

**Brick Township Council
February 26, 2019
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 February 8, 2019. 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 January 8, 2019 Meeting.
 - e. Presentations:
 1. Students of the Month – January

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. Authorize Emergency Temporary Appropriations.
- ___2. Authorize Refund from Police Road Job Account
- ___3. Authorize Amendment to the Safe & Secure Grant Communities 2019 Grant.
- ___4. Authorize Receipt of Bids – Rental & Laundry of DPW Uniforms, Rental of Floor Mats, Rags & Fender Covers.
- ___5. Authorize Award of Bid – Drainage Improvements to Baywood.
- ___6. Authorize Award of Bid – Purchase & Delivery of Aggregates & Asphalt.
- ___7. Authorize Award of Contract – Entertainment & Production Services – 2019 SummerFest Program.
- ___8. Authorize advice and consent for fair and open professional services contract – Municipal Prosecutor, Alternate & Conflict Prosecutor.
- ___9. Authorize Change Order No. 1 Final – Roadway Improvements to Birchwood Park – Phase II.
- ___10. Authorize Extension of Contract for Public Safety Uniforms.
- ___11. Authorize Execution of Shared Services Agreement with County of Ocean – 2019 Pumpout Boat Program.
- ___12. Authorize & Approve Shared Services Agreement between BTMUA and Borough of Manasquan.
- ___13. Authorize Class I Officers to attend Ocean County Police Academy.
- ___14. Authorize Person-to-Person Transfer of Plenary Retail Consumption License to HOP Brick, LLC t/a Houlihan’s.
- ___15. Authorize Special Events Permit – St. Patrick’s Day Celebration – PJ Sweeney’s.
- ___16. Bond Releases/Reductions:
 - a. Performance Bond Release – Mark Fusari – Mantoloking Rd.
 - b. Performance Bond Release – Ronald Caruso – Drum Point Rd.
 - c. Performance Bond Release – Randy Talamayan, M.D. – Robbins St.
 - d. Performance Bond Release – Paramount Plaza of Brick – Chambers Bridge Rd.
 - e. Inspection Fund Release – Bernard Lombardi, Jr. – Mantoloking Road
 - f. Inspection Fund Release – Walters Residential LLC – Drum Point & Herbertsville Rd.
 - g. Inspection Fund Release – Northfield Construction Corp – Brick Blvd.
 - h. Inspection Fund Release – Drum Point Plaza – Drum Point Rd.
 - i. Inspection Fund Release – Ocean Care & Staffing Inc. – Route 88.
 - j. Inspection Fund Release – Alan J. Rotondi, DDS – Lanes Mill Rd.
- ___17. Tax Collector:
 - a. Tax Overpayments – 2018.
 - b. Tax Overpayments – 2018 – 2019
 - c. Tax Overpayments – 2019.
 - d. Redemption of Tax Sale Certificates.
 - e. State Tax Appeal Granted – Block 868 Lot 7 – 1820 Route 88.
 - f. State Tax Appeal Granted – Block 1149 Lot 5 – 1930 Route 88.
 - g. State Tax Appeal Granted – Block 1149 Lot 6 – Askin Rd.

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

**Brick Township Council
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Agenda No. 1**

- ___18. Bill Resolution – Computer 2019.
- ___19. Bill Resolution – Manual 2019.

5. Ordinance on First Reading:

- ___1. Create Chapter 340 – Prohibit Retail Sale, Cultivation, Manufacturing and Testing of Marijuana Products for Recreational Use within the Township of Brick.

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 March 12, 2019 at 7:00 p.m.**

RESOLUTION 69-19

WHEREAS, on January 8, 2019, the Township Council adopted Resolution #1-19 establishing the Caucus/Public Meeting dates for the 2019 year; and

WHEREAS, it is the desire of the Township Council to amend such dates; and

BE IT RESOLVED that the **Caucus/Public Meetings** of the Township Council of the Township of Brick will be held on Tuesdays, unless otherwise indicated, on the following dates through the year 2019:

January 8 and 22	7:00 p.m.
February 5 and 26	7:00 p.m.
March 12 and 26	7:00 p.m.
April 9 and 30	7:00 p.m.
May 14 and 28	7:00 p.m.
June 11 and 25	7:00 p.m.
July 9 and 23	7:00 p.m.
August 13 and 27	7:00 p.m.
September 10 and 24	7:00 p.m.
October 7 (Monday) and 22	7:00 p.m.
November 6 (Wednesday) and 18 (Monday)	7:00 p.m.
December 3 and 17	7:00 p.m.
December 31	10:00 a.m.

