Brick Township Council August 13, 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 <u>Asbury Park Press</u> and <u>The Ocean Star</u> 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 July 23, 2019 Meeting.

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."

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4.	Resolu	utions:	
	1.	Authorize Receipt of Bids – Resurfacing & Drainage Improvements to Roosevelt, Harding and Truman Drives.	
	2.	Authorize Award of Bid – Lake Riviera – Rainbow Dam Culvert Replacement & Embankment Restoration.	
	3.	Authorize Award of Bid – 150 foot Monopole Installation & Site Work	
	4.	Authorize Extension of Contract – Professional Medical Services.	
	5.	Authorize Change Order No. 1 – Purchase & Delivery of Sign Materials.	
	6.	Opposing New Jersey becoming a Sanctuary State and Resolving that Brick Township never becomes a Sanctuary City.	
	_7.	Authorize Placement of Tax Liens for Property Clean-ups.	
	8. 9.	Authorize Special Events Permit – Poker Run.	
	9.	Bond Releases/Reductions:	
	_10.	 a. Performance Bond Release – Premier Woodworking, LLC – Industrial Parkway. b. Inspection Fund Release – Weisleder d/b/a All American Mazda – Burnt Tavern Road. Tax Collector: a. 100% DAV Refund & Cancel Taxes – Block 383.28 Lot 48. 	
		b. Tax Overpayments – 2018.	
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	_11. _12.	Bill Resolution – Computer 2019. Bill Resolution – Manual 2019.	
5.	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.		
6.	Counci	il Comments.	
7.	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, August 27, 2019 at 7:00 p.m.

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:

RESURFACING & DRAINAGE IMPROVEMENTS TO ROOSEVELT, HARDING & TRUMAN DRIVES

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

- 1. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
- 2. That the consulting engineer for the project, ARH Associates, is hereby authorized to prepare formal bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. lannarone, 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 13th day of August, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Lake Riviera – Rainbow Dam Culvert Replacement & Embankment Restoration on Friday, August 2, 2019; 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 Lake Riviera Rainbow Dam Culvert Replacement & Embankment Restoration is hereby awarded to Capela Construction, Inc., 30 North Central Avenue, Sicklerville, NJ 08081 for a total bid amount of \$177,820.00.
- 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 the successful bidder, ARH Associates, Business Administrator, Chief Financial Officer, Township Engineer, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. lannarone, 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 13th day of August, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the 150' Monopole Installation and Site Work, Site No.3 on Wednesday, August 7, 2019; 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 150' Monopole Installation and Site Work, Site No.3 is hereby awarded to Capela Construction Inc., 30 North Central Avenue, Sicklerville, NJ 08081 for a total bid amount of \$92,050.00.
- 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 the successful bidder, ARH 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 13th day of August, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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AUTHORIZING EXTENSION OF CONTRACT

WHEREAS, on July 24, 2018 the Township Council awarded the Professional Medical Services contract for Category B to Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, NJ 07436 and Raymond F. Hanbury PhD, 2100 Highway 33, Suite 9-10, Neptune, NJ 07753; and

WHEREAS, on August 28, 2018 the Township Council awarded the Professional Medical Services contract for Category A to Meridian Occupational Health, 2-12 Corbett Way, Suite 101, Eatontown, NJ 07724; and

WHEREAS, the Township has commenced bidding the contract for the Professional Medical Service 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; and

WHEREAS, all providers have agreed to be bound to all terms and conditions set forth in the Professional Medical Services, and will honor and perform all obligations under same contract.

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

- 1. 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.
- 2. That all terms and conditions of the contract will remain the same.
- 3. That a copy of this resolution shall be forwarded to Institute for Forensic Psychology, Raymond F. Hanbury PhD, Meridian Occupational Health, Business Administrator, Chief Financial Officer, Human Resources Director and the Purchasing Agent.

CERTIFICATION

I, Lynnette lannarone, 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 13th day of August, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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CHANGE ORDER #1

BID CONTRACT #17034 - PURCHASE AND DELIVERY OF SIGN MATERIALS

WHEREAS, on December 5, 2017 a two (2) year contract for the Purchase and Delivery of Sign Materials was awarded to various vendors; and

WHEREAS, Brewer International, Inc, d/b/a Creative Visual Systems, 400 Apgar Drive, Unit G, Somerset, NJ 08873 (Creative Visual Systems) was awarded item #29d – FDC 13 oz. Banner, 48" x 40 yards, Gloss White Vinyl at \$100.95 per roll; and

WHEREAS, Creative Visual Systems has notified the Purchasing Agent that item #29d is only available from the manufacturer in 54 inch widths, and has requested a prorated price change for from the awarded \$100.95 per roll for the 48 inch roll to \$113.57 per roll for the 54 inch roll for the duration of the contract; and

WHEREAS, it is the recommendation of the Director of Public Works to accept Creative Visual System's request to prorate the price for item #29d for the remainder of the contract which ends on December 8, 2019.

