

**Brick Township Council
July 10, 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 May 8th and May 22, 2018 Meetings.
 - e. Presentation:
 1. John Santillo – French Legion of Honor.

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.”

4. Resolutions:

- _____1. Recognize John Santillo – French Legion of Honor Medal Recipient.
- _____2. Authorize Receipt of Bid – Police Department Locker Room Renovations.
- _____3. Authorize Award of Bid – Local Paving Program Contract #5 – Fairview Avenue & Fairview Court.
- _____4. Authorize Award of Bid – Roadway Improvements to Central Blvd East, Foster Avenue & Oak Hollow Road.
- _____5. Authorize Award of Proposal – Legal Services Pool.
- _____6. Authorize Placement of Tax Liens for Property Clean-ups.
- _____7. Tax Collector:
 - a. Senior Citizen Deduction Grant – 2017.
 - b. Tax Overpayments – 2010.
 - c. Tax Overpayments – 2018.
 - d. State Tax Appeal Granted – Block 1192.38 Lot 5 – 1049 Burnt Tavern Rd.
- *******End of Consent Agenda*******
- _____8. Bill Resolution – Computer 2018.
- _____9. Bill Resolution – Manual 2018.

5. Ordinance on First Reading:

- _____1. Amend Chapter 404 – Streets and Sidewalks.

6. 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.

7. Council Comments.

8. 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, July 24, 2018 at 7:00 p.m.**

RESOLUTION

WHEREAS, John Santillo was born in Newark, New Jersey in 1922 and was drafted into the United States Army after our nation's entry into World War II; and

WHEREAS, as a member of the 237th Engineer Combat Battalion, John Santillo served Algeria, Casablanca and fought in the Battle of Kasserine Pass before being transported to England in 1944; and

WHEREAS, on June 6, 1944, John Santillo took part in the Allied invasion of France, better known as D-Day, during which over 150,000 troops landed on French beaches and began their liberation of mainland Europe; and

WHEREAS, John Santillo landed on Utah Beach with the 237th on D-Day and they eventually fought through Belgium, ultimately crossing into Germany in the spring of 1945 in time for the end of war in Europe; and

WHEREAS, after the war ended, he was awarded the European-African-Middle Eastern Service Medal, the Bronze Arrowhead, the Good Conduct Medal and the Victory Medal for his service; and

WHEREAS, in May 2018, the French government awarded John Santillo the Legion of Honor Medal – the highest honorary distinction in France - in a ceremony at their embassy in New York in honor of his efforts during D-Day and in World War II.

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

1. We extend our most heartfelt thanks and appreciation to John Santillo for his exemplary service to our Nation during the Second World War.
2. We congratulate him on his being awarded the Legion of Honor medal by the government of France for his service.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on July 10, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	7/10/18
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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:

POLICE DEPARTMENT LOCKER ROOM RENOVATIONS

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 Architect for the project, Robbie Conley Architect, LLC 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 10th day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
42	7/10/18
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RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the **Brick Township Local Paving Program Contract #5 Fairview Avenue and Fairview Court** on Wednesday, June 27, 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 **Brick Township Local Paving Program Contract #5 Fairview Avenue and Fairview Court** hereby awarded to **Earle Asphalt Co., P.O. Drawer 556, Farmingdale, NJ 07727** for a total bid amount of \$194,613.13.
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 Earle Asphalt Co., ARH Associates, Business Administrator, Chief Financial Officer, Township Engineer, Public Works Director and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 10th day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	7/10/18
Agenda #	Date
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RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the **Roadway Improvements to Central Boulevard East, Foster Avenue & Oak Hollow Road** on Friday, June 29, 2018; and

WHEREAS, the bids have been reviewed by Maser Consulting PA; and

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

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

1. That the bid for the **Roadway Improvements to Central Boulevard East, Foster Avenue & Oak Hollow Road** hereby awarded to **Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510** for a total bid amount of \$287,746.20.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto.
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to Meco, Inc., Maser Consulting PA, Business Administrator, Chief Financial Officer, Township Engineer, Public Works Director and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 10th day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	7/10/18
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, on January 1, 2018 the Township Council awarded contracts for the Legal Services Pool to various firms; and

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

WHEREAS, the Township of Brick has solicited additional proposals for Legal Services Pool through a "fair and open process" on June 26, 2018; and

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

WHEREAS, the Mayor has recommended the firms listed below to be retained to represent the Township for these legal cases.

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 Mayor is authorized to execute and the Township Clerk to attest to agreements with the following firms:

ATTORNEY POOL:

- Gluck Walrath, LLP – Red Bank, NJ
- Kelaher, Van Dyke & Moriarty – Toms River, NJ

2. That services for this contract shall be rendered to the Township at the rate of \$165.00 per hour with an aggregate not to exceed amount of \$225,000.00.

