

Brick Township Council
April 24, 2018
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 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 Reports of Municipal Officers.
 - d. Approve Minutes of March 13, 2018 Meeting.
 - e. Presentation – Students of the Month.

4. Municipal Budget Hearing:

- ___1. Authorize Reading of the Budget by Title Only.
- ___2. Motion to Open Public Hearing on Budget.
- ___3. Motion to Close Public Hearing on Budget.
- ___4. Authorize State Required Budget Amendment Resolution.
- ___5. Adoption of 2018 Municipal Budget as Amended.

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. Authorize Award of Bid – 2017 Local Road Improvements – Bluffview Paving Project.
- ___2. Authorization to Negotiate Contract – Supply & Operate ATM Machine.
- ___3. Authorization to Negotiate Contract – Ice Machine Concession at Traders Cove Marina.
- ___4. Authorization to Negotiate Contract – Fall Fest Food Vendor Concession.
- ___5. Authorize Summerfest Food Truck Vendors
- ___6. Authorize Award of Contract & Re-Bid – Alternate & Conflict Code Enforcement Prosecutor.
- ___7. Authorize Rejection of Bids & Re-Bid – General Athletic Equipment & Supplies.
- ___8. Authorize Change Order No. 1 – Architectural Services Pool.
- ___9. Authorize Change Order No. 1 Final – Sand Importation to Brick Beachfront.
- ___10. Authorize Change Order No. 3 Final – Traders Cove Marina Floating Dock & Breakwater Project.
- ___11. Authorize Waiver of Noise Ordinance – Shop Rite & Kohl’s Renovation Project.
- ___12. Authorize Special Events Permit – Battle at the Beach Lax Tournament.
- ___13. Bond Releases/Reductions:
 - a. Cash Performance Bond Release – Daryl Porter – Mantoloking Rd.
 - b. Cash Performance Bond Release – W&F Developers Inc. – Various locations.
 - c. Inspection Fund Release – Miroslav Sikorjak – Brick Blvd.
- ___14. Tax Collector:
 - a. 100% DAV Refund & Cancel Taxes.
 - b. Tax Overpayments – 2012.
 - c. Tax Overpayments – 2018.

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

- ___15. Bill Resolution – Computer 2018.
- ___16. Bill Resolution – Manual 2018.

6. Ordinance on Second Reading:

- ___1. Amend Metedeconk Village Redevelopment Plan.

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.

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Agenda No. 1**

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 8, 2018 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, and at the hearing, a complete copy of the approved budget shall be made available for public inspection. [N.J.S.A. 40A:4-8].
2. Shall be made available to each person upon request.

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 have been met and therefore the Budget for 2018 shall be read by title.

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 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-1	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Local Municipal Budget for the year 2018 was approved on the 27th day of March, 2018; 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 2018 budget be made:

SUMMARY of CURRENT FUND SECTION of APPROVED BUDGET	FROM	TO
General Appropriation For:		
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes {(Item H-2, Sheet 28) (N.J.S. 40A:4-45.3 as amended)}	\$ 17,077,308.21	\$ 17,620,717.21
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)	\$ 17,077,308.21	\$ 17,620,717.21
4. Total General Appropriations (Item 9, Sheet 29)	\$100,978,885.03	\$101,522,294.03
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Misc. Revenues and Receipts from Delinquent Taxes)	\$ 28,363,534.60	\$ 28,906,943.60
GENERAL REVENUES		
1. Surplus Anticipated	\$ 10,927,270.95	\$ 10,922,620.95
Total Surplus Anticipated	\$ 10,927,270.95	\$ 10,922,620.95
3. Miscellaneous Revenues - Section F: Special Items of Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:		
Highway Safety Grant	\$ -	\$ 29,999.00
Green Communities Grant	\$ -	\$ 3,000.00
Ocean County Pumpout Boat	\$ -	\$ 40,000.00
NJ-DOT Cedarwood Park East	\$ -	\$ 475,060.00
Total Section F: Special Item of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	\$ 509,147.64	\$ 1,057,206.64
SUMMARY OF REVENUES		
1. Surplus Anticipated (Sheet 4, #1)	\$ 10,927,270.95	\$ 10,922,620.95
3. Miscellaneous Revenues:		