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

- That the Township hereby accepts Brewer International, Inc. d/b/a Creative Visual Systems' request regarding product and price change for item #29d.
- 2. That item #29d FDC 13oz. Banner, 48" x 40 yards, Gloss White Vinyl, is hereby changed to #29d FDC 13oz. Banner, 54" x 40 yards, Gloss White Vinyl at \$113.57 per roll for the remainder of the contract ending on December 8, 2019.
- 3. That all other terms and conditions of the original bid remain as awarded.
- 4. That a copy of this resolution shall be forwarded to Brewer International d/b/a Creative Visual Systems, Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township 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 13th day of August, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPPOSING NEW JERSEY BECOMING A SANCTUARY STATE AND RESOLVING THAT BRICK TOWNSHIP NEVER BECOMES A SANCTUARY CITY

WHEREAS, the Governor of the State of New Jersey and the New Jersey Legislature have stated that New Jersey should become a sanctuary state; and

WHEREAS, cities throughout the nation and within this State have declared that they are "sanctuary cities"; and

WHEREAS, Mayor John G. Ducey made a commitment to our Township's residents in November 2017, which he re-affirmed at the Council meeting on July 23, 2019, that the Township of Brick would never become a sanctuary city; and

WHEREAS, the Governing Body of the Township of Brick shall continue to put the needs of the residents of Brick first and has thereby determined that Brick Township shall never be a sanctuary city; and

WHEREAS, the Township further supports a recent action by the Ocean County Board of Chosen Freeholders to pursue a federal lawsuit challenging the Governor's directive that seeks to limit the continued cooperation by the Ocean County Sheriff's Department with the Federal Immigration and Customs Enforcement Agency;

WHEREAS, the Governing Body of the Township of Brick urges the Governor and the State Legislature to reevaluate their position with regard to New Jersey becoming a sanctuary state;

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

- 1. The Township Council confirms and supports the repeated statements of Mayor Ducey that the Township of Brick shall never become a sanctuary city.
- 2. The Township Council urges the Governor and the State Legislature to reevaluate their position with regard to New Jersey becoming a sanctuary state.
- 3. The Township Council supports the recent actions by the Ocean County Board of Chosen Freeholders to pursue a federal lawsuit to challenge the Governor's directive.
- 4. The Township Clerk shall forward a certified copy of this Resolution to the Governor of the State of New Jersey; the President of the State Senate; the Speaker of the General Assembly; and the Director of the Ocean County Board of Chosen Freeholders.

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 August 13, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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RESOLUTION OF 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:

130 Woodland Drive – Block 299/Lot 47 - \$153.90 125 Queen Ann Road – Block 378.23/Lot 22 - \$76.95 39 Laurelhurst Drive – Block 869.37/Lot 3 - \$153.90 204 Winchester Drive – Block 902.26/Lot 16 - \$85.67 15 2nd Street – Block 926/Lot 36.01 - \$334.95 1666 Route 88 West – Block1170.01/Lot 2 - \$1823.09

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:

130 Woodland Drive – Block 299/Lot 47 - \$153.90 125 Queen Ann Road – Block 378.23/Lot 22 - \$76.95 39 Laurelhurst Drive – Block 869.37/Lot 3 - \$153.90 204 Winchester Drive – Block 902.26/Lot 16 - \$85.67 15 2nd Street – Block 926/Lot 36.01 - \$334.95 1666 Route 88 West – Block1170.01/Lot 2 - \$1823.09

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:

 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:

> 130 Woodland Drive – Block 299/Lot 47 - \$153.90 125 Queen Ann Road – Block 378.23/Lot 22 - \$76.95 39 Laurelhurst Drive – Block 869.37/Lot 3 - \$153.90 204 Winchester Drive – Block 902.26/Lot 16 - \$85.67 15 2nd Street – Block 926/Lot 36.01 - \$334.95 1666 Route 88 West – Block1170.01/Lot 2 - \$1823.09

- 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 August 13, 2019.

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TOWNSHIP CLERK

WHEREAS, Weichert Realtors, 1322 Hooper Avenue, Toms River, NJ 08753 has applied for a special event permit to conduct a Poker Run "Ride for Veterans" Event 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 Weichert Realtor's request for special event application to conduct a Poker Run "Ride for Veterans" Event on October 5, 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 Weichert Realtors request for special event application to conduct a Poker Run "Ride for Veterans" Event on October 5, 2019 at the River Rock, 1600 Route 70 between the hours of 11:00 am and 5:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas and store exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. An inspection must be conducted after set up and prior to the event by the Bureau of Fire Safety.
- 2) Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
- 3) Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police and Weichert Realtors.

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 August 13, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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LYNNETTE A. IANNARONE MUNICIPAL CLERK

WHEREAS, Premier Woodworking, LLC, 1100 Industrial Parkway, Brick, NJ 08724 had posted a cash bond in the amount of \$581.32 to guarantee site improvements to Block 1092.01 Lot.3 in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated August 1, 2019 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$581.32 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 \$581.32 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. lannarone, 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 August 13, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

LYNNETTE A. IANNARONE MUNICIPAL CLERK

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WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated July 29, 2019 that there is \$326.76 remaining in the engineering inspection fund from Weisleder Inc (Arthur Weisleder) dba All American Mazda, 575 Burnt Tavern Road, Brick, NJ 08724 for Block 1067.07 Lot 16 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 \$326.76 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 \$326.76 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. lannarone, 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 August 13, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

LYNNETTE A. IANNARONE

Agenda # 8 Date

MUNICIPAL CLERK

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WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV deduction has been granted on Block 383.28, Lot 48 Account # 309797 as of 2-20-2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 2-20-2018 and forward.

Block/Lot/Account #	Name	Amount
383.28/48/309797 290 Montana Dr.	Miller, Christine & Jeanie	4,627.26- 2018 4101.15 - 2019 8,728.41

CERTIFICATION

I, Lynnette A. Iannarone, Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on August 13, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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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.

Block/Lot/Account #	<u>Name</u>	<u>Amount</u>
383.22/48/309643 309 Evergreen Dr.	Leskowski, Joseph Lawrence	1,407.06
1065/8/519046 142 Harding Dr .	Johnson, Nathan A	1,208.11

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 13th day of August, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 13th day of August, 2019.

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