

**Brick Township Council**  
**February 25, 2020**  
**Caucus/Public Meeting**  
**7:00 PM**  
**Agenda No. 1**

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 7, 2020. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website ([www.bricktownship.net](http://www.bricktownship.net)). At this time please silence or turn off your cell phone.
3.
  - a. Roll Call.
  - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.
  - c. Approve Minutes of January 14, 2020 Meeting.
  - d. Presentation:
    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. Recognize Youth Art Month – March.
- \_\_\_ 2. Authorize Emergency Temporary Appropriations.
- \_\_\_ 3. Authorize Acceptance of 2020 Census Grant.
- \_\_\_ 4. Authorize Receipt of Bids – Printing Services.
- \_\_\_ 5. Authorize Receipt of Bids – Demolition & Secure Property at 472 Irisado Drive.
- \_\_\_ 6. Authorize Receipt of Bids – Demolition & Secure Property at 250 Riverside Drive North.
- \_\_\_ 7. Authorize Award of Bid – Purchase & Delivery of One 33 Cubic Yard Automated Refuse Collection Vehicle.
- \_\_\_ 8. Authorize Award of Bid – Purchase & Delivery of One 29 Cubic Year Rear Loading Collection Vehicle.
- \_\_\_ 9. Authorize Award of Contract – Entertainment & Production Services for 2020 Summerfest Concerts.
- \_\_\_ 10. Authorize Award of Contract – Support & Maintenance of the New World Public Safety Software Suite.
- \_\_\_ 11. Authorize Award of Contract through State of New Jersey Cooperative Purchasing Program for Park Equipment.
- \_\_\_ 12. Authorize Award of Contract through State of New Jersey Cooperative Purchasing Program for Sign Boxes - Civic Plaza.
- \_\_\_ 13. Authorize Acceptance of Donation from CSD Kitchen and Bath NJ, LLC – Police Department Renovation.
- \_\_\_ 14. Authorize Addition to the Alternate Prosecutor Pool.
- \_\_\_ 15. Authorize Appointment to the Board of Adjustment.
- \_\_\_ 16. Authorize Execution of Agreement – Life Guard Services for Curtis Point Property Owners Association and Mantoloking Shores Beach.
- \_\_\_ 17. Authorize Extension of Plenary Retail Consumption License to Landry's, LLC.
- \_\_\_ 18. Authorize Adoption of Title VI Non-Discrimination Policy.
- \_\_\_ 19. Authorize Special Events Permit – Mantoloking Ale House St. Patrick's Day Event.
- \_\_\_ 20. Authorize Special Events Permit – PJ Sweeney's St. Patrick's Day Event.
- \_\_\_ 21. Bond Releases/Reductions:
  - a. Authorize Denial for Release of Performance Guarantees – New Visions Phase 2.
  - b. Authorize Denial for Release of Performance Guarantees – New Visions Phase 3.
  - c. Site & Safety Bond Release – Two Farms Inc. – Route 88.
  - d. Inspection Fund Release – Auto Image & Security – Chambers Bridge Road.
  - e. Performance Bond Release – Shlomo Teren – Industrial Parkway.
  - f. Performance Bond Reduction – Artis Holdings, LLC – Jack Martin Boulevard.
- \_\_\_ 22. Tax Collector:
  - a. Tax Overpayments – 2015.
  - b. Tax Overpayments – 2016.
  - c. Tax Overpayments – 2017.
  - d. Tax Overpayments – 2018.
  - e. Tax Overpayments – 2019.
  - f. Tax Overpayments – 2020.

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

- \_\_\_ 23. Bill Resolution – Computer 2020.
- \_\_\_ 24. Bill Resolution – Manual 2020.

**Brick Township Council**  
**February 25, 2020**  
**Caucus/Public Meeting**  
**7:00 PM**  
**Agenda No. 1**

5. Ordinances on First Reading:

- 1. Authorize Acceptance of the Donation of Property – Block 1428 Lot 2.
- 2. Amend Chapter 168 – Engineering Permits/Standards.

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 will be held on Tuesday, March 10, 2020 at 7:00 p.m.**

**RESOLUTION**

**WHEREAS**, art education provides substantial educational benefits to all elementary, middle and secondary students as it develops students' creative potential and improves problem-solving and critical thinking skills by reinforcing and bringing to life what students learn in other subjects; and

**WHEREAS**, art education teaches sensitivity to beauty, order and other expressive qualities and also gives students a deeper understanding of multi-cultural values and benefits; and

**WHEREAS**, every year, the month of March is observed as Youth Art Month in the United States and is a month-long celebration of art education; and

**WHEREAS**, the Brick Township Public Schools will be celebrating Youth Art Month and will hold a special District Arts Festival on March 4; and

**WHEREAS**, this event, which will be held at Brick Township High School, will showcase innovative K-12 programming from all Brick Township Public Schools' visual and performing arts departments, with artwork from every school on display, presentations and workshops and musical, dance, drama and vocal performances.

**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 Council joins Mayor John G. Ducey in recognizing March as Youth Art Month in Brick Township.
2. We commend and applaud the leadership and the staff of the Brick Township Public Schools for their efforts to provide exceptional arts education programming to the students of Brick Township.
3. We further encourage all students to explore the arts and their creativity not only during Youth Art Month, but everyday.