Agenda # 44	Date 4/24/18
Agenda #	Date

Total Section F: Special Items of General Revenue		
Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues offset with Appropriation	\$ 509,147.64	\$ 1,057,206.64
Total Miscellaneous Revenues	\$ 15,136,263.65	\$ 15,684,322.65
5. Subtotal General Revenues (Items 1,2,3 & 4)	\$ 28,363,534.60	\$ 28,906,943.60
7. Total General Revenues	<u>\$100,978,885.03</u>	<u>\$101,522,294.03</u>
GENERAL APPROPRIATIONS		
(A) Operations - within "CAPS"		
Insurance		
Liability Insurance		
Other Expenses	\$ 873,500.00	\$ 952,115.00
Workers Compensation Insurance		
Other Expenses	\$ 1,125,000.00	\$ 1,046,385.00
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Highway Safety Grant	\$ -	\$ 29,999.00
Green Communities Grant	\$ -	\$ 3,000.00
Ocean County Pumpout Boat	\$ -	\$ 40,000.00
NJ-DOT Cedarwood Park East	\$ -	\$ 475,060.00
Total Public and Private Programs Offset by Revenues	\$ 509,147.64	\$ 1,057,206.64
Total Operations - Excluded from "CAPS"	\$ 2,381,156.26	\$ 2,929,215.26
Detail:		
Other Expenses	\$ 911,631.64	\$ 1,459,690.64
(D) Municipal Debt Service - Excluded from "CAPS"		
Payment of Bond Principal	\$ 9,984,456.95	\$ 9,979,806.95
Total Municipal Debt Service - Excluded from "CAPS"	\$ 14,271,151.95	\$ 14,266,501.95
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	\$ 17,077,308.21	\$ 17,620,717.21
(O) Total General Appropriations - Excluded From "CAPS"	\$ 17,077,308.21	\$ 17,620,717.21
(L) Subtotal General Appropriations {Items (H-1) and (O)}	\$ 96,088,885.03	\$ 96,632,294.03
9. Total General Appropriations	\$100,978,885.03	\$101,522,294.03

SUMMARY OF APPROPRIATIONS

(A) Operations - Excluded from "CAPS"

Public and Private Progs Offset by Revs.	\$ 509,147.64	\$ 1,057,206.64
Total Operations - Excluded from "CAPS"	\$ 2,381,156.26	\$ 2,929,215.26
(D) Municipal Debt Service	\$ 14,271,151.95	\$ 14,266,501.95
Total General Appropriations	<u>\$100,978,885.03</u>	<u>\$101,522,294.03</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 2018 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 24, 2018

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

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) \$ 72,615,350.43 – (Item 2 below) for municipal purposes, and
- (d) \$ 1,031,468.05 – Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

RECORDED VOTE:

AYES:

NAYS:

SUMMARY OF REVENUES

1	GENERAL REVENUES:	
	Surplus Anticipated	\$ 10,922,620.95
	Miscellaneous Revenues Anticipated	\$ 15,684,322.65
	Receipts from Delinquent Taxes	\$ 2,300,000.00
2	AMOUNT to be RAISED for TAXATION for MUNICIPAL PURPOSES:	
	(Item 6(a), Sheet 11)	\$ 72,615,350.43
TOTAL REVENUES		\$ 101,522,294.03

SUMMARY OF APPROPRIATIONS

5	GENERAL APPROPRIATIONS:	
	Within "CAPS"	
	(a & b) Operations Including Contingent	\$ 79,011,576.82
	(e) Deferred Charges and Statutory Expenditures - Municipal	\$ -
	(g) Cash Deficit	\$ -
	Excluded from "CAPS"	
	(a) Operations - Total Operations Excluded from "CAPS"	\$ 2,929,215.26
	(c) Capital Improvements	\$ 425,000.00
	(d) Municipal Debt Service	\$ 14,266,501.95
	(e) Deferred Charges - Municipal	\$ -
	(f) Judgements	\$ -
	(n) Transferred to Board of Education	\$ -
	(g) Cash Deficit	\$ -
	(m) Reserve for Uncollected Taxes	\$ 4,890,000.00
TOTAL APPROPRIATIONS		\$ 101,522,294.03

Agenda #	Date
4-5	4/24/18
Agenda #	Date
Agenda #	Date

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 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the **2017 Local Road Improvements – Bluffview Paving Project** on Friday, April 13, 2018; and

