby authorized to dispose of one 1994 Regal Cabin Gas 30' Boat S/N RGMJA0211394 no longer needed for public use in accordance with N.J.S.A.40A:11-36.
2. That a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Risk Manager, Interim Director of Public Works and the Purchasing Agent.

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3
7-10	Date
Agenda #	27/18
	Date
Agenda #	
	Date
Agenda #	
	Date

RESOLUTION

WHEREAS, Sealed bids were received by the Division of Land Use of the Township of Brick for the **Community Development Block Grant, Housing Rehabilitation Program, Project # 17-06**, on February 7, 2018; and

WHEREAS, the bids have been reviewed by the Township Planner; and

WHEREAS, the Township Planner 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, STATE OF NEW JERSEY, as follows:

1. That the bid for the **Community Development Block Grant, Housing Rehabilitation Program, Project # 17-06** is hereby awarded to **David Clark Construction, 5 Cedar Crest Drive, Bayville, N.J. 08721** for a total bid amount of \$18,775.00.
2. 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.
3. That the Township Clerk shall further forward a certified copy of this resolution to David Clark Construction, Business Administrator, Township Planner, Chief Financial Officer and the 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 March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/27/18
7-11	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, NEW JERSEY REFERRING PROPOSED AMENDMENT TO THE METEDECONK VILLAGE REDEVELOPMENT PLAN TO THE PLANNING BOARD

WHEREAS, by Resolution dated May 1, 2007, the Township Council (the "Council") of the Township of Brick (the "Township") directed the Township Planning Board (the "Planning Board") to undertake a preliminary investigation of an area designated as Block 702, Lots 30 & 31 on the Official Tax Map of the Township (the "Study Area"), which was formerly known as the Foodtown site, to determine if said area qualified as an "area in need of redevelopment" based on the criteria set forth in N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 *et seq.* (the "Redevelopment Law"); and

WHEREAS, in accordance with procedures established in N.J.S.A. 40A:12A-6, the Planning Board held a public hearing on July 18, 2007 to discuss the findings of a preliminary investigation report concerning the Study Area and received public comment thereon, and by Resolution dated July 24, 2007, the Planning Board determined that the Study Area satisfied the statutory criteria and recommended that the Council designate the area as one in need of redevelopment; and

WHEREAS, the Council accepted the Planning Board's recommendation and, by Resolution dated August 7, 2007, designated the Study Area as one in need of redevelopment (hereinafter, the "Metedeconk Village Redevelopment Area"); and

WHEREAS, in accordance with N.J.S.A. 40A:12A-7 the Council directed the Planning Board to prepare a redevelopment plan governing redevelopment of the Metedeconk Village Redevelopment Area, and on May 14, 2008, the Planning Board transmitted to the Council its proposed redevelopment plan for the Metedeconk Village Redevelopment Area, and

WHEREAS, in accordance with N.J.S.A. 40A:12A-7 on June 10, 2008, pursuant to Ordinance 27-08, the Council adopted the redevelopment plan for the Metedeconk Village Redevelopment Area (the "Initial Redevelopment Plan"), and

WHEREAS, in accordance with N.J.S.A. 40A:12A-7 on May 3, 2011 and February 3, 2015, pursuant to Ordinances 14-11 and 1-15 respectively, the Council adopted amendments to the Initial Redevelopment Plan to revise certain Land Use Regulations and Building Requirements (the "Amended Redevelopment Plan"), and

WHEREAS, the Council now desires to amend the Amended Redevelopment Plan as set forth in the proposed amendment to the Redevelopment Plan on file in the Township Clerk's Office as Exhibit A (the "Proposed Amendment") in order to encourage and facilitate the redevelopment of the Metedeconk Village Redevelopment Area; and

WHEREAS, the Council desires to forward the Proposed Amendment to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7(e).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick as follows:

1. The Council hereby refers the Proposed Amendment to the Planning Board for review and recommendation in accordance with the requirements of N.J.S.A. 40A:12A-7(e).
2. The Planning Board is authorized and directed to prepare a report of its recommendations (the "Planning Board Report") to the Proposed Amendment within forty-five (45) days of the date hereof.

Agenda #	3/Date
7-12	27/11
Agenda #	Date

3. If the Planning Board Report is not transmitted to the Council within forty-five (45) days of the date hereof, the Council shall be relieved of the requirement to obtain a Planning Board Report for the Proposed Amendment in accordance with N.J.S.A. 40A:12A-7(e).