**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 February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-1	2/25/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**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 14, 2020 by the Township Council; and

**WHEREAS**, it is the intention of the Township Council to increment the appropriations in the 2020 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 2020 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		\$	65,000.00
OE		\$	-
Purchasing:			
S&W		\$	25,000.00
OE		\$	-
Human Resources:			
S&W		\$	35,000.00
OE		\$	-
Mayor:			
S&W		\$	25,000.00
OE		\$	-
Council:			
S&W		\$	10,000.00
OE		\$	-
Township Clerk:			
S&W		\$	75,000.00
OE		\$	-
Election:			
OE		\$	-
Financial Administration:			
S&W		\$	25,000.00
OE		\$	10,000.00
Audit Services:			
OE		\$	-
Data Processing:			
S&W		\$	65,000.00
OE		\$	-
Tax Collector:			
S&W		\$	30,000.00
OE		\$	-
Tax Assessor:			
S&W		\$	-
OE		\$	-
Legal Services:			
OE		\$	-
Historic Preservation			
S&W		\$	100.00
OE		\$	-
Engineering:			
S&W		\$	55,000.00

Agenda #	Date
4-2	2/25/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

OE	\$	-	
<b>Subtotal General Government Functions</b>			<b>\$ 2,129,350.00</b>
<b>LAND USE ADMINISTRATION</b>			
Planning Board:			
S&W	\$	(1,000.00)	
OE	\$	-	
Land Use:			
S&W	\$	-	
OE	\$	-	
Shade Tree:			
S&W	\$	100.00	
OE	\$	-	
Board of Adjustment			
S&W	\$	15,000.00	
OE	\$	-	
Affordable Housing:			
S&W	\$	-	
OE	\$	-	
<b>Subtotal Land Use Administration</b>			<b>\$ 197,350.00</b>
<b>CODE ENFORCEMENT &amp; ADMINISTRATION</b>			
Inspections:			
S&W	\$	105,000.00	
OE	\$	-	
Code Enforcement:			
S&W	\$	15,000.00	
OE	\$	-	
<b>Subtotal Code Enforcement</b>			<b>\$ 681,000.00</b>
<b>INSURANCE</b>			
Liability:			
OE	\$	555,000.00	
Worker's Compensation:			
OE	\$	480,000.00	
Employee Group:			
OE	\$	2,000,000.00	
<b>Subtotal Insurance</b>			<b>\$ 8,285,000.00</b>
<b>PUBLIC SAFETY FUNCTIONS</b>			
Police:			
S&W	\$	900,000.00	
OE	\$	-	
Special Police:			
S&W	\$	25,000.00	
OE	\$	-	
Crossing Guard:			
S&W	\$	25,000.00	
OE	\$	-	
Police Vehicles & Equipment:			
OE	\$	-	
Police Dispatch/911:			
S&W	\$	95,000.00	
OE	\$	-	
Emergency Management:			

S&W	\$	5,000.00	
OE	\$	-	
Municipal Prosecutor:			
OE	\$	-	
<b>Subtotal Public Safety Functions</b>			<b>\$ 7,875,135.00</b>

**PUBLIC WORKS FUNCTIONS**

Roads:			
OE	\$	-	
Bus Transportation:			
SW	\$	-	
Solid Waste Collection:			
S&W	\$	350,000.00	
OE	\$	-	
Building and Grounds:			
S&W	\$	135,000.00	
OE	\$	-	
Vehicle Maintenance:			
S&W	\$	70,000.00	
OE	\$	-	
<b>Subtotal Public Works Functions</b>			<b>\$ 2,855,000.00</b>

**HEALTH & HUMAN SERVICES FUNCTIONS**

Community Services Act:			
OE	\$	-	
Senior Citizens:			
S&W	\$	-	
OE	\$	-	
Environmental Health Services:			
S&W	\$	200.00	
OE	\$	-	
Animal Control:			
OE	\$	-	
<b>Subtotal Health &amp; Human Services</b>			<b>\$ 115,940.00</b>

**PARKS & RECREATION FUNCTIONS**

Recreation:			
S&W	\$	40,000.00	
OE	\$	-	
Maintenance of Parks:			
S&W	\$	120,000.00	
OE	\$	-	
Beach:			
S&W	\$	-	
OE	\$	-	
<b>Subtotal Park &amp; Recreation Functions</b>			<b>\$ 735,000.00</b>

**UTILITY EXPENSES**

Electricity:			
OE	\$	50,000.00	
Street Lights:			
OE	\$	65,000.00	
Telephone:			
OE	\$	5,000.00	
Water:			
OE	\$	-	

Gas (Natural):			
OE	\$	20,000.00	
Telecommunications:			
OE	\$	-	
Gasoline:			
OE	\$	-	
<b>Subtotal Utility Expenses</b>			<b>\$ 925,000.00</b>
<b>LANDFILL EXPENSES</b>			
Solid Waste Disposal	\$	500,000.00	
<b>Subtotal Landfill Expenses</b>			<b>\$ 1,250,000.00</b>
<b>STATUTORY EXPENDITURES</b>			
PERS:			
OE	\$	2,537,570.00	
DCRP:			
OE	\$	10,000.00	
Short Term Disability:			
OE	\$	10,000.00	
SOCIAL SECURITY			
OE	\$	225,000.00	
PFRS:			
OE	\$	5,041,482.00	
<b>Subtotal Statutory Expenses</b>			<b>\$ 8,719,052.00</b>
<b>MUNICIPAL COURT</b>			
Court:			
S&W	\$	65,000.00	
OE	\$	-	
Public Defender:			
OE	\$	-	
<b>Subtotal Municipal Court</b>			<b>\$ 322,000.00</b>
<b>EMT SERVICES</b>			
EMT Services:			
S&W	\$	225,000.00	
OE	\$	-	
<b>Subtotal EMT Services</b>			<b>\$ 850,000.00</b>
<b>FEDERAL &amp; STATE GRANTS</b>			
Ocean County CENSUS Grant			
S&W	\$	14,450.00	
<b>Subtotal Grants</b>			<b>\$ 149,550.00</b>
<b>GRAND TOTAL OPERATING EXPENDITURES</b>			<b>\$ 35,089,377.00</b>

**WHEREAS**, 26.25% (twenty-six and one quarter percent) of the total appropriations of the 2019 budget, exclusive of any appropriations made for the Debt Service, Capital Improvement Fund and Public Assistance is in the sum of **\$20,910,018.98**.

Dedication by Rider – N.J.S.A. 40A:4-39

The dedicated revenue anticipated during the year 2020 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, 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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February 2020.

