

**Brick Township Council  
July 28, 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).
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 June 23<sup>rd</sup> & July 14<sup>th</sup> Meetings.

**Consent Agenda**

***“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”***

4. Resolutions:

- \_\_\_\_\_ 1. Authorize Acceptance of 2019 Audit.
  - \_\_\_\_\_ 2. Authorize Grant Application – Governor’s Council on Alcoholism and Drug Abuse.
  - \_\_\_\_\_ 3. Authorize Execution of OCCARES Grant Program Agreement with County of Ocean.
  - \_\_\_\_\_ 4. Authorize Execution of a Shared Services Agreement with Borough of Seaside Heights for K-9 Units.
  - \_\_\_\_\_ 5. Authorize Receipt of Bids – Purchase & Delivery of Construction Supplies.
  - \_\_\_\_\_ 6. Authorize Receipt of Bids – Peterbilt Parts & Service.
  - \_\_\_\_\_ 7. Authorize Award of Contract – Purchase & Delivery of Rock Salt through Stafford Township Cooperative Pricing System.
  - \_\_\_\_\_ 8. Authorize Award of Contract for Special Labor Counsel.
  - \_\_\_\_\_ 9. Authorize Special Events Permit – Scary Rotten Farms Event.
  - \_\_\_\_\_ 10. Tax Collector:
    - a. Exempt Property – Cancel Taxes Block 109 Lot 31.01.
    - b. Cancel & Escheat Premium Monies for Tax Sale Certificates.
- \*\*\*\*\***End of Consent Agenda**\*\*\*\*\*
- \_\_\_\_\_ 11. Bill Resolution – Computer 2020.
  - \_\_\_\_\_ 12. Bill Resolution – Manual 2020.

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. Council 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 will be held on Tuesday, August 11, 2020 at 7:00 p.m.**



Hi there,

Brick Township is inviting you to a scheduled Zoom meeting.

**Tuesday, July 28, 2020 at 7 pm**

Join Zoom Meeting

Phone US: [+13126266799](tel:+13126266799), [82082983394#](tel:+182082983394), ..., [0#](tel:+1608602), [608602#](tel:+1608602) or  
one-tap: [+16468769923](tel:+16468769923), [82082983394#](tel:+182082983394), ..., [0#](tel:+1608602), [608602#](tel:+1608602)

Meeting <https://us02web.zoom.us/j/82082983394?pwd=Vm9lVDFLM0pVbU14VHcvTXNxUVh0Zz09>

URL:

Meeting 820 8298 3394

ID:

Password: 608602

**Join by Telephone**

For higher quality, dial a number based on your current location.

Dial:

US: +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592 or +1 408 638 0968 or +1  
669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Meeting 820 8298 3394

ID:

Password: 608602

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum the sections of the annual audit entitled:

General Comments  
Comments and Recommendations  
Auditor's Opinions

and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Comments and Recommendations  
Auditor's Opinions

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

"R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED**, That the Township Council of the Township of Brick, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on July 28, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

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

Agenda # 4-1	Date 7/28/20
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AGREEMENT FOR OCEAN COUNTY CARES ACT MUNICIPAL REIMBURSEMENT AGREEMENT**

**WHEREAS**, on March 27, 2020, the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") was enacted, among other purposes, to provide ready funding to address unforeseen financial needs and risks created by COVID-19 public health emergency and to combat the economic damage caused to States, Counties and Municipalities as a result of COVID-19; and

**WHEREAS**, the County of Ocean (the "County") has received CARES Act funds from the United States Treasury (the "Stimulus Funds") to be used to reimburse specific COVID-19 related expenditures within the County due to economic damage and hardship caused by COVID-19; and

**WHEREAS**, the County, as recipient of the Stimulus Funds, has been authorized to disburse the Stimulus Funds to eligible recipients in accordance with the terms and conditions of the CARES Act and any guidelines or regulations issues by the United States Government or any of its agencies and/or departments; and