4. The Clerk of the Township shall forward a copy of this Resolution to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7(e).

5. This resolution shall take effect immediately.

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Circle of Friends, 402 Ninth Avenue, Belmar NJ 07719 has applied for a special event permit to conduct a Martin Family Benefit Event on April 14, 2018 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Municipal 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 Circle of Friends request for special event application to conduct a Martin Family Benefit Event on April 14, 2018 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 Circle of Friend's request for special event application to conduct a Martin Family Benefit Event on April 14, 2018 at the Windward Tavern, 292 Princeton Avenue, Brick between the hours of 12:00 pm and 4 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas and exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A permit must be obtained from the Bureau of Fire Safety for tent/outdoor cooking at least four (4) days prior to the event.
- 3) A copy of the extension of the licensed premises permit from the NJABC will be provided to the Municipal Clerk.
- 4) 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.
- 5) 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 Circle of Friends and the Windward Tavern.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

Agenda #	3/Date
7-13	27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Brick PAL, 60 Drum Point Road, Brick has applied for a special event permit to conduct a Beerfest Event on May 12, 2018 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Municipal 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 Brick PAL's request for special event application to conduct a Beerfest Event on May 12, 2018 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 Brick PAL's request for special event application to conduct a Beerfest Event on May 12, 2018 at the Brick PAL, 60 Drum Point Road, Brick between the hours of 11:00 am and 5:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas and exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A copy of the social affairs permit from the NJABC will be provided to the Municipal Clerk.
- 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 and the Brick PAL.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
7-14	3/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Emma Havens Young School PTA has applied for a special event permit to conduct a Color Run Event on May 30, 2018 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Municipal 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 Emma Havens Young School PTA's request for special event application to conduct a Color Run Event on May 30, 2018 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 Emma Havens Young School PTA's request for special event application to conduct a Color Run Event on May 30, 2018 at the Drum Point Sports Complex between the hours of 4:00 pm and 6:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas and store exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) 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.
- 3) 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 and Emma Havens Young School PTA.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

Agenda #	3	Date
7-15		3/27/18
Agenda #		Date
Agenda #		Date
Agenda #		Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Epiphany Church has applied for a special event permit to conduct a Feast of the Assumption on August 16, 17, 18, and 19, 2018 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 effects of the special event and the recommendations are incorporated herein; and

WHEREAS, the Mayor and Council desire to approve Epiphany Church's request for special event application to conduct a Feast of the Assumption on August 16, 17, 18, and 19, 2018, 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 Epiphany's request for special event application to conduct a Feast of the Assumption at the Jersey Shore on August 16, 17, 18, and 19, 2018 at the Epiphany Church, 615 Thiele Road between the hours of 5:00 pm and 10:00 pm, with the conditions and restrictions as follows:

- 1) Epiphany Church shall retain a minimum of two (2) Brick Township Special Police Officers to provide traffic control at entrance and/or intersection of Herbertsville Road and Thiele Road, to ensure normal traffic flow is not impeded. It is also recommended that the Epiphany Parish shall have a minimum of one (1) security personnel to patrol the premise or retain a minimum of one (1) off-duty Brick Township Police Officer(s).
- 2) Epiphany Church shall have a minimum of one (1) staff member(s) checking identification(s) at the Beer Tent.
- 3) Epiphany Church shall have a minimum of eight (8) staff members monitoring the site the day of the event. All staff members shall wear an event shirt for identification.
- 4) 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
- 5) All permits and documents requested by the Bureau of Fire Safety be submitted and approved 10 days prior to the date of this event. All fire lanes and fire access and areas must remain open and accessible at all times.
- 6) 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 and the Epiphany Church.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

Agenda #	3/Date
7-16	/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Home Mark Homes, 509 Drum Point Road, Brick, NJ 08723, had posted Valley National Bank Irrevocable Letter of Credit Number OD08001249 in the amount of \$125,619.88 and a cash performance bond in the amount of \$13,957.76 to guarantee certain site improvements to Block 1422.20 Lot: 29 (PB-2589, Tanager Way) within the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated March 9, 2018 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer is recommending that the Valley National Bank Irrevocable Letter of Credit Number OD08001249 in the amount of \$125,619.88 and a cash performance bond in the amount of \$13,957.76 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 Valley National Bank Irrevocable Letter of Credit Number OD08001249 in the amount of \$125,619.88 and a cash performance bond in the amount of \$13,957.76 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 March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
7-17a	3/27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated March 13, 2018 that there is \$697.42 remaining in the engineering inspection fund from 135 Brick Boulevard, LLC (CT07), 399 Monmouth Street, East Windsor, NJ 08520 for Block 381 Lot 2 (BA-2821) 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 \$697.42 (plus interest if applicable) 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 \$697.42 (plus interest if applicable) remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance 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 March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
7-176	3/27/18
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 2008.