WHEREAS, the bids have been reviewed by ARH Associates; 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 **2017 Local Road Improvements – Bluffview Paving Project** is hereby awarded to **Meco Inc., P.O. Box 536, Clarksburg, N.J. 08510** for a total bid amount of \$345,056.35.
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., ARH Associates, Business Administrator, Chief Financial Officer, Township Engineer, Public Works Superintendent 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 24th day of April, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-1	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, on January 1, 2018 the Township Council awarded a contract for the Code Enforcement Prosecutor; and

WHEREAS, from time to time, there may be a need for another Code Enforcement Prosecutor due to scheduling conflicts, illnesses or vacation time; and

WHEREAS, the Township of Brick has solicited additional proposals for Alternate and Conflict Code Enforcement Prosecutor through a "fair and open" process on April 3, 2018; and

WHEREAS, the Mayor has reviewed the proposals and is satisfied with the qualifications and experience of the firm which is the subject of such an award; and

WHEREAS, it is the desire of the Mayor to appoint the firm listed below with the advice and consent of the Township Council to represent the Township for Alternate and Conflict Code Enforcement Prosecutor, and

WHEREAS, the Township of Brick is desirous of receiving additional proposals for Alternate and Conflict Code Enforcement Prosecutor.

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 pursuant to N.J.S.A. 40:69A-43(b), the Township Council does hereby Consent to the appointments of the Alternate and Conflict Code Enforcement Prosecutor.
2. That the Mayor is authorized to execute and the Township Clerk to attest to agreement with the following firm at the indicated rates with an aggregate amount not to exceed \$10,000.00:

ALTERNATE CODE ENFORCEMENT PROSECUTOR – At a rate of \$400.00 per court session:

- Nicholas C. Montenegro – Firm of Montenegro, Thompson, Montenegro & Genz
- Ben A. Montenegro – Firm of Montenegro, Thompson, Montenegro & Genz
- Sebastian Ferrantell – Firm of Montenegro, Thompson, Montenegro & Genz
- Ryan Amberger – Firm of Montenegro, Thompson, Montenegro & Genz

CONFLICT CODE ENFORCEMENT PROSECUTOR – At a rate of \$250.00 per court session:

- Nicholas C. Montenegro – Firm of Montenegro, Thompson, Montenegro & Genz
- Ben A. Montenegro – Firm of Montenegro, Thompson, Montenegro & Genz
- Sebastian Ferrantell – Firm of Montenegro, Thompson, Montenegro & Genz
- Ryan Amberger – Firm of Montenegro, Thompson, Montenegro & Genz

3. That this contract is being awarded as a Professional Service in accordance with the provisions of N.J.S.A. 40A:11-5.
4. That this contract is being awarded pursuant to a "fair and open" process.
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2018 municipal prosecutor operating budget.
6. That this resolution shall commence on April 25, 2018 and end on December 31, 2018.
7. That the Mayor is authorized to execute and the Township Clerk to attest to the attached agreement which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.

Agenda #	4/Date
5-6	4/24/18
Agenda #	Date

8. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
9. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of additional proposals for Alternate and Conflict Code Enforcement Prosecutor.
10. That a certified copy of this Resolution shall be provided to Montenegro, Thompson, Montenegro & Genz, Business Administrator, Chief Financial Officer, Municipal Court Administrator 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 24th day of April, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for General Athletic Equipment & Supplies on Thursday, April 12, 2018; and

WHEREAS, the bids were submitted by BSN Sports, Passon's Sports & US Games, P.O. Box 49, Jenkintown, PA 19046, and Stan's Sport Center Inc., 528 Washington Street, Hoboken, NJ 81164 and have been reviewed by the Purchasing Agent; and

WHEREAS, it is the recommendation of the Purchasing Agent to reject all bids as non-responsive for failure to fully complete the Proposal Sheets; and

WHEREAS, the Business Administrator recommends that the Township Council authorize the Division of Purchasing and Contracting to re-bid said service.