**WHEREAS**, the County seeks to provide Municipalities within the County the opportunity to access Stimulus Funds for COVID-19 related expenditures on a reimbursement basis in order to alleviate a degree of the economic damage and hardship caused by COVID-19; and

**WHEREAS**, the Township of Brick desires to apply to the County for eligible reimbursements from the Stimulus Funds.

**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 Mayor is authorized to execute and the Township Clerk to attest the Reimbursement Agreement on file in the Township Clerk's Office (designated as the "OCCares Grant Agreement") and to have the appropriate Township officials apply for eligible reimbursements from the Stimulus Funds pursuant to the OCCares Grant Agreement and the process established by the County in conjunction with said Agreement and the CARES Act.
2. The Township Clerk is authorized to provide a certified true copy of this Resolution to the clerk of the County of Ocean.

**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 July 28, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 28<sup>th</sup> day of July, 2020.

Agenda #	Date
4-3	7/28/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF SEASIDE HEIGHTS FOR K-9 UNITS**

**WHEREAS**, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, authorizes municipalities to enter into shared services agreements with other public entities to provide or receive services that the local unit participating in the agreement is empowered to provide or receive; and

**WHEREAS**, the Township may authorize a shared services agreement under the Shared Services and Consolidation Act by the adoption of an appropriate resolution; and

**WHEREAS**, the Township desires to authorize and approve the proposed Shared Services Agreement with the Borough of Seaside Heights for the use of Brick's K-9 units for purposes of street patrol, narcotics and tracking in Seaside Heights; and

**WHEREAS**, the governing body of the Township of Brick desires to authorize the shared services agreement, on file in the Township Clerk's Office, for the purpose of setting forth the terms and conditions for the assignment of K-9 Units to the Borough of Seaside Heights by the Township of Brick;

**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 Mayor and Township Council hereby authorize and approve the proposed Shared Services Agreement, on file in the Township Clerk's Office, between the Township of Brick and the Borough of Seaside Heights for the purpose of the assistance of K-9 Units.
2. The Township Clerk is authorized to provide a certified true copy of this Resolution to the municipal clerk of the Borough of Seaside Heights.

**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 July 28, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 28<sup>th</sup> day of July, 2020.

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

Agenda #	Date
4-4	7/28/20
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:

**PURCHASE AND DELIVERY OF CONSTRUCTION SUPPLIES**

**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 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 28<sup>th</sup> day of July, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

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

Agenda #	Date
4-5	7/28/20
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:

**PETERBILT PARTS AND SERVICE**

**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 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 28<sup>th</sup> day of July, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

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

Agenda #	Date
4-6	7/28/20
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION**

**WHEREAS**, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids; and

**WHEREAS**, the Township of Brick is a participating agency under the Stafford Township Cooperative Pricing System known as ID #33-OCCPS; and

**WHEREAS**, Stafford Township as the lead agency for the Stafford Township Cooperative Pricing System as has awarded a two (2) year contract #33-OCCP-2020-004 for Purchase and Delivery of Rock Salt on June 23, 2020; and

**WHEREAS**, the Township of Brick desires to join the above-mentioned contract; and

**WHEREAS**, it is the recommendation of the Purchasing Agent to utilize this contract on the grounds that it represents the best price available.

**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 a subsidiary contract for the Purchase and Delivery of Rock Salt is hereby awarded to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852 in accordance with the attached Stafford Township Resolution #2020-236.
2. That this contract shall not to exceed \$200,000.00 per year with funds to be encumbered prior to each order. Sufficient funds are available in 2020 budget and pending adoption of the 2021 and 2022 budgets under appropriation entitled Roads – Snow & Ice Supplies, account 0-01-26-290-265.
3. This shall be a two (2) year contract commencing July 22, 2020 and ending on July 21, 2022 as awarded by the lead agency.
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 certified copy of this resolution shall be forwarded to vendor, Stafford Township, Business Administrator, Chief Financial Officer, and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 28<sup>th</sup> day of July, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

Agenda #	Date
4-7	7/28/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

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

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR PROFESSIONAL SERVICES TO SPECIAL COUNSEL**

**WHEREAS**, the Township has a need for the services of legal counsel who has special expertise in Labor/Employment Law; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) provides the contracts for Professional Services may be negotiated by the Governing Body of a municipality without public advertising and bidding for persons authorized by law to practice a recognized profession, and requires that a brief notice of the fact and details of each such contract to be publicly advertised and that the contract and authorizing resolution be filed in the office of the municipal clerk.