All meetings will be held in the Municipal Building, 401 Chambers Bridge Road, Brick, New Jersey. Participation at the Caucus and Regular Public Meetings shall be at such times as is set forth in the agenda of the meeting and in such manner as is established by the presiding officer. Formal action may be taken at all meetings.

ADOPTED: February 5, 2019

RESOLUTION

WHEREAS, New Jersey Statute 40:A4-20 provides that a resolution adopted by a 2/3 vote of the full membership, may make emergency temporary appropriations for any purposes for which appropriations may be lawfully made for the period between the beginning of the current fiscal year and the date of adoption of the budget for said year; and,

WHEREAS, a resolution adopting a temporary budget was passed on January 8, 2019 by the Township Council; and,

WHEREAS, it is the intention of the Township Council to increment the appropriations in the 2019 Temporary Budget and any prior temporary emergency appropriations, by the amounts set forth in this resolution.

NOW, THEREFORE, BE IT RESOLVED that the following emergency temporary appropriations be made to increment the amounts established in the Temporary Budget of 2019 and all subsequent amendments, including prior Temporary Emergencies, if any, and a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services and a copy be transmitted to the Purchasing Agent and Chief Financial Officer and his record:

OPERATIONS

GENERAL GOVERNMENT FUNCTIONS

General Administration:			
S&W		\$	90,000.00
OE		\$	-
Purchasing:			
S&W		\$	-
OE		\$	20,000.00
Human Resources:			
S&W		\$	50,000.00
OE		\$	-
Mayor:			
S&W		\$	25,000.00
OE		\$	-
Council:			
S&W		\$	10,000.00
OE		\$	-
Township Clerk:			
S&W		\$	125,000.00
OE		\$	-
Election:			
OE		\$	-
Financial Administration:			
S&W		\$	35,000.00
OE		\$	10,000.00
Audit Services:			
OE		\$	-
Data Processing:			
S&W		\$	75,000.00
OE		\$	-
Tax Collector:			
S&W		\$	5,000.00
OE		\$	10,000.00
Tax Assessor:			
S&W		\$	55,000.00
OE		\$	-
Legal Services:			
OE		\$	-
Historic Preservation			
S&W		\$	200.00
OE		\$	-
Engineering:			
S&W		\$	50,000.00

Agenda #	Date
4-1	1/24/19
Agenda #	Date
Agenda #	Date
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OE	\$	10,000.00	
Subtotal General Government Functions			\$ 2,390,850.00
LAND USE ADMINISTRATION			
Planning Board:			
S&W	\$	-	
OE	\$	-	
Land Use:			
S&W	\$	5,000.00	
OE	\$	-	
Shade Tree:			
S&W	\$	200.00	
OE	\$	-	
Board of Adjustment			
S&W	\$	8,000.00	
OE	\$	-	
Affordable Housing:			
S&W	\$	-	
OE	\$	-	
Subtotal Land Use Administration			\$ 210,715.00
CODE ENFORCEMENT & ADMINISTRATION			
Inspections:			
S&W	\$	125,000.00	
OE	\$	-	
Code Enforcement:			
S&W	\$	25,000.00	
OE	\$	-	
Subtotal Code Enforcement			\$ 708,000.00
INSURANCE			
Liability:			
OE	\$	530,000.00	
Worker's Compensation:			
OE	\$	455,000.00	
Employee Group:			
OE	\$	2,500,000.00	
Subtotal Insurance			\$ 8,735,000.00
PUBLIC SAFETY FUNCTIONS			
Police:			
S&W	\$	3,000,000.00	
OE	\$	30,000.00	
Special Police:			
S&W	\$	-	
OE	\$	-	
Crossing Guard:			
S&W	\$	50,000.00	
OE	\$	-	
Police Vehicles & Equipment:			
OE	\$	20,000.00	
Police Dispatch/911:			
S&W	\$	250,000.00	
OE	\$	-	
Emergency Management:			
S&W	\$	10,000.00	
OE	\$	350.00	

Municipal Prosecutor:			
OE	\$	-	
Subtotal Public Safety Functions		\$	9,114,500.00

PUBLIC WORKS FUNCTIONS

Roads:			
OE	\$	200,000.00	
Bus Transportation:			
OE	\$	-	
Solid Waste Collection:			
S&W	\$	1,000,000.00	
OE	\$	8,000.00	
Building and Grounds:			
S&W	\$	125,000.00	
OE	\$	75,000.00	
Vehicle Maintenance:			
S&W	\$	100,000.00	
OE	\$	200,000.00	
Subtotal Public Works Functions		\$	3,571,000.00