---

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK



**RESOLUTION**

**WHEREAS**, a complete count for Census 2020 is dependent upon encouraging full participation of the historically hard-to-count populations through outreach efforts; and

**WHEREAS**, Ocean County has received grant funding from the NJ Department of State's 2020 Complete Count Commission, to be used for outreach and assistance efforts to historically hard-to-count populations within the County; and

**WHEREAS**, based on the percentage of these populations, the County has determined an amount not to exceed \$14,450.00 shall be allocated to Brick Township for targeted census outreach and assistance activities to the hard-to-count populations within the Township of Brick; and

**WHEREAS**, the grant funds will be utilized to provide outreach and assistance activities specifically in support of Census 2020 as set forth in the Proposal entitled "Ocean County Census 2020 County Grants Program"; and

**WHEREAS**, the Grant Period is through June 30, 2020 in accordance with NJ Department of State's 2020 Complete Count Commission Grant Guidelines.

**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 State's 2020 Complete Council Commission Grant Program.
2. The Township Council authorizes the Mayor and his Administration to prepare all documents and paperwork required to accept, secure, administer and expend the grant.
3. A copy of this resolution will be provided to the Ocean County Board of Chosen Freeholders and the 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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

agenda #	a/Date
4-3	2/25/20
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:

**PRINTING SERVICES**

**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 25<sup>th</sup> day of February, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Bids #	2/Date
4-4	2/25/20
Bids #	Date
Bids #	Date
Bids #	Date

**RESOLUTION**

**WHEREAS**, it has been brought to the attention of the governing body of the Township of Brick, that the Property Maintenance Board is desirous of receiving bids for the following item:

DEMOLISH THE STRUCTURES AND SECURE THE PROPERTY LOCATED AT 472 IRISADO DRIVE, BRICK, N.J. 08723, BLOCK 446.02, LOT 3 and PLACE A LIEN ON THE PROPERTY TO COVER THE COSTS FOR SAME INCLUDING ALL REASONABLE ATTORNEYS' FEES INCURRED IN THIS MATTER PURSUANT TO N.J.S.A. 40:48-2.5 et seq.,

**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 Division of Purchasing and Contracting is hereby authorized to prepare the 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 25<sup>th</sup> day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-5	2/25/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, it has been brought to the attention of the governing body of the Township of Brick, that the Property Maintenance Board is desirous of receiving bids for the following item:

DEMOLISH THE STRUCTURES AND SECURE THE PROPERTY LOCATED AT 250 RIVERSIDE DRIVE NORTH, BRICK, N.J. 08724, BLOCK 1361.43, LOT 49 and PLACE A LIEN ON THE PROPERTY TO COVER THE COSTS FOR SAME INCLUDING ALL REASONABLE ATTORNEYS' FEES INCURRED IN THIS MATTER PURSUANT TO N.J.S.A. 40:48-2.5 et seq.,

**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 Division of Purchasing and Contracting is hereby authorized to prepare the 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 25<sup>th</sup> day of February, 2020.

**IN WITNESS THEREOF**, I have hereunto set my hand and seal of the Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-6	2/25/20

**RESOLUTION**

**WHEREAS**, the Division of Purchasing and Contracting received sealed bids for the Purchase and Delivery of One (1) 33 C.Y. Automated Refuse Collection Vehicle on Thursday, February 13, 2020; and

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

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

**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 contract for the Purchase and Delivery of One (1) 33 C.Y. Automated Refuse Collection Vehicle – 2020 Peterbilt 520 with Labrie Automizer RH is hereby awarded to Hunter Jersey Peterbilt, 524 Monmouth Road, P.O. Box 729, Clarksburg, NJ 08510 in the amount of \$284,945.00, including extended warranty.
2. That delivery shall be FOB Township of Brick Public Works within 180 days after receipt of order.
3. That the Chief Financial Officer has submitted a Certificate of Available Funds in the total amount of \$284,945.00 and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
Ordinance #6-19 – account C-04-55-863-501 – \$284,945.00
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 vendor, Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.

**CERTIFICATION**

I, Lynette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 25<sup>th</sup> day of February, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Order #	Date
4-7	2/25/20
Order #	Date
Order #	Date
Order #	Date

**RESOLUTION**

**WHEREAS**, the Division of Purchasing and Contracting received sealed bids for the Purchase and Delivery of One (1) 29 C.Y. Rear Loading Refuse Collection Vehicle on Thursday, February 13, 2020; and

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

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

**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 contract for the Purchase and Delivery of One (1) 29 C.Y. Rear Loading Refuse Collection Vehicle – 2021 Peterbilt 348 with Leach 2RIII Body is hereby awarded to Hunter Jersey Peterbilt, 524 Monmouth Road, P.O. Box 729, Clarksburg, NJ 08510 in the amount of \$205,699.00, including extended warranty.
2. That delivery shall be FOB Township of Brick Public Works within 150-180 days after receipt of order.
3. That the Chief Financial Officer has submitted a Certificate of Available Funds in the total amount of \$205,699.00 and is attached hereto. The following are the line item appropriations and ordinance which constitute the availability of funds for this contract:  
Ordinance #6-19 – account C-04-55-863-501 – \$172,910.37  
Ordinance #6-19 – account C-04-55-863-602 – \$32,788.63
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 vendor, Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.