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>
299/114/209253 72 Woodland Dr.	Johnstone, James & Lauren	\$1,214.06
252.19/29/204820 133 Southview Dr.	Reuter, Gregory J. & Josephine	100.49
903.03/1/516859 90 Charleson Rd.	McGlynn, Brian & Melissa M.	96.86

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/27/18
7-18a	
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 2010.

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>
1192.08/51/621152 47 Central Blvd.	Monaco, Fredric F.	\$13.79
554/4/311353 408 Carlisa Dr.	Leblanc, Gregory J.	41.71

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-186	/27/18
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 2011.

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>
380.04/84/208574 79 Meadowbrook Rd.	Flynn, Gregory & Linda	\$285.56
787/1/414408 1468 Davidson Ave.	Greely, Joseph T II & Kathryn M. D.	52.67

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
7-18c	3/27/18
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 2012.

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>
505/19/310918 933 Lynnwood Ave.	Patel, Navnit R. & Jayshree N.	\$599.76
1429.02/2/C1174/728732 1174 Rachel Ct.	Keeler, Blanca	579.79
1385.18/5/729309 609 Sunshine Ct.	Benson, Craig R. & Nancy Jurczak	271.31
903.16/6/516998 83 Coral Dr.	Barnes, Brenden	241.43
605.02/51/313123 17 Stuyvesant Rd.	Rodriguez, Jose A. Jr.	1,712.69
70/16/101354 Beaton Rd.	Marion J. Lee Inc.	145.23
1413.11/74/726815 572 Alabama Ave.	Rossin, Peter B. & Johanny	1,172.29

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-18 d	27/18
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.

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>
662/17/312557 473 Driver Ave.	Gesslein, Andrew	\$384.34

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
7-18e	3/27/18
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 2018.

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>
1426.01/29/727420 1209 Herkimer Rd.	Wells Fargo Home Mortgage (Owner Lempicki)	\$1,574.62
1192.11/31/621308 137 Blake Circle	Escobedo, John & Yeager Janet	135.63
252.21/7.01/204863 Cedar Island Dr.	Wright, Frederick & Sally	168.01

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 27th day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	3/Date
7-186	27/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, monies are available through the New Jersey Department of Law and Public Safety, Division of Criminal Justice, Safe and Secure Communities 2018 Grant Program; and,

WHEREAS, the Township of Brick wishes to apply for funding of approximately \$60,000.00 with a match of \$155,946.00 for an approximate project total cost of \$215,946.00 for a project under the State of New Jersey Safe and Secure Communities Grant Program P-1507-18 which will be in effect from April 1, 2018 to March 31, 2019; and,

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Brick for additional law enforcement personnel to address crime in a focused community-oriented manner; and,

WHEREAS, the grant funds will be utilized to fund officers who will be assigned to patrol duties, burglary details, narcotics and gang activities. The officers will be assigned to the Operations Division (Patrol) where they will be involved in crime deterrence and the apprehension of criminals. The officers will also be responsible for the citizens of the Township by utilizing Community Policing and Neighborhood Watch programs and be on the frontlines to battle the opioid epidemic through both educating the community and enforcing the laws of the State of New Jersey.

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

1. As a matter of policy, the Township of Brick wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Township of Brick.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications and contracts for such funds.
4. The division of Criminal Justice shall initiate allocations to the Township as authorized by law.
5. The Township Council authorizes the Mayor and his Administration to prepare all documents and paperwork required to accept, secure, administer and expend the grant.
6. A copy of this resolution will be provided to the Chief of Police, the Chief Finance Officer and the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 27, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of March, 2018.

Agenda #	3/27/18
7-19	
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING SECTION 245-296M.(1)(d) OF THE CODE OF THE TOWNSHIP OF BRICK

WHEREAS, by Ordinance Number 36-14, the Township Council of the Township of Brick amended Chapter 245 of the Codified Ordinance of the Township of Brick to permit a temporary encampment as an accessory use to a place of assembly until December 31, 2015; and

WHEREAS, Ordinance Number 36-14 is Codified in Chapter 245-296 of the Township Code; and

WHEREAS, The Township Council wishes to extend the duration of Chapter 245-296M.(1)(d) to permit a temporary encampment as an accessory use to a place of assembly until December 31, 2018.