HEALTH & HUMAN SERVICES FUNCTIONS

Community Services Act:			
OE	\$	-	
Senior Citizens:			
S&W	\$	-	
OE	\$	6,000.00	
Environmental Health Services:			
S&W	\$	250.00	
OE	\$	-	
Animal Control:			
OE	\$	14,000.00	
Subtotal Health & Human Services		\$	130,990.00

PARKS & RECREATION FUNCTIONS

Recreation:			
S&W	\$	45,000.00	
OE	\$	5,000.00	
Maintenance of Parks:			
S&W	\$	100,000.00	
OE	\$	25,000.00	
Beach:			
S&W	\$	50,000.00	
OE	\$	4,550.00	
Subtotal Park & Recreation Functions		\$	837,550.00

UTILITY EXPENSES

Electricity:			
OE	\$	-	
Street Lights:			
OE	\$	35,000.00	
Telephone:			
OE	\$	35,000.00	
Water:			
OE	\$	-	
Gas (Natural):			
OE	\$	26,000.00	
Telecommunications:			
OE	\$	-	

Gasoline:			
OE	\$	100,000.00	
Subtotal Utility Expenses			\$ 1,043,000.00
LANDFILL EXPENSES			
Solid Waste Disposal	\$	500,000.00	
Subtotal Landfill Expenses			\$ 1,250,000.00
STATUTORY EXPENDITURES			
PERS:			
OE	\$	2,576,100.00	
DCRP:			
OE	\$	-	
Short Term Disability:			
OE	\$	10,000.00	
SOCIAL SECURITY			
OE	\$	500,000.00	
PFRS:			
OE	\$	4,713,475.00	
Subtotal Statutory Expenses			\$ 8,649,575.00
MUNICIPAL COURT			
Court:			
S&W	\$	75,000.00	
OE	\$	-	
Public Defender:			
OE	\$	-	
Subtotal Municipal Court			\$ 334,000.00
EMT SERVICES			
EMT Services:			
S&W	\$	450,000.00	
OE	\$	50,000.00	
Subtotal EMT Services			\$ 1,034,000.00
FEDERAL & STATE GRANTS			
Senior Citizens Grant			
S&W	\$	-	
Subtotal Grants			\$ 135,100.00
GRAND TOTAL OPERATING EXPENDITURES			\$ 38,144,280.00

WHEREAS, 26.25% (twenty six and one quarter percent) of the total appropriations of the 2018 budget, exclusive of any appropriations made for the Debt Service, Capital Improvement Fund and Public Assistance is in the sum of **\$20,740,538.92**.

The dedicated revenue anticipated during the year 2019 from State and Federal aid for maintenance of libraries, dog licenses, bequest, escheat, federal grant, donations, deposits for main extensions and service connections, Recycling Program, Housing and Community Development, Planning and Zoning Boards of Adjustment, Disposal of Forfeited Property, Construction Code Fees, DARE Program, MACADA Program, Special Tax Liquidations Proceeds Account, Developer's Fees, Festival of All Seasons Donations, Affinity Credit Card Program, Drivers Education Donations, Police Dept. Donations, Municipal Public Defender, PBA Road Job Account, Open Space, Recreation, Farmland, and Historic Preservation Trust, Human Services Account, Brick Unreimbursed Medical and Child Care Account (Cafeteria Plans), Parks and Playgrounds Recreation Rider, Snow Removal Trust, and POAA Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, various entities have deposited monies into the Township's Police Road Job Trust Account; and

WHEREAS, officers were assigned to the workplace and paid for their services; and

WHEREAS, monies still remain on deposit in the Township's Trust account; and

WHEREAS, it has been determined by the Township that no additional services will be required.

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

1. The Chief Financial Officer is authorized to disburse checks in accordance with Schedule A from the Police Road Job Account to the appropriate client.
2. A copy of this resolution be given to the Chief Financial Officer and the Chief of Police.