**CERTIFICATION**

I, Lynette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 25<sup>th</sup> day of February, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Order #	Date
4-8	2/25/20

**RESOLUTION**

**WHEREAS**, the Township of Brick has a need to acquire entertainment and production services for 2020 Summerfest concerts as a 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 February 5, 2020 indicating they will provide entertainment and production services to the Township of Brick for the 2020 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 (1) 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 Township Council 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 2020 Summerfest concerts in the amount of \$29,650.00.
2. That the contract shall be in accordance with the proposal dated February 5, 2020.
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 pursuant to N.J.S.A. 19:44A-20.26 the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Statement of Ownership Disclosure and the Determination of Value are 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 the vendor, 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 25<sup>th</sup> day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

Order #	2/25/20
agenda #	Done
agenda #	Done
agenda #	Done

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**WHEREAS**, the Township of Brick has a need to acquire maintenance and support services through a non-fair and open process 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 services will exceed \$17,500.00; and

**WHEREAS**, the business entity has submitted a proposal indicating they will provide maintenance and support services for the New World Public Safety Software Suite utilized by the Brick Police Department; 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 (1) 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 Township Council of the Township of Brick does hereby award contract to Tyler Technologies, Inc., 840 W. Long Lake Road, Troy, Michigan 49098 to provide maintenance and support of the New World Public Safety Software Suite in accordance with the provisions of N.J.S.A. 40A:11-5(dd).
2. That the contract shall be in accordance with the proposal on file in the office of the Township Clerk in the amount of \$142,739.35.
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 pursuant to N.J.S.A. 19:44A-20.26 the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Statement of Ownership Disclosure and the Determination of Value are on file with this resolution.
5. That the term of this contract is for a period not to exceed twelve (12) consecutive months commencing on March 1, 2020.
6. That funds will be certified by the Chief Financial Officer from the appropriation line item named Data Processing – CPU Maintenance Contract, account 0-01-20-140-288.
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 the vendor, Business Administrator, Chief Financial Officer, IT 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 25<sup>th</sup> day of February, 2020.

*2/25/20*  
IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.


\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK



**RESOLUTION**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12A**

**WHEREAS**, the Township of Brick pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services, the cost of which in the aggregate exceeds the bid threshold, under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Township of Brick has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the Township of Brick intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution, which shall be subject to all the conditions applicable to the current State contracts.

**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 Township of Brick authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts.
2. That pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
Ordinance #12-16 – account C-04-55-853-401 – \$216,358.88
3. That the Township Clerk shall further forward a certified copy of this resolution to vendors, Business Administrator, Chief Financial Officer, Township Engineer and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 25<sup>th</sup> day of February, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Ord #	Date
4-11	2/25/20

**RESOLUTION**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12A**

**WHEREAS**, the Township of Brick pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services, the cost of which in the aggregate exceeds the bid threshold, under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Township of Brick has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the Township of Brick intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution, which shall be subject to all the conditions applicable to the current State contracts.

**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 Township of Brick authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts.
2. That pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
Ordinance #6-19- account C-04-55-863-502 – \$38,974.97
3. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 25<sup>th</sup> day of February, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Order #	Date
4-12	2/25/20

**RESOLUTION**

**WHEREAS**, the Brick Township Police Department is undergoing a major renovation; and

**WHEREAS**, CSD Kitchen and Bath NJ LLC, 2791 Hooper Avenue, Brick, NJ 08723 has offered to donate and install the kitchen cabinets and countertop in accordance with Attachment A; and

**WHEREAS**, the Township of Brick is interested in acquiring these items donated by CSD Kitchen and Bath NJ LLC; and

**WHEREAS**, it is the desire of Township of Brick to accept this donation.

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

1. That the Mayor and Council of the Township of Brick do hereby authorize the acceptance of the items in Attachment A for use in the renovation of the Brick Township Police Department.
2. That the property so described shall be exchanged between the Township of Brick and CSD Kitchen and Bath NJ LLC at a mutually agreed time.
3. That a certified copy of this resolution shall be forwarded to the Chief of Police, Business Administrator, Chief Financial Officer, Purchasing Agent and CSD Kitchen and Bath NJ LLC.

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

Page #	Date
4-13	2/25/20
Page #	Date
Page #	Date

**RESOLUTION**

**WHEREAS**, on January 1, 2020 the Township Council appointed contracts to various firms for the Municipal, Conflict and Alternate Prosecutor Pools; and

**WHEREAS**, from time to time, there may be a need for another attorney from the law firm to appear on his behalf due to scheduling conflicts, illnesses or vacation time; and

**WHEREAS**, it is the desire of the Governing Body to appoint James Grace, Esq., of Firm of Grace, Marmero & Associates, LLP, to the Alternate Prosecutor Pool.

**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 James Grace, Esq., of the Firm of Grace, Marmero & Associates, LLP, shall be added to the Alternate Prosecutor Pool at a rate of \$600.00 per court session.
2. That all other terms and conditions of the contract shall remain the same.
3. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
4. That a certified copy of this Resolution shall be provided to Grace, Marmero & Associates, Business Administrator, Chief Financial Officer, Municipal Court Administrator and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

4-14	2/25/20

**RESOLUTION**

**WHEREAS**, the Township of Brick has created a Zoning Board of Adjustment in accordance with the provisions of N.J.S.A.40:55D-69; and

**WHEREAS**, the Brick Township Council has been advised that there is a vacancy in the Alternate II member; and

**WHEREAS**, the Township Council is desirous of filling such position.

**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 Mark Starr, 569 California Avenue, Brick, NJ be and hereby is appointed by the Township Council as an Alternate II Member of the Board of Adjustment to fill the unexpired two (2) year term effective February 26, 2020 and expiring on December 31, 2021.
2. That a certified copy of this resolution shall be forwarded to the following:
  - a. Secretary to the Board of Adjustment
  - b. Mark Starr

**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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

File #	Date
4-15	2/25/20

**RESOLUTION**

**WHEREAS**, the Township of Brick contains several private beaches, which are obligated under the laws of the State of New Jersey to provide a certain quality of LIFE GUARDING services for 2020; and

**WHEREAS**, several private beach associations have requested that the Township of Brick provide certified lifeguards and equipment and have offered to reimburse, hold harmless and indemnify the Township of Brick for the provision of such services; and

**WHEREAS**, the Township of Brick has an interest in providing a safe beach bathing environment for all beach goers in the Township, including those on private beaches, especially as the parameters of the public trust doctrine permitting some public beach access on all beaches in New Jersey continue to be expanded by the Court and the New Jersey Department of Environmental Protection; and

**WHEREAS**, it is therefore the desire of the Township Council to authorize the entry into those agreements with the Curtis Point Property Owners Association and Mantoloking Shores Beach on file in the Township Clerk's Office.

