



**Brick Township Council**  
**Caucus/Public Meeting**  
**March 23, 2021**  
**7:00 PM**  
**Agenda No. 2**

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press on January 30, 2021 and The Ocean Star on February 5, 2021. 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 February 23<sup>rd</sup> March 9, 2021 Meetings.
  - e. Mayor's Presentation – National Library Week.
4. Budget Presentations:
  - \_\_\_\_\_1. Elissa Commins - Engineering.
  - \_\_\_\_\_2. Tara Paxton – Land Use.
  - \_\_\_\_\_3. Chris Romano – Zoning.
  - \_\_\_\_\_4. Dan Newman – Building.
5. Ordinances on First Reading:
  - \_\_\_\_\_1. Cap Rate Ordinance.
  - \_\_\_\_\_2. Refunding Bond Ordinance.
  - \_\_\_\_\_3. Amend Chapter 245-3 – Impervious Coverage.
  - \_\_\_\_\_4. Authorize Sale of Block 1393.20 Lot 6.
6. Resolutions:
  - \_\_\_\_\_1. Introduction of the 2021 Municipal Budget.
  - \_\_\_\_\_2. Authorize Anticipation of Miscellaneous Revenues in the 2021 Budget.

**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.”***

7. Resolutions:
  - \_\_\_\_\_1. Recognize National Library Week – April 4 -10, 2021.
  - \_\_\_\_\_2. Authorize Receipt of Bids – Snow Removal Services – Additional Contractors.
  - \_\_\_\_\_3. Authorize Award of Contract through Stafford Township Cooperative Pricing System – Automotive Parts, Supplies & Repairs.
  - \_\_\_\_\_4. Authorize Award of Contract through New Jersey Cooperative Purchasing Program – Microsoft Software Assurance Year Three.
  - \_\_\_\_\_5. Confirm the Termination of Contract for Bamboo Removal Services and Authorize Receipt of Bids.
  - \_\_\_\_\_6. Authorize Award of Bid – Purchase & Delivery – Aggregates & Asphalt.
  - \_\_\_\_\_7. Authorize Person-to-Person Transfer of Retail Consumption Liquor License to JSM at Brick IV, LLC.
  - \_\_\_\_\_8. Authorize Person-to-Person Transfer of Retail Distribution Liquor License to Arthaa, LLC.
  - \_\_\_\_\_9. Authorize Special Events Permit – Bike MS: Coast to Coast.
  - \_\_\_\_\_10. Authorize Special Events Permit – Outdoor Recital.
  - \_\_\_\_\_11. Bond Releases/Reductions:
    - a. Authorize Denial for Release of Performance Guarantees – JSM at Martin Boulevard.
    - b. Performance & Inspection Fund Release – Sandiloo Property, LLC., Route 35 North.
    - c. Performance & Inspection Fund Release – Robert Romanow – Brower Drive.
    - d. Performance Bond Reduction – Sharbell Development Corp. – Route 35 South/North.
  - \_\_\_\_\_12. Tax Collector:
    - a. Amend Resolution #105-21 – 100% DAV – Block 902.18 Lot 12.
    - b. Tax Overpayments – 2020.
    - c. Tax Overpayments – 2021.
    - d. Escheat Unclaimed Redemption Monies.
    - e. Escheat Unclaimed Tax Sale Premium Monies.
  - \_\_\_\_\_13. **Authorize NJDEP Green Acres Diversion Application.**

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



**Brick Township Council  
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- \_\_\_14 Bill Resolution – Computer 2021.
- \_\_\_15. Bill Resolution – Manual 2021.

- 8. 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.**
- 9. Council Comments.
- 10. 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, April 13, 2021 at 7:00 p.m.**

**Caucus/Public Council Meeting – Tuesday, March 23, 2021 at 7:00 pm**

Join Zoom Meeting

<https://us02web.zoom.us/j/89792345349?pwd=RUNtb0dhNEhtTThuaUpGRFZBZHRnZz09>

Meeting ID: 897 9234 5349

Passcode: 630859

One tap mobile

+13017158592,,89792345349#,,,,\*630859# US (Washington D.C)