CERTIFICATION

I, Lynnette Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

SCHEDULE A - REFUND OF BALANCES

Depositor Name & Address	Balance on Account
Point 2 Point Global Security, Inc. 350 Granary Rd, Unit #1 Forest Hill, MD 21050	1,170.00
Total	1,170.00

Agenda # 4-2	Date 2/26/19
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 2019 Grant Program; and

WHEREAS, the Township of Brick wishes to accept a grant in the amount of \$60,000 under the Safe and Secure Communities Program 19-1506 which will be in effect from April 1, 2019 to March 31, 2020; and

WHEREAS, the Safe & Secure Communities Grant will be applied towards the salaries of the Safe & Secure Officers and the Township of Brick will match the grant by covering the cost of fringe benefits; 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 Crime Prevention Programs, Neighborhood Watch and Problem Solving Policing.

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 and Finance Officer.

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
43	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

**RENTAL AND LAUNDRY OF PUBLIC WORKS UNIFORMS,
RENTAL OF FLOOR MATS, RAGS AND FENDER COVERS**

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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Drainage Improvements to Baywood, on Tuesday, February 12, 2019; and

WHEREAS, the bids have been reviewed by CME 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 Drainage Improvements to Baywood is hereby awarded to Shore Top Construction Corp., 207 Squankum Road, Farmingdale, NJ 07727 for a total bid amount of \$351,612.50.
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. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to Shore Top Construction Corp., CME Associates, Business Administrator, Chief Financial Officer, Township Engineer, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-5	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Purchase and Delivery of Aggregates and Asphalt on Thursday, February 14, 2019; and

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

WHEREAS, the Director of Public Works has recommended the award of said bid to the lowest responsive and responsible bidder being in full compliance of the bid specification.

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 purchase and delivery of aggregates and asphalt is hereby awarded to the following vendors in accordance with the attached schedule of prices:
 - 1) American Asphalt Company, Inc., 100 Main Street, West Collingswood Heights, NJ 08059
 - 2) Brickwall Corporation, 2215 West Lacey Road, Forked River, NJ 08731
 - 3) Central Jersey Hot Mix Asphalt, LLC, 577 South Hope Chapel Road, Jackson, NJ 08527
 - 4) R.W.V. Land & Livestock South, Inc., P.O. Box 1323, Jackson, NJ 08527
 - 5) Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, NJ 07724
 - 6) Trap Rock Industries, LLC, P.O. Box 419, Kingston, NJ 08528
 - 7) The Walter R. Earle Corporation, P.O. Box 757, Farmingdale, NJ 07727
2. That this is a unit price bid not to exceed \$500,000.00 per year with funds to be certified prior to each order. Sufficient funds are available pending adoption of the 2019 budget under an appropriation entitled Roads – Paving, Patching, Drainage Materials account 9-01-26-290-263 and Maintenance of Parks – Supplies – Public Grounds, account 9-01-28-375-242.
3. That this is a two (2) year contract commencing on March 8, 2019 and ending on March 7, 2021 with prices shall remain firm fixed for the duration of the contract.
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 the successful bidders, Business Administrator, Chief Financial Officer, Director of Public Works, Township Engineer and the Purchasing Agent.

CERTIFICATION

I, Lynnette 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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

Agenda #	2/Date
4-6	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Township of Brick has a need to acquire entertainment and production services for 2019 Summerfest concerts as an non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Purchasing Agent of the Township of Brick has determined and certified in writing that the value of the service will exceed \$17,500.00; and

WHEREAS, the business entity has submitted a proposal dated January 10, 2019 indicating they will provide entertainment and production services to the Township of Brick for the 2019 Summerfest concerts; and

WHEREAS, the business entity has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee in the Township of Brick in the previous one year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to C.271, the business entity has completed and submitted a Political Contribution Disclosure Form.

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 Governing Body of the Township of Brick does hereby award a contract to La Guardia & Associates, LLC, 388 Pompton Avenue, Cedar Grove, NJ 07009 to provide professional services in accordance with the provisions of N.J.S.A. 40A:11-5 for the 2019 Summerfest concerts in the amount of \$32,900.00.
2. That the contract shall be in accordance with the proposal dated January 10, 2019.
3. That this contract is awarded as a non-fair and open process contract in compliance with N.J.S.A. 19:44A-20.5 et seq.
4. That the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Ownership Disclosure Form and the Determination of Value be placed on file with this resolution.
5. That the term of this contract is for a period not to exceed twelve (12) consecutive months, contingent upon successful completion of the service.
6. That funds will be certified by the Chief Financial Officer from the Recreation Rider Account T-03-56-862-299 prior to the commencement of each event.
7. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the Office of the Township Clerk during normal business hours.
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 forwarded to LaGuardia & Associates, LLC, Business Administrator, Chief Financial Officer, Recreation Director 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 this 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26^h day of February, 2019.