3. That this contract is being awarded as a Professional Service Contract 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 legal services and human resources operating, escrow and or capital budgets.

6. That such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.

7. That this resolution shall take effect July 11, 2018 and end on December 31, 2018.

8. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.

9. That a certified copy of this Resolution shall be provided to the firms, Business Administrator, 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 July 10, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

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

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

**417 Mamie Drive – Block 194.06/Lot 5 - \$107.54
 1411 Park Avenue – Block 773/Lot 17 - \$101.35
 735 Herbertsville Road – Block 1422.31/Lot 2.06 - \$254.11
 874 Claire Avenue – Block 1260/Lot 19.01 - \$73.00**

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

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

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

**417 Mamie Drive – Block 194.06/Lot 5 - \$107.54
 1411 Park Avenue – Block 773/Lot 17 - \$101.35
 735 Herbertsville Road – Block 1422.31/Lot 2.06 - \$254.11
 874 Claire Avenue – Block 1260/Lot 19.01 - \$73.00**

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

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

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

**417 Mamie Drive – Block 194.06/Lot 5 - \$107.54
 1411 Park Avenue – Block 773/Lot 17 - \$101.35
 735 Herbertsville Road – Block 1422.31/Lot 2.06 - \$254.11
 874 Claire Avenue – Block 1260/Lot 19.01 - \$73.00**

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

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on July 10, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

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 LYNNETE A. IANNARONE
 TOWNSHIP CLERK

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that Senior Citizen deductions have been granted and refunds are to be issued on the following properties for the year 2017.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1067.03/7/519120 425 Spiral Dr.	Gorman, Patrick J. & Julia A.	\$250.00

CERTIFICATION

I, Lynnette 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 July 10, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7a	7/10/18
Agenda #	Date
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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>
919/34.01/517277 545 Parker Ave.	Cynthia, Skowronski	\$17.94

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 10 day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	7/Date
4-7b	10/18
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>
891/8/415982 383 Iroquois Dr.	A. Absolute Settlement Co. (Maurillo, Barry & Sally)	\$550.00
1210.26/1/625674 5 Byron Rd.	Hyfantis, John & Guza, Maria	\$1,475.73

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 10th day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7c	7/10/18
Agenda #	Date
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RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the year 2013 and 2014 on Block 1192.38, Lot 5, Account # 520697, due to State Appeals being granted, and as the State Appeal reduces the assessment for 2013 and 2014 from 8,000,000 to 7,500,000.

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

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1192.38/5/520697	Michael A. Vespasiano Attorney	\$10,385.00 - 2013
1049 Burnt Tavern Rd.	Trust Account	<u>\$10,580.00</u> - 2014
	(Willow Springs Property LLC)	\$20,965.00

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on July 10, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 10th day of July, 2018.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
47d	7/10/18
Agenda #	Date
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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, TO AMEND
CHAPTER 404, ENTITLED "STREETS AND
SIDEWALKS" TO REQUIRE RESTORATION OF
STREETS AND OTHER PUBLIC AREAS TO THEIR
ORIGINAL CONDITION AFTER EXCAVATION WORK**

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 404 of the Township Code of the Township of Brick entitled "Streets and Sidewalks" is hereby amended to delete existing Section 404-9, entitled "Restoration of Surface Paving and Subsurface Foundation," in its entirety and to replace it with the new provisions set forth in this Ordinance.

SECTION 2. Section 404-9 of the Township Code of the Township of Brick entitled "Restoration of Surface Paving and Subsurface Foundation" is hereby deleted in its entirety and replaced with the following new Section 404-9, which shall read as follows:

§ 404-9. Restoration of Surface Paving and Subsurface Foundation.

- A. Requirement to restore surface. The permittee shall restore the surface of all streets, driveways, sidewalks, aprons, grassed or other right-of-way areas broken into or damaged as a result of the excavation work to its original condition in accordance with the specifications of the Township Engineer.
- B. Criteria for repairs.
 - 1. Within grassed areas, all trench openings and damaged areas shall be backfilled for the top four inches with topsoil as defined in the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition. Then, both the trench and area disturbed by excavated material and construction operations shall be seeded with Fertilizing and Seeding, Type A, as specified in the same specifications.
 - 2. Within the limits of gravel roadways, driveways and parking areas all trench openings shall be backfilled and compacted as heretofore noted. The top eight inches shall be backfilled with eight inches of compacted Soil Aggregate Designation I-5 (formerly Type 2 Class A or B road gravel) as defined in the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition.
 - 3. Within the limits of bituminous concrete or bituminous treated roadways all trench openings shall be backfilled and compacted as required the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition. The upper 11 inches of the trench shall receive a temporary repair of six inches of compacted Soil Aggregate Designation I-5 of the above listed specifications topped with five inches of Hot Mix Asphalt 19M64 Base Course as defined in the above-listed specifications.
 - (a) The temporary pavement shall remain in place for a period of at least three months until any residual settlement takes place, which time shall not exceed four months. During this time, the permittee shall assure maintenance of the pavement surface level. Manholes, valve boxes or other physical utility obstructions, shall have feathered approaches not to exceed a five-percent slope where necessary and pavement lining shall be restored by the permittee for adequate traffic control.