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Dial by your location

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

Meeting ID: 897 9234 5349

Passcode: 630859

Find your local number: <https://us02web.zoom.us/j/kcB5aDw0Qm>

ORDINANCE

CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Brick in the County of Ocean finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$2,867,898.38 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Brick, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of Brick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, bringing the percentage to 3.5% amounting to a \$819,399.54 increase, bringing the total to \$2,867,898.38 and that the CY 2021 municipal budget for the Township of Brick be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 23<sup>rd</sup> day of March, 2021, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 13<sup>th</sup> day of April, 2021 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

JOHN G. DUCEY  
MAYOR

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**ORDINANCE**

**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE TOWNSHIP TO ACHIEVE DEBT SERVICE SAVINGS, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR**

**WHEREAS**, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") issued (i) \$28,655,000 General Improvement Bonds, Series 2012, dated September 28, 2012, \$5,645,000 of which are currently outstanding and maturing on or after August 15, 2023 and which bonds are subject to redemption on or after August 15, 2022 at a redemption price equal to 100% of the par amount to be redeemed (the "2012 Refunded Bonds"), and (ii) \$23,650,000 General Obligation Bonds (French's Landfill Solar Redevelopment Project) , Series 2014B (Federally Taxable), dated September 26, 2014, \$11,000,000 of which are currently outstanding and maturing on or after September 1, 2024 and which bonds are subject to redemption on or after September 1, 2023 at a redemption price equal to 100% of the par amount to be redeemed (the "2014 Refunded Bonds" and together with the 2012 Refunded Bonds, the "Refunded Bonds"); and

**WHEREAS**, the Township Council has determined that refunding bonds can be issued to refund, in whole or in part, such Refunded Bonds which, under current market conditions, can generate net present value debt service savings to the Township equal to or greater than three percent (3%), which savings is the minimum amount required by the Local Finance Board, Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board") to undertake such refunding of the Refunded Bonds; and

**WHEREAS**, the Township Council has determined to provide for the refunding of the Refunded Bonds through the issuance by the Township of not to exceed \$18,000,000 aggregate principal amount of General Obligation Refunding Bonds.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

**SECTION 1.** The refunding of all or a portion of the Refunded Bonds is hereby authorized.

**SECTION 2.** In order to refund the Refunded Bonds and to pay all related costs of issuance associated therewith, the Township is hereby authorized to issue General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$18,000,000 (the "Refunding Bonds"), to be issued in one or more issues, all in accordance with the requirements of N.J.S.A. 40A:2-51, and to appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds, Series 2021", with such other designation as may be necessary to identify such bonds, including each series thereof.

**SECTION 3.** The purposes for which the Refunding Bonds are to be issued are to achieve debt service savings for the Township by refunding all or a portion of the callable principal amount of the Refunded Bonds, including the payment of interest accrued thereon on each interest payment date to the dates fixed for redemption for the applicable series of Refunded Bonds.

**SECTION 4.** An aggregate amount not exceeding \$180,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance premiums, advertising, paying agent and escrow fees, verification agent fees, rating agency fees, accounting, municipal advisory, legal and other expenses in connection therewith.

**SECTION 5.** The purpose of the issuance of the Refunding Bonds is to realize net present value interest cost savings for property taxpayers residing in the Township ("net" meaning savings after payment of all costs of issuance of the Refunding Bonds). Applicable State requirements mandate that such net present value interest cost savings equal at least 3% of the principal amount of the Refunded Bonds. In addition, the issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within 10 days of the date of the closing

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on the Refunding Bonds, the Clerk shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the Refunded Bonds' debt service which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; and (d) a certification of the Clerk that (i) all of the conditions of section (b) of N.J.A.C. 5:30-2.5 have been met, and (ii) a resolution authorizing the issuance of the Refunding Bonds, adopted pursuant N.J.S.A. 40A:2-51(c), was approved by a two-thirds vote of the full membership of the Township Council.

**SECTION 6.** The Supplemental Debt Statement relating to the Refunding Bonds, required by the Local Bond Law, has been duly made and filed in the Office of the Clerk of the Township, and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the principal amount of the authorization of the Refunding Bonds provided for in this Refunding Bond Ordinance, and will be decreased by the principal amount of the Refunded Bonds.

**SECTION 7.** To the extent that the Refunding Bonds are issued as federally tax exempt obligations, the Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, and investment of the proceeds of the Refunding Bonds, and the timely reporting and rebate of investment earnings on such proceeds as may be required thereunder. The Refunding Bonds are also authorized, if required, and with the consent of the Chief Financial Officer of the Township, in consultation with the Township's financial advisor and bond counsel, to be issued as taxable bonds.