Agenda #	Date
4-7	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

CHANGE ORDER #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 adjustment is needed to successfully complete the Roadway Improvements to Birchwood Park – Phase II, a NJDOT Funded Project, Capital Ordinance #14-18; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.7, the Consulting Engineer has recommended that Change Order #1 Final be authorized and that the contract issued to Earle Asphalt Company, P.O. Box 556, Farmingdale, NJ 07727 be decreased by \$67,234.09 and the contract be commensurately decreased from \$593,013.13 to \$525,779.04.

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 #1 Final is hereby authorized as stated above.
2. The Township Clerk shall forward a certified copy of the resolution to Earle Asphalt Company, CME Associates, 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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

**AUTHORIZING THE EXTENSION
OF CONTRACT FOR PUBLIC SAFETY UNIFORMS**

WHEREAS, on March 7, 2017 the Township Council awarded the Public Safety Uniform contract to various vendors; and

WHEREAS, Samzie's Uniforms recently submitted a Bill of Sale and Assignment informing the Township they have sold their business to Galls, LLC, 1340 Russell Cave Road, Lexington, KY 40505; and

WHEREAS, Galls, LLC has agreed to be bound to all terms and conditions set forth in the Public Safety Uniform Bid Contract #17003 and will honor and perform all obligations under same contract; and

WHEREAS, the Township has commenced bidding the contract for the Public Safety Uniforms in accordance with the New Jersey Local Public Contracts Law; and

WHEREAS, the Township has determined a need to continue this contract and the parties have mutually agreed to a temporary extension not to exceed sixty (60) days as provided for therein.

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 Township does hereby accept the Samzie's Uniforms Bill of Sale and Assignment and hereby awards the contract to Galls, LLC, 1340 Russell Cave Road, Lexington, KY 40505.
2. The Township of Brick is hereby authorized to extend the current contract until such time as a new contract can be authorized after completion of the bidding process, not to exceed sixty (60) days.
3. That all terms and conditions of the contract will remain the same.
4. That a copy of this resolution shall be forwarded to Galls, LLC, Business Administrator, Chief Financial Officer, Chief of Police, and the Purchasing Agent.

CERTIFICATION

I, Lynnette 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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, preservation of the quality of Brick Township's navigable waters which are enjoyed by numerous residents and visitors for swimming, fishing and water sports is vitally important to the health and quality of life in our community; and

WHEREAS, effluent discharged from boats contributes to the degradation of the quality of Brick Township's water; and

WHEREAS, in an effort to improve the overall quality of waters in not only Brick Township but Barnegat Bay as well, the County of Ocean has proposed a shared service agreement for the operation and maintenance of two (2) pump out boats, "Bay Saver" and "Bay Defender" to service the effluent discharge need of boaters in Brick Township's water; and

WHEREAS, the pump out boats would provide a convenient, inexpensive and environmentally safe means for boaters to dispose of their effluent wastes.

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 two (2) pump out boats, "Bay Saver" and "Bay Defender", would contribute greatly to our efforts to improve the quality of our local waters.
2. That the Township Council hereby authorizes the Mayor and his Administration to enter into a shared service agreement with County of Ocean for the operation and maintenance of the pump out boats to service the boaters who use Brick Township's waters.
3. That a certified copy of this resolution shall be forwarded to Ocean County Board of Chosen Freeholders, Ocean County Administrator, Mayor, Business Administrator, Chief of Police, Director of Public Works, Chief Financial Officer and the Purchasing Agent.

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-11	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE BRICK MUA AND THE BOROUGH OF MANASQUAN FOR THE PROVISION OF A WATER DISTRIBUTION SYSTEM AND SANITARY SEWER COLLECTION MAINTENANCE SERVICES

WHEREAS, the Borough of Manasquan and the Brick Township Municipal Utilities Authority (BTMUA) have negotiated a proposed Shared Services Agreement for the BTMUA to provide services of Water Distribution System and Sanitary Sewer Collection Maintenance Services on an as needed basis;

WHEREAS, the BTMUA has requested the Township to review and approve the proposed Shared Services Agreement; and

WHEREAS, the Township has reviewed the proposed Shared Services Agreement, along with the Resolution of approval from the BTMUA; and

WHEREAS, the Township Council desires to authorize and approve the Shared Services Agreement and to authorize the BTMUA to proceed with the services described therein.