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

Section 245-296M.(1)(d) of the Code of the Township of Brick is hereby amended to read as follows:

M.(1)(d). Termination date. The validity of a temporary encampment accessory use to a place of assembly shall expire on December 31, 2018.

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 27th day of February, 2018, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 27th day of March, 2018 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. MANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

Agenda #	2/Date
5-1	2/27/18
Agenda #	3/Date
8-1	3/27/18
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING THE TOWNSHIP
CODE OF THE TOWNSHIP OF BRICK, SO AS TO
AMEND CHAPTER 245, ENTITLED "LAND USE" TO
AMEND CHAPTER 245-144B CAPTIONED "BEACH
COTTAGE COMMUNITY CONDITIONAL USE" AND TO
ESTABLISH CHAPTER 245-298.3 CONDITIONAL USE
REQUIREMENTS APPLICABLE TO THE "BEACH
COTTAGE COMMUNITY CONDITIONAL USE"

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. Chapter 245 of the Township Code of the Township of Brick entitled
"Land Use" is hereby amended to delete the existing Subsection (B) of Section 245-144
in its entirety.

SECTION 2. Chapter 245 Section-144.1B of the Township Code of the Township
of Brick entitled "Land Use" is hereby amended and supplemented to read as follows:

§ 245-144.B. Beach Cottage Community Conditional Use. A beach
cottage conditional use overlay is hereby established for rebuilding of dwellings only on
the following properties; Block 25, Lot 4, Block 26, Lot 4 and Block 36, Lots 13, 18 and
24 meeting the conditions of § 245-298.3

SECTION 3. Chapter 245 Section 298.3 is hereby adopted to establish
conditional use requirements applicable to the Beach cottage conditional use. The
adopted Chapter 245 Section 298.3 shall read as follows:

298.3 Beach Cottage Community Conditional Use.

A beach cottage development shall be permitted as a conditional use on the
following parcels, provided the lot, use and structure adhere to the following: Block 25,
Lot 4, Block 26, Lot 4 and Block 36, Lots 13, 18 and 24.

1. Purpose.

- a. This ordinance replaces the Beach Cottage Community Zone (§245-144(B)). The purpose of this overlay zone is to provide a mechanism by which parcels within the Camp Osborn portion of the Township that were devastated by Super Storm Sandy in 2012 can be reconstructed to exhibit the best qualities of the beach community while meeting current building, fire and flood standards to safe guard the community from future storm related casualty. The existing zoning (R-7.5) does not reflect the historic character of Camp Osborn, thus an overlay recognizing Camp Osborn's qualities is a zoning alternative for this area. Camp Osborn is characterized by three distinct communities, each unique to itself yet bound by a common element of quaint, livable, ocean-oriented presence. The three distinct areas of Camp Osborn, Block 25, Lot 4 (the bay); Block 26, Lot 4 (the median); and Block 36, Lots 13, 18 & 24 (the ocean). Each will be addressed separately as their respective parcels require unique solutions. This overlay sets forth the standards which are intended to provide the Approving Authority with a guide for the purpose of reviewing applications for proposed re-construction. In reviewing an application, the Approving Authority may act on site plans submitted to it or may suggest modifications or changes. In approving an application, the Approving Authority may require such other features or designs in keeping with the intent thereof that will further the purpose of these standards and regulations. The Approving Authority shall decide each application in accordance with the standards set forth in this chapter.

Revised

Agenda #	3/Date
6-1	3/13/18
Agenda #	3/Date
8-2	3/27/18
Agenda #	Date
Agenda #	Date

- b. Camp Osborn was historically characterized by a diverse and eclectic grouping of beach cottages. The beach cottages were situated as multiple principal structures. Under § 245-14, one principal building per lot was permitted, "No residential lot shall have erected upon it more than one

principal building, except as otherwise provided in Part 2 of this chapter." The original configuration appears to have pre-dated local zoning. This overlay zone will permit the continuation of this development pattern, i.e. multiple structures on a single lot, so long as the community continues to be governed by a central board. Since 1999, the Property was subjected to the Condominium form of ownership by way of the recordation of two Master Deeds in the Ocean County Clerk's office creating 87 condominium units. This form of ownership continues to this date.