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

1. That the Mayor and Township Clerk are hereby authorized to execute and attest to, respectively into 2020 agreements with the Curtis Point Property Owners Association and Mantoloking Shores Beach.
2. That a certified copy of this resolution shall be forwarded to the Curtis Point Property Owners Association and Mantoloking Shores Beach, Director of Recreation, Chief Financial Officer and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

4-16	2/25/20
	Date
	Date
	Date

**RESOLUTION**

**WHEREAS**, an application has been filed for an Extension of Plenary Retail Consumption License Number 1506-33-039-004 issued to HOP Brick LLC to Landry's LLC, as designated purchaser, pursuant to an Order issued by the United States Bankruptcy Court; and

**WHEREAS**, on November 14, 2019, Houlihan's Restaurants, Inc. and its affiliated entities including HOP Brick LLC (collectively, "HRI") filed a voluntary petition for bankruptcy in accordance with applicable United States bankruptcy laws seeking relief under Chapter 11 of the United States Bankruptcy Code; and

**WHEREAS**, the Bankruptcy Court, by Order dated December 21, 2019, approved an Asset Purchase Agreement by and between HRI and Landry's, LLC ("Landry's") and recognized Landry's as the designated purchaser of the assets of HOP Brick LLC, including Plenary Retail Consumption License Number 1506-33-039-004; and

**WHEREAS**, the submitted application is complete in all respects, including proof of Landry's appointment as designated purchaser;

**NOW, THEREFORE, BE IT RESOLVED** that the Brick Township Council does hereby approve, effective February 26, 2020, the extension of Plenary Retail Consumption License No. 1506-33-039-004 to Landry's, LLC, to conduct business under the privileges, terms, and conditions of the License, as designated purchaser, until such time as the License may be transferred to Landry's and does hereby direct the Municipal Clerk to endorse the License Certificate as follows: "This License is hereby extended, subject to all its terms and conditions to Landry's, LLC, as designated purchaser, effective February 26, 2020.

**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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

Index #	Date
4-17	2/25/20

**RESOLUTION**

**Resolution adopting a Non-Discrimination Policy in Accordance with Title VI of Civil Rights Act of 1964 as Amended, In Connection with the Operation of Brick Township's Transportation Program for Individuals with Disabilities.**

**WHEREAS**, Brick Township receives grant funding through NJ Transit to operate its Transportation Program; and

**WHEREAS**, NJ Transit requires Brick Township to confirm that it complies with Title VI of the Civil Rights Act and that it will adopt and implement the policies set forth in "Brick Township's Transportation Title VI Non-Discrimination Policy"; and

**WHEREAS**, Brick Township is willing to adopt the Policy to confirm its compliance with laws prohibiting discrimination;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean, State of New Jersey that Brick Township hereby adopts the Title VI Non-Discrimination Policy; and

**BE IT FURTHER RESOLVED** that the Mayor be and hereby is authorized to execute any documents required in connection therewith; and

That a certified copy of this resolution will be provided to the Director of Senior Services and NJ Transit.

**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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

File #	Date
4-18	2/25/20



**RESOLUTION**

**WHEREAS**, Mantoloking Road Ale House has applied for a special event permit to conduct a St. Patrick's Day Event on March 14, 2020 in accordance with Chapter 393 of the Code of the Township of Brick; and

**WHEREAS**, the Municipal Clerk has requested, and received, a report from the various departments on the effect of the special event and the recommendations are incorporated herein; and

**WHEREAS**, the Mayor and Council desire to approve the Mantoloking Road Ale House's request for special event application to conduct a St. Patrick's Day Event on March 14, 2020 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 Mantoloking Road Ale House's request for special event application to conduct a St. Patrick's Day Event on March 14, 2020 at 247 Mantoloking Road between the hours of 11:00 am and 7:00 pm, with the conditions and restrictions as follows:

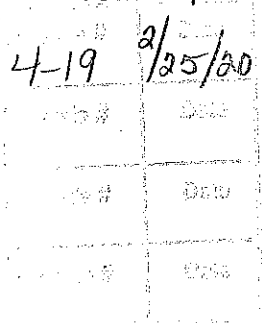
- 1) All fire lanes and fire access and areas and store exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A permit must be obtained from the Bureau of Fire Safety for the tent and an interior layout of the tent should be provided. Final walkthrough prior to event.
- 3) A fence will be installed around the tent to contain the patrons.
- 4) 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.
- 5) Dedicated trained personnel will be stationed to screen for underaged patrons who may be looking to obtain alcohol and also prevent overserving. Wristbands will be utilized by patrons 21 and over.
- 6) A copy of the extension of the licensed premises permit from the NJABC will be provided to the Municipal Clerk.
- 7) 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.
- 8) Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

**SECTION 2.** That a copy of this Resolution shall be provided to the Chief of Police and the Mantoloking Road Ale House.

**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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.



\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

## RESOLUTION

**WHEREAS**, PJ Sweeney's has applied for a special event permit to conduct a St. Patrick's Day Event on March 17, 2020 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, 2020 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, 2020 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) Dedicated trained personnel will be stationed to screen for underaged patrons who may be looking to obtain alcohol and also prevent overserving. Wristbands will be utilized by patrons 21 and over.
- 5) A fence will be installed around the tent to contain the patrons.
- 6) A copy of the extension of the licensed premises permit from the NJABC will be provided to the Municipal Clerk.
- 7) 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.
- 8) 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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

4-20 2/25/20

## RESOLUTION

**WHEREAS**, the applicant for the project known as Nobility Crest/New Visions, Phase 2, on property designated as Block 701, Lot 9 (Chambers Bridge Road, PB-2700) has requested a partial release of performance guarantees for the project; and

**WHEREAS**, the Assistant Township Engineer, has reviewed the request and has conducted an inspection of the site; and

**WHEREAS**, the Township Engineer has recommended, by letter dated February 18, 2020, the denial of the request for a partial release, based on the lack of as-built plans and the items set forth on the preliminary site plan punch list provided to the applicant; and