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

1. David Millard, Esq. an attorney-at-law of the State of New Jersey (a person authorized by law to practice a recognized profession), with the law firm Holzapfel, Citta & Zabarsky, is hereby appointed as special counsel for matters related to Labor/Employment Law for the Township for the year 2020 to perform such duties and services as may be required of a special counsel.
2. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with David Millard, Esq. for services concerning Labor/Employment Law for the Township for the year 2020 for such consideration and charges as are just and proper in accordance with fees established by the profession to be set forth in the contract, not to exceed the total sum of \$12,500.
3. This contract is awarded without competitive bidding as an exception in the Local Public Contracts Law, because said party contracted with is authorized by law to practice a recognized profession in the State of New Jersey.
4. A copy of said notice as required by N.J.S.A. 40A:11-5 shall be published in the official newspapers of the Township within ten days after approval of this Resolution.

**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 July 28, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLEK

Agenda #	Date
4-8	7/28/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Berry Fresh Farms, 151 Brick Boulevard, Brick has applied for a special event permit to conduct a Scary Rotten Farms Event for September and October, 2020 in accordance with Chapter 393 of the Code of the Township of Brick; and

**WHEREAS**, the Township 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 Berry Fresh Farm's request for special event application to conduct a Scary Rotten Farms Event for September and October 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 Berry Fresh Farm's request for special event application to conduct Scary Rotten Farms during September and October, 2020 at 151 Brick Boulevard between the hours of dusk and 11:00 pm with the conditions and restrictions as follows:

1. Obtain all proper permits through the Bureau of Fire Safety prior to the event. A pre-use inspection walk-thru may be conducted by the Bureau of Fire Safety.
2. All fire lanes and fire access and areas must remain open and accessible at all times.
3. The Bureau retains the right to examine and attend the event at various times to ensure safety as well as adhere to fire safety in accordance with Chapter 191-8E.
4. Fire extinguishers must be mounted and identified and not to exceed a 75 ft. travel distance.
5. Guests will need to park on site for the event and not cross Brick Boulevard.
6. Prior to the event, Berry Fresh Farms shall obtain any and all construction permits required under the Uniform Construction Code NJAC 5:23 and all required inspections and approvals must be completed before the event.
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 Berry Fresh Farms.

**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 July 28, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

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

Agenda #	Date
4-9	7/28/20
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick, is advising the Township Council that Block 109 Lot 31.01 Account # 102009 is exempt from paying taxes due to the fact it has been acquired by The United States of America by warranty deed of donation dated March 27, 2020.

**WHEREAS**, the Tax Collector is requesting to cancel taxes going forward.

**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 as stated above.

**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 the 28<sup>th</sup> day of July, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

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

Agenda #	Date
4-10a	7/28/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there remain Premium monies held in the Trust Account to be escheated.

**WHEREAS**, the Tax Lienholder has failed to enforce their Lien within five years.

**WHEREAS**, The Tax Collector is requesting authorization to cancel and escheat these monies to the Township Treasurer in the amount of \$12,000.00 as per NJSA 54:5-33.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL IN THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, that the Tax Collector is authorized to cancel and escheat monies as stated, totaled below and issue a check to the Township Treasurer.

<u>Certificate #</u>	<u>Amount</u>
2014-0082	\$ 1,000.00
2014-0242	\$11,000.00

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on July 28, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 28<sup>th</sup> day of July, 2020.

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

Agenda #	Date
4-106	7/28/20