- c. Once the community is reconstructed, residential structures will be permitted to be expanded, added to or enlarged only under the zoning provisions provided herein. If an applicant wishes to expand, add or enlarge the square footage of a structure that exceeds the standards provided in this overlay zone, they will need to seek a variance before the Approving Authority to do so.
- d. Each residential dwelling unit shall be elevated in order to meet or exceed floodplain requirements.
- e. Staircases, decks, porches and other attached structures shall not extend outside of the building structure footprint if the result would be the creation of a separation of less than 10 feet between structures. If a residential dwelling structure is less than 15 feet in width, there may be structures attached to the building structure provided that the combined side and the rear yard structure separations are not less than 8 feet in the Bay area and 5 feet in the Median area. This restriction shall not apply to any residential dwelling for which there is a validly existing approval by the Approving Authority as of the date of the adoption of this Ordinance.
- f. As multiple structures are proposed on parcels listed, setbacks will be measured from streets, property lines, common roadways or as spacing between structures, where appropriate.

2. Permitted uses. The following are permitted uses in the Camp Osborn Overlay District:

- a. Detached single-family residential units
- b. Duplex dwellings
- c. The following shall be permitted anywhere within the Camp Osborn Overlay District:
 - 1. Municipal parks, playgrounds and other municipal buildings and uses as are deemed appropriate and established by the Township Council. The minimum land area shall not be less than 1/2 acre.
 - 2. Other public buildings of a governmental, community or cultural nature.
 - 3. Condominium-owned parking lots.
 - 4. Decks and porches attached to the principal structure are permitted as otherwise provided in this Ordinance.

3. Accessory uses permitted throughout the Camp Osborn Overlay District:

- a. All accessory uses are prohibited including but not limited to: detached decks, sheds, fences, storage bins, pools and any and all other accessory uses defined in Part 1 of this chapter, except those listed under 3.c. below.
- b. At-grade patios, concrete walks and pavers are permitted within setback limits.
- c. Storage is permitted under structures that have been elevated to meet floodplain elevation; however, these areas are required to be secured as to prevent hazardous conditions during flooding and may not impede required parking areas.

4. Area, yard and building requirements.

a. Bay Area (Block 25, Lot 4)

1. Detached Single-Family Residential Units:

- Front Yard Setback: 0' for the principal structure from Marion Street. 3' required for any egress point.
- Setback from all Parcel Perimeter Boundaries – 5' minimum
- Building Separation, Side to Side: a minimum 5' separation between buildings

- Maximum Density: 25 units/acre
- Maximum Height:
 - To ridge line: 38 feet from the average finished grade at a distance of 6' from the building
 - To mean: 35 feet from the average finished grade at a distance of 6' from the building
 - To eaves: 26 feet from the average finished grade at a distance of 6' from the building

2. Duplex Units:

- Front Yard Setback: a minimum of 5' from the New Jersey Route 35 right-of-way
- Front Yard Setback (interior roads): 0' for the principal structure from West Marion Street. 3' required for any egress point.
- Building Separation – Side to Side: a minimum 10' separation between buildings
- Building Setback – Rear to Rear: a minimum 10' separation between buildings
- Side Yard Setback at Perimeter Boundaries: 5'
- Rear Yard Setback at Perimeter Boundaries: 5'
- Maximum Density: 25 units/acre
- Maximum Height:
 - To ridge line: 38 feet from the average finished grade at a distance of 6' from the building
 - To mean: 35 feet from the average finished grade at a distance of 6' from the building
 - To eaves: 26 feet from the average finished grade at a distance of 6' from the building

b. Median Area (Block 26, Lot 4)

1. Detached Single-Family Residential Units:

- Front Yard Setback: 0' for principal structure from Marion Street. 3' required for any egress point.
- Setback from all Parcel Perimeter Boundaries – 5' minimum
- Building Separation- Side to Side: a minimum 8' separation between buildings
- Maximum Density: 31 units/acre
- Maximum Height:
 - To ridge line: 38 feet from the average finished grade at a distance of 6' from the building
 - To mean: 35 feet from the average finished grade at a distance of 6' from the building
 - To eaves: 26 feet from the average finished grade at a distance of 6' from the building