**WHEREAS**, the Township desires to adopt the recommendation of the Township Engineer;

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

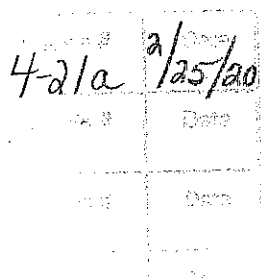
1. The request of the applicant for a partial release of performance guarantees for the project known as Nobility Crest/New Visions, Phase 2, on property designated as Block 701, Lot 9, is hereby denied.
2. The Township Clerk is authorized to provide a certified true copy of this Resolution to:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

## CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK



**RESOLUTION**

**WHEREAS**, the applicant for the project known as Nobility Crest/New Visions, Phase 3, on property designated as Block 701, Lot 9 (Chambers Bridge Road, PB-2700) has requested a partial release of performance guarantees for the project; and

**WHEREAS**, the Assistant Township Engineer, has reviewed the request and has conducted an inspection of the site; and

**WHEREAS**, the Township Engineer has recommended, by letter dated February 18, 2020, the denial of the request for a partial release, based on the lack of as-built plans and the items set forth on the preliminary site plan punch list provided to the applicant; and

**WHEREAS**, the Township desires to adopt the recommendation of the Township Engineer;

**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 request of the applicant for a partial release of performance guarantees for the project known as Nobility Crest/New Visions, Phase 3, on property designated as Block 701, Lot 9, is hereby denied.
2. The Township Clerk is authorized to provide a certified true copy of this Resolution to:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

4-216 a/25/20  
Date

**RESOLUTION**

**WHEREAS**, Two Farms, Inc. (Royal Farms), 3611 Roland Avenue, Baltimore, MD 21211 had posted Harco National Insurance Co. Bond No. 0765754 in the amount of \$10,800.00 and a cash performance bond in the amount of \$1,200.00 to guarantee Site Safety & Stabilization Improvements to Block 1170.09 Lots 3.01, 3.02, & 3.05 (Royal Farms, 1748 Route 88, BA-3102) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated February 11, 2020 has advised that the bond has been replaced for the above referenced project; and

**WHEREAS**, the Assistant Township Engineer recommends that the Harco National Insurance Co. Bond No. 0765754 in the amount of \$10,800.00 and the cash performance bond in the amount of \$1,200.00 be returned to the applicant; and

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

1. That the Harco National Insurance Co. Bond No. 0765754 in the amount of \$10,800.00 and the cash performance bond in the amount of \$1,200.00 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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

4-21c 2/25/20

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Municipal Clerk by letter dated February 18, 2020 that there is \$220.00 remaining in the engineering inspection fund from Auto Image & Security Inc., 158 Tices Lane, Suite B, East Brunswick, NJ 08818 for Block 671 Lot 5 (10 Chambers Bridge 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 \$220.00 remaining in the engineering inspection fund be returned to the applicant; and

**WHEREAS**, the Township Council is satisfied with the recommendations of the 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 \$220.00 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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

4-21-20 2/25/20

## RESOLUTION

**WHEREAS**, Shlomo Teren, 1514 Parkside Drive, Lakewood, NJ 08701 had posted Manasquan Savings Bank Letter of Credit No. 14-01 in the amount of \$85,609.77 and a cash performance bond in the amount of \$8,118.76 to guarantee Site Improvements to Block 1068 Lot 23 (1111 Industrial Parkway, PB-2736) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated February 18, 2020 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the Manasquan Savings Bank Letter of Credit No. 14-01 in the amount of \$85,609.77 and a cash performance bond in the amount of \$8,118.76 (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 the Manasquan Savings Bank Letter of Credit No. 14-01 in the amount of \$85,609.77 and a cash performance bond in the amount of \$8,118.76 (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 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

---

LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

4-21c 2/25/20

**RESOLUTION**

**WHEREAS**, Artis Holdings LLC, 8171 Maple Lawn Boulevard, Suite 375, Fulton, MD 20759 had posted Atlantic Specialty Insurance Company Bond No. 800018464 in the amount of \$1,218,707.96 and a cash bond in the amount of \$135,412.00 to guarantee site improvements to Block 1169 Lot 7 (Artis Senior Living, LLC PB-2789) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer by letter dated February 18, 2020 has advised that portions of the required improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the Atlantic Specialty Insurance Company Bond No. 800018464 in the amount of \$1,218,707.96 be reduced to \$365,612.39 and the cash bond in the amount of \$135,412.00 be reduced to \$40,623.60 returning \$94,788.40 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 Atlantic Specialty Insurance Company Bond No. 800018464 in the amount of \$1,218,707.96 be reduced to \$365,612.39 and the cash bond in the amount of \$135,412.00 be reduced to \$40,623.60 returning \$94,788.40 to the applicant; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 25, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

Invoice #	Date
4-211	2/25/20
Invoice #	Date
Invoice #	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 2015.

**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>
1343.27/54/624448 235 20 <sup>th</sup> Avenue	Kikkert, Thomas	346.70
902.28/3/416268 103 Village Way	Delaney, W F JR & Mikson, Karen L	294.34

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on 25th day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

422a 2/25/20

**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 2016.

**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>
382.33/22/308501 43 Courtshire Dr	Debrino, Armondo E	278.45

**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 25th day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

4-226 2/25/20

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1277.02/10/623448 10 Drew Ave.	Foster, Perry A & Judy L	402.09

**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 25th day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

4-22c a/25/20

## 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>
383.02/57/309131 358 Lake Shore Dr.	Mennuti, Gregory & Joan	420.80
869.07/3/415528 115 Taylor Blvd.	Flores, Michael & Deborah	427.16
1247/25/623067 420 Hulse Ave.	Reece, Arthur C	167.84
382.11/6/309017 227 Arizona Dr.	Vogel, William A Jr & Barbara A	353.08
548.01/19/C0065/312743 9 Manhattan Dr.	Pesano, Philip T & Gene-Ann	253.45
662/17/312557 473 Driver Ave.	Gesslein, Andrew	192.17
1144.17/1/520249 25 Harrison Ave.	Brogna, Louis V. & Loretta	271.19