NOW, THEREFORE, be it resolved by the Council of the Township of Brick, County of Ocean, State of New Jersey as follows:

1. The Mayor and Township Council hereby authorize and approve the proposed Shared Services Agreement between the Borough of Manasquan and the Brick Township Municipal Utilities Authority (BTMUA) for the provision of services of Water Distribution System and Sanitary Sewer Collection Maintenance Services on an as needed basis.
2. The Township Clerk is authorized to provide a certified true copy of this Resolution to the BTMUA and to the Borough of Manasquan.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council held on February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township of Brick, as recommended by the Chief of Police, has a need for Class I Special Police Officers; and

WHEREAS, Chief Riccio has offered a list of qualified candidates who would be eligible for training at the Ocean County Police Academy for Class I Special Officers; and

WHEREAS, the Ocean County Police Academy requires that candidates for training be appointed before completing training;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Brick, County of Ocean, State of New Jersey that the following applicants are appointed and approved to attend the Ocean County Police Academy for Class I Officer training at an hourly rate of \$9.41 beginning February 19, 2019 through March 4, 2019.

Vincent G. Rustico
Gianna M. Koval
Javier D. Lopez

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-13	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption license number 1506-33-039-003 heretofore issued to Brick Food, LLC t/a Houlihans to HOP Brick LLC, t/a Houlihans, Rt. 70 & Shorrock Road, Brick, NJ 08723; and

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

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

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

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

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

1. The application for the person-to-person transfer of plenary retail consumption license number 1506-33-039-003 issued to Brick Food LLC is transferred to HOP Brick, LLC, t/a Houlihans, Rt. 70 & Shorrock Road, Brick is hereby approved in accordance with the application submitted.
2. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the applicant.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-14	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, PJ Sweeney's has applied for a special event permit to conduct a St. Patrick's Day Event on March 17, 2019 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 PJ Sweeney's request for special event application to conduct a St. Patrick's Day Event on March 17, 2019 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 PJ Sweeney's request for special event application to conduct a St. Patrick's Day Event on March 17, 2019 at 447 Brick Boulevard between the hours of 11:00 am and 10:00 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 be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A Type I fire permit must be obtained from the Bureau of Fire Safety and a full UFC inspection is to be conducted on the day of the event.
- 3) Security must be present by 12:00pm and remain on location for the duration of the event for crowd control. The Bureau also recommends interior crowd control/security.
- 4) A fence will be installed around the tent to contain the patrons.
- 5) A copy of the extension of the licensed premises permit from the NJABC has been provided to the Municipal Clerk.
- 6) 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.
- 7) 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 PJ Sweeney's.

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

Agenda #	Date
4-15	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Mark Fusari, 26 Eisenhower Parkway, Roseland, NJ 07068 had posted Bond Safeguard Insurance Company Bond No. 5042267 in the amount of \$82,798.19 and a cash performance bond in the amount of \$9,199.79 to guarantee certain site improvements to Block 86.04 Lot 23.01 (Mantoloking Commons, 256 Mantoloking Road BA-2789) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated February 12, 2019 has advised that the ownership of the property has changed; and

WHEREAS, the Assistant Township Engineer recommends that the Bond Safeguard Insurance Company Bond No. 5042267 in the amount of \$82,798.19 and a cash performance bond in the amount of \$9,199.79 (plus interest if applicable) be returned to the applicant; and

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

1. That Bond Safeguard Insurance Company Bond No. 5042267 in the amount of \$82,798.19 and a cash performance bond in the amount of \$9,199.79 (plus interest if applicable) be returned to the applicant; and
2. That the Municipal Clerk shall 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16a	2/26/19
Agenda #	Date

RESOLUTION

WHEREAS, Ronald Caruso, 383 Stelle Avenue, Milltown, NJ 08850 had posted The Service Insurance Company, Inc. Bond No. 39537 in the amount of \$203,991.83 and a cash performance bond in the amount of \$20,399.19 to guarantee certain site improvements to Block 252.16 Lots 24.01 & 25-30 (Shore Acres Plaza- Off Drum Point Road BA-2318) in the Township of Brick; and

WHEREAS, Ronald Caruso has posted Irrevocable Letter of Credit #90396 in the amount of \$183,592.64 to guarantee certain site improvements to Block 252.16 Lots 24.01 & 25-30 (Shore Acres Plaza- Off Drum Point Road BA-2318) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer by letter dated February 15, 2019 recommends that The Service Insurance Company, Inc. Bond No. 39537 in the amount of \$203,991.83 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 Service Insurance Company, Inc. Bond No. 39537 in the amount of \$203,991.83 be returned to the applicant; and
2. That the Municipal Clerk shall 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Page #	Date
4-166	2/26/19
Page #	Date
Page #	Date