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 bids for General Athletic Equipment & Supplies received on April 12, 2018 submitted by BSN Sports, Passon's Sports & US Games, P.O. Box 49, Jenkintown, PA 19046 and Stan's Sport Center Inc., 528 Washington Street, Hoboken, NJ 81164 are hereby rejected as non-responsive for failure to submit a fully completed Proposal Sheets.
2. That the Division of Purchasing and Contracting is hereby authorized to advertise for the re-bid of General Athletic Equipment & Supplies.
3. That a copy of this resolution shall be forwarded to all bidders, Business Administrator, Chief Financial Officer, Director of Recreation 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 24th day of April, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-7	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION
Change Order #1**

WHEREAS, on January 1, 2018 the Governing Body awarded a one year contract for a Professional Architectural Services Pool to various firms through a "fair and open" process; and

WHEREAS, the Professional Architectural Services Pool was awarded at an authorized hourly rate with an aggregate amount not to exceed \$85,000.00; and

WHEREAS, the Business Administrator has recommended that Change Order No. 1 be authorized and that the aggregate amount be increased not to exceed \$200,000.00.

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 contract awarded to various firms for Professional Architectural Services Pool shall have an aggregate amount not to exceed \$200,000.00.
2. That all other terms and conditions of the original proposal remain as awarded.
3. That a copy of this action shall be printed once in the official newspaper of the Township of Brick.
4. That a certified copy of this resolution shall be forwarded to the Architectural Firms, Business Administrator, Chief Financial Officer, Township Engineer, 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 24th day of April 2018

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township 24th day of April 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-8	4/24/18
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 as built quantity adjustments is needed to successfully complete the **Sand Importation to Brick Beachfront, Capital Ordinance #9-13**; and

WHEREAS, in accordance with N.J.S.A. 5:30 11.3, the Business Administrator has recommended that Change Order No. 1 Final be authorized and that the contract issued to Eastern Concrete Materials, 475 Market Street, Suite 302, Elmwood Park, NJ 07407 be decreased by \$456,606.57 and the contract be commensurately decreased from \$1,120,500.00 to \$663,893.43.

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 Eastern Concrete Materials, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 24th day of April, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-9	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

Change Order Resolution No. 3 Final

WHEREAS, it has come to the attention of the governing body of the Township of Brick that a Change Order representing a credit owed the Township for water usage during the project was required to successfully complete the Traders Cove Marina Floating Dock and Breakwater project for Capital Ordinance 14-12 and 13-10; and

WHEREAS, in accordance with N.J.S.A. 5:30 14.4, the Business Administrator has recommended that Change Order No.3 Final be authorized and that the contract issued to R. Kremer & Son Marine Contractor, LLC, be decreased by \$26,362.53 and the contract be commensurately decreased from \$2,400,234.58 to \$2,373,872.05.

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. Change Order No.3 Final is hereby authorized as stated above.
2. The Township Clerk shall forward a certified copy of the Resolution to the R. Kremer & Son Marine Contractors, Maser Consulting, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 24th day of April, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	4/Date/
5-10	24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Mayor and Township Council have received a request to waive the restrictions of the Township's noise ordinance, as set forth in Chapter 281 of the Township Code, from Urban Edge Properties for property located at the Shoprite and Kohl's Center, 744 NJ Rt. 70 for purposes of renovations; and

WHEREAS, the request seeks a waiver so that the contractor can perform the renovations including the replacement of the façade, storefronts and doors off all but the Shoprite and Kohls during off hours, April 25- November 1, 2018 during the hours 10:00 p.m. and 6:00 a.m. on those days; and

WHEREAS, the basis for the request is that performing the work during night-time hours will create a safer environment during the work and will guarantee no customers will be in the areas when the framing, glass and doors are being replaced; and

WHEREAS, the Township Council therefore desires to memorialize in this Resolution a limited waiver of the noise ordinance, Chapter 281, for the dates and times set forth;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and Township Council hereby waive the Township's noise ordinance, Chapter 281 of the Township Code, for the renovation project from April 25- November 1, 2018 during the hours 10:00 p.m. and 6:00 a.m. on those days.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the Chief of Police, the Township Business Administrator, Municipal Engineer and Urban Edge Properties.