## 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 25th day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

4-22 d a/a = /oo

**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>
383.02/57/309131 358 Lake Shore Dr.	Mennuti, Gregory & Joan	470.80
869.07/3/415528 115 Taylor Blvd.	Flores, Michael & Deborah	213.58
134/15/102378 38 Tall Timber Dr.	Rath, John & Krzeminski, Grace	106.24
1210.03/146/622435 176 Everest Dr. So.	Jager, JoAnn	2,052.86

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on 25th day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Page #	Date
4-22e	2/25/20
Page #	Date
Page #	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 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
380.05/32/208789 12 Ashford Drive	Caliendo, Joan	841.54

**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 25th day of February, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25th day of February, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

4-22-f 2/25/20


**ORDINANCE**

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE DONATION OF PROPERTY KNOWN AS BLOCK 1428, LOT 2 FOR NO CONSIDERATION**

**WHEREAS**, the owner of property known as Block 1428, Lot 2 (the "Property"), have proposed to donate the Property to the Township for no consideration; and

**WHEREAS**, the Township Council desires to accept the donation from the owners for no consideration; and

**WHEREAS**, the Township is required by the provisions of N.J.S.A. 40A:12-5 to accept such property acquisitions by ordinance;

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

**SECTION 1.**

- A. The Governing Body hereby authorizes the acquisition by donation of property designated as Block 1428, Lot 2 for no consideration.
- B. The Mayor and Township Clerk are hereby authorized to sign any necessary documentation to effect the acquisition of title to the Property by donation.
- C. The acceptance of title to the Property by the Township is expressly conditioned on the completion of reasonable due diligence by the Township of the Property, which due diligence shall be completed within sixty (60) days of the final approval of this Ordinance, and which may include a title search, a survey, an environmental assessment and such other due diligence as deemed necessary by the Township.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**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 become effective 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 25<sup>th</sup> day of February, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10<sup>th</sup> day of March, 2020 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

\_\_\_\_\_  
JOHN G. DUCEY  
MAYOR

5-1	2/25/20
Number	Date

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 168 OF THE TOWNSHIP CODE ENTITLED "ENGINEERING PERMITS AND STANDARDS"

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

SECTION 1. Chapter 168-1 of the Code of the Township of Brick, entitled "Engineering Permits required for Installation of Certain Improvements", is hereby deleted in its entirety and replaced with Chapter 168-1 entitled "Engineering Permits required for Installation of Certain Improvements", which shall read as follows:

§ 168-1. Engineering Permits required for Installation of Certain Improvements

Except as otherwise provided in Chapter 245, Land Use, of the Code of the Township of Brick, none of the following categories of improvements shall be constructed or installed in the Township of Brick without first obtaining a permit from the Department of Engineering:

- A. Grading and Clearing
B. Bulkheads/Docks/Piers
C. Soil Removal/Filling - Chapter 383
D. Streets and Sidewalks (Road Openings) - Chapter 404
E. Commercial Parking Lot Improvements, in accordance with:
- Chapter 191, Fire Prevention;
- Chapter 245, Land Use;
- Chapter 306, Parking; and,
- Chapter 396, Stormwater Management.

The Township Engineer shall enforce the provisions of this chapter and all applicable reference chapters by issuing required permits and addressing those violations arising out of the failure of any person or entity to apply for and obtain required permits. He shall, from time to time, upon his own initiative or whenever directed by the Township, inspect the premises for which permits have been granted to ensure compliance with the terms of the permit and of the chapter. He shall report all violations and take any action deemed necessary for proper enforcement.

SECTION 2. Chapter 168-3A of the Code of the Township of Brick, entitled "Grading and Clearing, A. Permit Required", is hereby deleted in its entirety and replaced with Chapter 168-3A entitled "Grading and Clearing, A. Permit Required", which shall read as follows:

§ 168-3. Grading and Clearing

- A. Permit Required

The clearing of less than 10 trees over 9" in caliper, or the alteration of the existing grade on a lot in which the area of disturbance is less than two acres will require a permit from the Township Engineer or his representative and shall meet the requirements set forth in this section.

The clearing of 10 trees or more over 9" in caliper or the alteration of the existing grade on a lot in which the area of disturbance is two acres or more shall be in accordance with a plan approved by the Planning Board and shall meet the requirements of all applicable sections of the ordinance. This provision shall not apply to clearing and grading necessary for the construction of one single-family house unless that construction is incidental to an application that is otherwise before the Planning Board or the Zoning Board of Adjustment, in which case such Board may impose requirements as set forth in this Ordinance where practicable. All such applications for a single-family house are to conform to the requirements of Section 245-29 concerning submission of plot plans.

- 1. No tree located on a lot having a caliper of more than 9" measured at a height of 12" from the finished or existing grade level shall be removed unless such removal is approved by the Township Engineer and a grading and clearing permit is issued.
a. All trees to be saved should be clearly tagged and inspected by the Township Engineer or his designee, and the clearing limit line should be delineated by a snow fence or other markings per the Township

Handwritten table with columns for 'Date' and 'By' containing the date 2/25/20 and initials.



Engineer's requirements prior to the issuance of the permit for clearing and grading.