RESOLUTION

WHEREAS, Randy Talamanyan, MD, 1255 Route 70, Suite 12N, Lakewood, NJ 08701 had posted a cash bond in the amount of \$9,960.91 to guarantee certain site improvements to Block 863 Lot 7, 7.04, 7.14 & 7.18 (Robbins Street, PB-2774) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated February 7, 2019 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Township Engineer recommends that the cash performance bond in the amount of \$9,960.91 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 \$9,960.91 be returned to the applicant.
2. That the Municipal Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16c	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, SHL Brick, LLC had posted Travelers Casualty and Surety Company of America Site Improvement Bond #103394097 in the amount of \$639,133.97 and a cash performance bond in the amount of \$71,014.88 to guarantee certain site improvements to Block 672 Lot 8 (51 Chambers Bridge Road, SUB#853-490, PB-2311) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer by letter dated February 20, 2019 has advised that all the required improvements for the above referenced project have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer has also advised that the property was sold in in 2009 to Paramount Plaza at Brick, LLC, 1195 Route 70- Suite #2000, Lakewood, NJ 08701; and

WHEREAS, the Assistant Township Engineer recommends that the Travelers Casualty and Surety Company of America Site Improvement Bond #103397097 in the amount of \$639,133.97 and a cash performance bond in the amount of \$71,014.88 (plus interest if applicable) be returned to the new owner of the property; 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 Travelers Casualty and Surety Company of America Site Improvement Bond #103397097 in the amount of \$639,133.97 and a cash performance bond in the amount of \$71,014.88 (plus interest if applicable) be returned to Paramount Plaza at Brick, LLC; and
2. That the Municipal Clerk shall 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16d	2/26/19

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated February 8, 2019 that there is \$598.99 remaining in the engineering inspection fund from Bernard Lombardi, Jr., 4793 Brighton Lakes Boulevard, Boynton Beach, FL 33436 for Block 68 Lot 7 (94 Mantoloking Road) in the Township of Brick; and

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

WHEREAS, the Assistant Township Engineer recommends that the \$598.99 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 \$598.99 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16e	2/26/19

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated January 31, 2019 that there is \$358.50 remaining in the engineering inspection fund from Walters Residential, LLC, 500 Barnegat Boulevard N, Bldg. 100, Barnegat, NJ 08005 for Block 321 Lot 4.02 (425 Drum Point Road) and Block 1371 Lot 12 (481 Herbertsville Road) in the Township of Brick; and

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

WHEREAS, the Assistant Township Engineer recommends that the \$358.50 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 \$358.50 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
416f	2/26/19

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated February 4, 2019 that there is \$364.34 remaining in the engineering inspection fund from Northfield Construction Corp., 16 Ray Place, Fairfield, NJ 07004 for Block 379 Lot 4 (Bank of America, 55 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 \$364.34 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 \$364.34 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16 g	2/26/19
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated January 29, 2019 that there is \$211.87 remaining in the engineering inspection fund from Drum Point Plaza, 249 Brick Boulevard, Brick, NJ 08723 for Block 547.01 Lot15 (335-399 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 \$211.87 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 \$211.87 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16-h	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated January 29, 2019 that there is \$187.76 remaining in the engineering inspection fund from Ocean Care & Staffing Inc., d/b/a Right at Home, 522 Brick Boulevard, Brick, NJ 08723 for Block 1027 Lot 1 (1989 Route 88) 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 \$187.76 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 \$187.76 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-161	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated January 29, 2019 that there is \$381.75 remaining in the engineering inspection fund from Alan J. Rotondi, DDS, 1800 Lanes Mill Road, Brick, NJ 08724 for Block 1203.05 Lot 1 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 \$381.75 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 \$381.75 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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16-j	2/26/19
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>
1077.86/5/519460 435 18 th Ave.	Donald T Force & Dianne L Schwarz	\$1,336.75
645.01/87/312285 335 Church Rd.	Servicelink	\$ 477.19

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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-17a	2/26/19
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 2018-2019.

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>
17.01/9/100123 520 Broad Ave.	Peluso, Gerald W & Maureen M	6,718.41- 2018 <u>3,292.32</u> - 2019 10,010.74

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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Block/Lot/Account #	Date
4-176	2/26/19

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 2019.