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 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	L/Date
5-11	24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Outside the Crease, LLC has applied for a special event permit to conduct a Lacrosse Event on June 30- July 1, 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 Outside the Crease , LLC's request for special event application to conduct a Lacrosse Event on June 30- July 1, 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 Outside the Crease, LLC's request for special event application to conduct a Lacrosse Event on June 30- July 1, 2018 at the Drum Point Sports Complex between the hours of 8:00 am and 4:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access must remain open and accessible at all times. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) Any extracurricular cooking or grills to be used on site or any tents will require separate permit and approval from the Fire Bureau at least 72 hours prior to the event.
- 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 Outside the Crease, LLC.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on April 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-12	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Daryl Porter, 74 Mantoloking Road, Brick, NJ 08723 had posted a cash bond in the amount of \$3,732.69 to guarantee certain site improvements to Block 68 Lot 5 (BA-2078 Crab Shack) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated April 6, 2018 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$3,732.69 be returned to the applicant; and

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

1. That the cash performance bond in the amount of \$3,732.69 be returned to the applicant.
2. That the Township Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on April 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-13a	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, W & F Developers, Inc. c/o Continental Properties, 1480 Route 9N, Suite 208, Woodbridge, NJ 07095 had posted a cash bond in the amount of \$350.00 to guarantee certain site improvements in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated April 13, 2018 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$350.00 be returned to the applicant; and

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

1. That the cash performance bond in the amount of \$350.00 be returned to the applicant.
2. That the Township Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on April 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-136	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated April 11, 2018 that there is \$227.03 remaining in the engineering inspection fund from Miroslav Sikorjak, 299 Vineland Avenue, Staten Island, NY 10312 for Block 547 Lot 2 (515 Brick Boulevard) in the Township of Brick; and

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

WHEREAS, the Assistant Township Engineer recommends that the \$227.03 remaining in the engineering inspection fund be returned to the applicant; and

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

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

1. That the \$227.03 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. 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 April 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
5-13c	4/24/18
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 100% DAV has been granted on Block 378.07, Lot 6, Account # 207600 as of 1-16-2018.

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 1-16-2018 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
378.07/6/207600 34 Blue Cedar Drive	Mooney, Therese M.	\$1,837.28

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 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-14a	4/24/18
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>
1192.02/91/520910 11 Markham Road	Wisniewski, Susan G.	\$494.13

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on April 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-14b	4/24/18
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>
1144.17/1/520249 25 Harrison Ave.	Brojna, Louis V. & Loretta	\$271.19
380.25/20/209166 17 Molly Ln.	Eska, Kenneth S. & Doreen J.	1,414.88

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 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of April, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-14C	4/24/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING THE METEDECONK VILLAGE REDEVELOPMENT PLAN

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 and 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, and the Council adopted amendments to the Initial Redevelopment Plan to revise certain Land Use Regulations and Building Requirements (the "Original Amended Redevelopment Plan"); and

WHEREAS, the concepts for redevelopment of the Metedeconk Village Redevelopment Area have evolved to comply with the Original Amended Redevelopment Plan and Council has determined to amend the Original Amended Redevelopment Plan in order to facilitate the redevelopment of the Metedeconk Village Redevelopment Area as set forth in the proposed amended Redevelopment Plan as EXHIBIT A (the "Amended Redevelopment Plan") on file in the Township Clerk's Office; and

WHEREAS, on March 27, 2018 the Council adopted a resolution referring the Amended Redevelopment Plan to the Planning Board for review and recommendation in accordance with the requirements of N.J.S.A. 40A:12A-7(e); and

WHEREAS, on March 28, 2018, the Planning Board adopted a resolution recommending the Mayor and Township Council adopt the Amended Redevelopment Plan; and

WHEREAS, the Council has determined to accept the Planning Board's recommendation and adopt the Amended Redevelopment Plan.

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

1. The Amended Redevelopment Plan, as EXHIBIT A on file in the Township Clerk's Office, shall govern the redevelopment of the area designated as Block 702, Lots 30 and 31 on the Official Tax Map of the Township, also referred to as the Metedeconk Village Redevelopment Area, and is hereby adopted.
2. The zoning district map of the Township's Land Development Ordinance is hereby amended to reflect the applicability of the Amended Redevelopment Plan to the Metedeconk Village Redevelopment Area.
3. The Amended Redevelopment Plan shall supercede the Township's Land Development Ordinance as it affects the Metedeconk Village Redevelopment Area and shall supercede and replace the existing Original Amended Redevelopment Plan as adopted by Ordinance 27-08 and as amended by Ordinances 14-11 and 1-15.

Agenda #	4/Date
6-1	4/10/18
Agenda #	4/Date
6-1	4/24/18

4. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency.

5. This Ordinance shall take effect twenty (20) days following final passage and shall be published 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 10th day of April, 2018 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 24th 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