- b. For each tree over 9" in caliper that is removed, the applicant shall prepare a replanting scheme on other treeless portions of the property. The resulting amount of plantings should be 1 per every 2,000 square feet of property left without trees after the proposed clearing is completed.
  - c. The Township Engineer may also require that if the site to be cleared does not permit the replanting of the trees that are to be cut down on the site, an off-site tract may be selected for such replanting, and a replanting plan shall be prepared by the applicant, compensating for the tree removal in an amount based on 1 tree per every 2,000 square feet of property left without trees after the proposed clearing is completed. All trees and the types of trees and the method of planting shall be in accordance with the applicable sections of the Land Use Development Regulations of the Code of the Township.
  - d. In lieu of the replanting requirement specified above, the applicant shall pay a sum to be determined by the Township for the amount of trees as in b. and c. above not replanted into a dedicated Township account designated "the Brick Township Tree Bank Account". Any funds deposited in said account shall be utilized by the Township for the express purpose of planting trees at sites and locations to be determined by the Township Engineer, upon proper authorization from the governing body.
2. Where possible, land shall be graded so that all stormwater runoff from each lot shall drain directly to the street. If impossible to drain directly to the street, it shall be drained to a system of interior yard drainage designed in accordance with the requirements of the subdivision provisions or as otherwise required by the Township Engineer. There shall be no change in grade within 5 feet of a property line. Furthermore, there shall be no change in grade greater than 3 feet within 15 feet from the property line. When necessary, a swale shall be created in order to control surface runoff in a manner that will protect abutting lands. All grading shall be subject to inspections by the Township Engineer during, and upon completion of the construction.
  3. Unless otherwise required by the Township Engineer, all tree stumps, masonry and other obstructions shall be removed to a depth of two feet below existing or finished grade, whichever is lower.
  4. All soil removal or filling shall further conform to all requirements of Chapter 383 Soil Removal/Filling.
  5. All fill material and/or topsoil shall conform to the requirements of Chapter 383 Soil Removal/Filling.
  6. The minimum slope for lawns shall be 1.5% and for smooth, hard-finished surfaces other than roadways, ½ of 1% (0.5%).
  7. The maximum grade for lawns within 5 feet of a building shall be 10%, and for lawns more than 5 feet from a building, 25%.
  8. Retaining Walls

The Township's requirements on retaining walls shall include the following:

- a. A permit is required prior to the start of construction on any retaining wall over 8 inches tall at its highest point which was not specifically shown on an approved subdivision plan, site plan or plot plan. Each such retaining wall application shall include sealed engineering drawings, including plans, cross-sections and design calculations.
- b. As per N.J.A.C. 5:23-2.14(g), a permit is also needed from the Construction Department for the construction, reconstruction, alteration or demolition, of any retaining wall or walls which will have an impact on the foundation of a structure.
- c. An approved safety barrier shall be required in all cases where the wall is more than 30 inches tall (at the highest point), subject to the Engineer's review. Furthermore, an approved safety barrier shall be required in wall systems containing a series of two or more walls as determined in the course of the Engineer's safety review. A "safety barrier" shall be defined

for the purposes of this section as an artificial barrier, not to include landscaping, which will prevent a child from penetrating through to the other side of the barrier. Specifications for safety barriers shall be as follows:

- (1) A safety barrier shall be at least four feet high.
  - (2) A safety barrier shall be constructed of approved materials in a manner that will prevent a child from penetrating it.
  - (3) A safety barrier shall be located at the outer edge at the top of the wall along its entire length.
  - (4) In addition, in cases where a retaining wall is located close to the edge or edges of a driveway, other barriers such as guide rails may be required, subject to the Engineer's review.
- d. Upon completion of the construction of any retaining wall over 30 inches, the owner or developer may be required to submit a statement from a licensed Professional Engineer certifying that the wall was constructed in accordance with the engineering design.
9. The developer, builder or owner shall take all necessary precautions to prevent siltation of water bodies during construction. If required as a condition of an approved site plan or preliminary plat or by the Township Engineer during construction, the developer shall provide acceptable provisions to prevent all deposition of silt or other eroded material in any watercourse. Such provisions may include, but are not limited to, construction and maintenance of siltation basins or holding ponds throughout the course of construction.

**SECTION 3.** Chapter 168-4C of the Code of the Township of Brick, entitled "Bulkheads/Docks/Piers, C. Standards for Construction of Bulkheads, Docks, Piers and Other Structures", is hereby deleted in its entirety and replaced with Chapter 168-4C entitled "Bulkheads/Docks/Piers C. Standards for Construction of Bulkheads, Docks, Piers and Other Structures", which shall read as follows:

**§ 168-4. Bulkheads/Docks/Piers**

**C. Standards for Construction of Bulkheads, Docks, Piers and Other Structures:**

1. Shallow-water or deep-water bulkheads.
  - a. Bulkheads shall be designed either for shallow-water bulkhead or deep-water bulkhead, as the case in point may necessitate. Sheeting shall be timber, vinyl, or other acceptable material designed and installed in accordance with the manufacturer's specifications.
  - b. The particular circumstances, conditions and nature of the project in question, when taken into consideration with the designs for the shallow-water bulkheads and deep-water bulkheads aforesaid, shall and will govern which type of bulkhead should and must be used in a given circumstance. If any question arises as to the type of bulkhead to be constructed in a given area, the Township shall make the final determination through its Engineering Inspector, and, upon written application, the municipality will furnish any applicant with a written determination upon the applicant filing a proper application for a permit and paying the proper fee as provided in this chapter.
2. All timber used, except as noted below, shall be new and unused Douglas fir, Southern yellow pine, cypress, cedar or oak.
3. Treated piling, wales, sheet piling, and decking shall be Douglas fir, Southern yellow pine or cypress.
4. Sheet piling shall be tongue and groove.
5. Anchor piles and anchor logs may be untreated oak or pine.
6. All piles and timber shall be to the plan dimensions shown on the designs for said items.
7. All hardware used in the construction shall be new, unused and galvanized. All such hardware shall be to the dimensions shown in the respective designs.

8. All bulkheads shall be erected true to lines and grades shown in the application for a permit and in said permit and shall be properly backfilled so they will remain firm and in place.
9. All bulkheads shall be constructed in a thoroughly good workmanlike manner.
10. All bulkheads shall be constructed with a minimum top of sheet/cap elevation of 4.0 in the 1988 NAVD Vertical Datum.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** 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 6.** This ordinance shall become effective 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 25th day of February, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10<sup>th</sup> day of March, 2020 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

---

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

---

JOHN G. DUCEY  
MAYOR