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>
1108/3/C070/519859 15 Coventry Court	Donald E. Courtade	942.96

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 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-17c	2/26/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there have been redemptions of tax sale certificates on the properties listed below.

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

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Cert. #</u>
1443.01/32/729088 Larchmont Ave.	Norcia, Megan	2018-0297
869.23/2/416836 37 Harmony Ln.	EHM Partners	2018-0173
812/5/414640 Cromwell Ave.	NJ Contraction Networking LLC	2018-0162

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-17d	2/26/19
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2018 on Block 868, Lot 7, Account # 415146, due to State Appeals being granted; and as the State Appeal reduces the assessment from 2,207,500 to 1,800,000 for 2018.

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>
868/7/415146 1820 Route 88	Susan A. Feeney, Esq. McCarter & English, LLP	1,309.64

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Block #	Date
4-17e	2/26/19
Block #	Date
Block #	Date
Block #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2017-2018 on Block 1149, Lot 5, Account #520270, due to State Appeals being granted; and as the State Appeal reduces the assessment from 26,324,300 to 25,324,300 for 2017-2018.

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>
1149/5/520270	Bruce J. Stavitsky, Esq. for the benefit	58,945.67-2017
1930 Route 88	of Centro NP Laurel Sq, Owner LLC	<u>83,217.85-2018</u>
		142,163.52

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

Agenda #	Date
4-176	2/26/19
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2017-2018 on Block 1149, Lot 6, Account #520272, due to State Appeals being granted; and as the State Appeal reduces the assessment from 675,700 to 675,000 for 2017-2018.

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>
1149/6/520272 Askin Road	Bruce J. Stavitsky, Esq. for the benefit of Centro NP Laurel Sq, Owner LLC	15.42-2017 <u>15.85-2018</u> 31.27

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 February 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of February, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Account #	Date
4-17g	2/26/19
Account #	Date
Account #	Date
Account #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
CREATING A NEW CHAPTER 340 OF THE TOWNSHIP
CODE ENTITLED "RECREATIONAL MARIJUANA" TO
BAN THE SALE, CULTIVATION, MANUFACTURING
AND TESTING OF RECREATIONAL MARIJUANA
WITHIN THE TOWNSHIP OF BRICK

WHEREAS, the State Legislature is currently considering legislation that would legalize recreational cannabis (colloquially known as "marijuana"); and

WHEREAS, the Mayor and Township Council desire to use the regulatory and police powers of the Township to prohibit the retail sale, cultivation, manufacturing and testing of marijuana products for recreational use within the boundaries of the Township of Brick;

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

SECTION 1. A new Chapter 340 shall be created in the Township Code, entitled "Recreational Marijuana," which shall read as follows:

CHAPTER 340 Recreational Marijuana

§340-1. Purpose.

The purpose of this Chapter is the regulation of the retail sale, cultivation, manufacturing and testing of recreational marijuana within the Township of Brick, in accordance with the regulatory and police powers of the Township.

§340-2. Definitions.

"Marijuana Cultivation Facility" shall be defined as a facility licensed to grow and cultivate marijuana and to sell marijuana cultivation facilities and to other marijuana cultivation facilities, but not to consumers.

"Marijuana Product Manufacturing Facility" shall be defined as an entity licensed to purchase marijuana; manufacture, prepare and package marijuana items; and sell items to other marijuana product manufacturing facilities and to marijuana retailers, but not to consumers.

"Marijuana Testing Facility" shall be defined as an independent, third-party entity meeting accreditation requirements that is licensed to analyze and certify the safety and potency of marijuana items.

"Marijuana Retail Establishment" shall be defined as an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana items from marijuana product manufacturing facilities or marijuana wholesalers, and to sell marijuana and marijuana products to consumers from a retail store, which shall also be known as a dispensary.

§340-3. General Prohibition.

The operation of marijuana retail establishments, marijuana cultivation facilities, marijuana product manufacturing facilities and marijuana testing facilities are hereby prohibited in the Township of Brick.

§340-4. Violations and Penalties.

Any person who knowingly violates any of the provisions of this Chapter shall, upon conviction, be subject to a fine of not more than \$500 or imprisonment for a term of not more than 90 days, or both such fine and imprisonment, in the discretion of the court.

Ordinance #	Date
5-1	2/26/19
Ord #	Date

SECTION 2. Any current section of the Township Code not amended by this Ordinance shall remain the same.

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 26th day of February, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 12th day of March, 2019 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