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- (b) The final asphalt paving will depend on the size of the trench:
- (1) Where 20% or more of the existing surface width and/or a distance parallel or longitudinal to the roadway center line of 25 feet or more has been disturbed, the permittee shall mill the entire pavement surface from edge to edge or curb to curb and the full length of the trench plus five feet each side at a minimum depth of two inches. All milling and disposal of millings shall be done in accordance with the NJDOT Standard Specifications. The permittee shall clean and sweep the milled surface and apply tack coat in preparation for immediate paving. The area will then be paved with two inches of HMA 9.5M64 surface course. The Township will require that the terminal ends of the paving be keyed and cut vertical to provide a smooth transition to the existing asphalt surface. Feathering will not be allowed.
 - (2) Where less than 20% of the existing surface and a distance parallel or longitudinal to the roadway center line of less than 25 feet has been disturbed, the permittee shall sawcut the existing surface course two inches deep at a location 12 inches beyond the trench surface, and remove the existing pavement to the same depth. Pavement removal shall be done by milling or another method as approved by the Township Engineer. The permittee shall clean and sweep the milled surface and apply tack coat in preparation for immediate paving. The area will then be paved with two inches of HMA 9.5M64 surface course in accordance with the NJDOT Standard Specifications. The Township will require that the terminal ends of the paving be keyed and cut vertical to provide a smooth transition to the existing asphalt surface. Feathering will not be allowed.
- (c) Within the limits of portland cement concrete roadways, all trench openings shall be backfilled and compacted as previously required, a satisfactory foundation prepared, the reinforcement restored and the concrete pavement equal in thickness to that in place in the roadway replaced with concrete as defined in the above-listed specifications.
- (d) Road openings and/or trenches involving unusual or special conditions including attachment to bridges shall be restored in accordance with and pursuant to the direction of the Township Engineer.
- (e) Within sidewalk areas, all trench openings shall be backfilled and compacted as previously required, and finished with a concrete sidewalk, four inches thick and at least four feet wide with a compressive strength of not less than 4,000 psi after 28 days. The sidewalk shall be broom finished with striations perpendicular to walking traffic. Troweled joints shall be installed not less than every four feet (or distance equal to the sidewalk width) and bituminous joints installed every 20 feet. At points of vehicular crossings, the sidewalk shall be increased to six inches thick and one row of welded wire fabric (six-inch-by-six-inch pattern, W2.1x2.1 gauge) shall be added at the mid-depth of the concrete.
- (f) In the event that temporary paving, patching, final paving, or any other aspect of the restoration process is not completed to the satisfaction of the Township Engineer, the Township shall complete the restoration and the cost incurred shall be paid by the permittee or deducted from his deposit.

C. Temporary surface restoration in traffic lanes. The permittee may be required to place a temporary surface over openings made in paved traffic lanes. Except when the permanent replacement pavement is to be replaced before the opening of the cut to traffic, the fill above the bottom of the paving slab shall be tamped into place, and this fill shall be topped with a minimum of at least two inches of bituminous mixture which is suitable to maintain the opening in good condition until permanent restoration can be made. The crown of the temporary restoration shall not exceed one inch above the adjoining pavement. The permittee shall exercise special care in making such temporary restorations and must maintain such restorations in safe travelling condition until such time as permanent restorations are made. The asphalt which is used shall be in accordance with the specifications of the Township Engineer. If, in the judgment of the Township Engineer, it is not expedient to replace the pavement over any cut or excavation made in the street upon completion of the work allowed under such permit by reason of the looseness of the earth or weather conditions, he may direct the permittee to lay a temporary pavement of steel plate or other suitable material designated by him over the cut or excavation to remain until such time as the repair of the original pavement may be properly made.

- D. Permanent street restoration. Permanent restoration of the street may be made by the permittee in strict accordance with the specifications prescribed by the Township Engineer to restore the street to its original and/or proper condition, or as near as may be. When, in the opinion of the Township Engineer, the full width overlay will present a hazardous condition and jeopardize the health, safety and welfare of the general public, the Township Engineer shall direct the permittee the method of restoration of the roadway surface.
- E. Approval contingent upon time period. Acceptance or approval of any excavation work by the Township Engineer shall not prevent the Township from asserting a claim against a permittee and his or its surety under the surety bond required hereunder for incomplete or defective work if discovered within 12 months from the completion of the excavation work. The Township Engineer's presence during the performance of any excavation work shall not relieve the permittee of its responsibilities hereunder.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed 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 July, 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 July 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