2. Duplex Units:

- Front Yard Setback: a minimum of 5' from the New Jersey Route 35 right-of-way
- Front Yard Setback (interior roads): 0' for the principal structure from Marion Street. 3' required for any egress point.
- Building Separation – Side to Side: a minimum 10' separation between buildings
- Building Setback – Rear to Rear: a minimum 10' separation between buildings
- Side Yard Setback at Perimeter Boundaries: 5'
- Rear Yard Setback at Perimeter Boundaries: 5'
- Maximum Density: 31 units/acre
- Maximum Height:
 - To ridge line: 38 feet from the average finished grade at a distance of 6' from the building
 - To mean: 35 feet from the average finished grade at a distance of 6' from the building
 - To eaves: 26 feet from the average finished grade at a distance of 6' from the building

c. Ocean Area (Block 36, Lots 13, 18, 22, & 24)

1. Single-Family:

- Front Yard Setback: 10' for the principal structure from interior roadways. 3' required for any egress point.
- Setback from all Parcel Perimeter Boundaries – 6' minimum
- Building Separation – Side to Side: a minimum 10' separation between buildings
- Maximum Density: 29 units/acre
- Maximum Height:
 - To ridge line: 38 feet from the average finished grade at a distance of 6' from the building
 - To mean: 35 feet from the average finished grade at a distance of 6' from the building
 - To eaves: 26 feet from the average finished grade at a distance of 6' from the building

2. Duplex Units:

- Front Yard Setback: a minimum of 10' from the New Jersey Route 35 right-of-way
- Front Yard Setback (interior roads): 10' for the principal structure from interior roadways. 3' required for any egress point.
- Building Separation – Side to Side: a minimum 10' separation between buildings
- Building Setback – Rear to Rear: a minimum 13' separation between buildings
- Side Yard Setback at Perimeter Boundaries: 5'
- Rear Yard Setback at Perimeter Boundaries: 6'
- Maximum Density: 29 units/acre
- Maximum Height:
 - To ridge line: 38 feet from the average finished grade at a distance of 6' from the building
 - To mean: 35 feet from the average finished grade at a distance of 6' from the building
 - To eaves: 26 feet from the average finished grade at a distance of 6' from the building

5. Off-street parking, loading and vehicular access.

- a. All parking, loading and vehicular access shall be provided off-street. Parking shall be required under structures that have been elevated out of the floodplain to the maximum extent possible if safe clearance exists and may be counted as an off-street parking space and has been approved as a parking area on all applicable Township construction permits.
- b. Parking is specifically prohibited on the private roadways. Marked and signed as required by the Police Department/Traffic Safety.
- c. No activity in this zone shall reduce the existing travel way as of the date of the adoption of this subsection.
- d. Each residential unit shall provide and maintain a minimum of 2 off-street parking spaces.
- e. Minimum cartway width for Elder Street, Shell Road, Marion Street and West Marion Street and any other interior roadway providing access to any residence within the bay, median or ocean portions of Camp Osborn: 20'

6. Sign requirements. Sign requirements shall be as per Article XXXVI, § 245-312 et seq., of this chapter.

7. Local Drainage Protection:

- a. Residential units shall be elevated so that the lowest regulated structural members are above street level and will have at least 2 feet of freeboard above the regulatory flood elevation pursuant to the best available flood mapping.
- b. Site plans shall be prepared and elevations shall be established in a manner that considers adverse impacts from street flooding and local drainage from and onto adjacent properties, and shall demonstrate the protection of the buildings from local drainage flows.

- c. Positive drainage away from the buildings and towards installed drainage systems shall be provided, for example in Route 35.
- d. Low Impact Development measures shall be employed in order to mitigate the impacts of a 100-year storm as per N.J.A.C. 7:8.

8. Special Flood-Related Hazard Regulations

- a. Applicants shall demonstrate that they meet or exceed the FEMA regulations associated with a particular site.
- b. The area beneath the main structure may only be utilized for access to the structure, storage and vehicular parking, all other uses are prohibited. Storage areas may not intrude into the vehicular parking section. Enclosures at grade level of duplex units may not exceed 15% of the building's footprint and must meet the requirements of the Uniform Construction Code.
- c. All buildings shall be located landward of the reach of mean high tide.
- d. Frontal dunes shall not be altered and applicants shall sign a Deed of Dedication and Perpetual Storm Damage Reduction Easement agreement with The Township of Brick and The State of New Jersey so that the dunes can be permanently maintained.
- e. Buildings shall not be located within the 30-year erosion-prone area.

SECTION 4. 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 5. 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 13th day of March, 2018, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 27th day of March, 2018 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