**SECTION 8.** This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond 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 23<sup>rd</sup> day of March, 2021, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 13<sup>th</sup> day of April, 2021 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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JOHN G. DUCEY  
MAYOR

**ORDINANCE**

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 245-3**

**WHEREAS**, the Township Council hereby amends Section 245-3 to establish a definition applicable to impervious coverage; and

**WHEREAS**, the Township Council hereby amends Section 245 Attachment 5 to establish maximum permitted impervious surface coverage for residential zoning districts.

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

**SECTION 1.** Section 245-3 of the Township Code of the Township of Brick, is hereby amended to adopt a definition applicable to impervious coverage. The amendment to Section 245-3 shall read as follows:

**Section 245-3 Definitions.**

**Impervious Coverage.** Any paved, hardened or structural surface which does not allow for on-site infiltration of precipitation. Such surfaces include but are not limited to buildings, driveways, streets, parking lots, swimming pools, dams, decks, tennis courts, concrete pavers, brick pavers and any other structures that meet the above definitions.

**SECTION 2.** Section 245 Attachment 5 of the Township Code captioned "Schedule of Area, Yard and Building Requirements is hereby amended to establish maximum allowable impervious surface coverage in residential zones. The amendments to Chapter 245 Attachment 5 shall read as follows:

Zone	Maximum Allowable Impervious Coverage
R-R	30
R-20	50
R-15	55
R-10	60
R-7.5	65
R-5	70

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 23<sup>rd</sup> day of March, 2021 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 13th day of April, 2021 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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

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

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ORDINANCE

AN ORDINANCE OF THE TOWNSHIP FO BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF LAND KNOWN AS BLOCK 1393.20 LOT 6

WHEREAS, the Township owns real property known as Block 1393.20, Lot 6, located on Lanes Mill Road, which is vacant and is approximately 20' x 100' (the "Property"); and

WHEREAS, the Township is authorized, under N.J.S.A. 40A:12-13(b)(5), to sell real property to an owner of property that is contiguous to the real property being sold, provided that the property being sold is less than the minimum size required for development in the zone and is vacant; and

WHEREAS, in accordance with said statute, the Township has offered the Property for sale to each of the owners that own property contiguous to the Property; and

WHEREAS, the only contiguous property owner to indicate interest in purchasing the Property is Jeffrey and Rachel Moncrief, who own Block 1393.20, Lots 7-10; and

WHEREAS, the Moncrief's are willing to pay the fair market value of the Property, which has been deemed to be the same as the assessed value of \$3,600; and

WHEREAS, the Township Council desires to authorize the sale of the Property to the Moncrief's for the sum of \$3,600; and

WHEREAS, the Township is required by the provisions of N.J.S.A. 40A:12-13(b)(5) to authorize such sales of property 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 Township Council hereby authorizes the sale of property designated as Block 1393.20, Lot 6, for the total sum of \$3,600, to the owners of adjoining property, Jeffrey and Rachel Moncrief, in accordance with N.J.S.A. 40A:12-13(b)(5).
B. The Mayor and Township Clerk are authorized to execute any necessary documentation to affect the transfer of title to the Property to the Moncriefs.

SECTION 2. 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 3. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 23rd day of March, 2021, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 13th day of April, 2021 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

Table with 2 columns: Agenda #, Date. Row 1: 5-4, 3/23/21. Row 2: Agenda #, Date. Row 3: Agenda #, Date.



**RESOLUTION**

**RESOLUTION** introducing the Local Budget of the Township of Brick, County of Ocean for fiscal year 2021, with statements of Revenues and Appropriations which shall constitute the Local Budget for year 2021. Further, said budgets shall be published in the Asbury Park Press in the issue of March 26, 2021.

The governing body of the Township of Brick hereby approves the following as the budget for the year 2021.

A hearing on the budget will be held at the Municipal Building on **April 27, 2021 at 7:00 PM** at which time and place objections to said budget and tax resolution for the year - 2021 may be presented by taxpayers or other interested persons.

Appropriations within "CAP", Municipal Purposes	\$ 83,344,259.86
Appropriations excluded from "CAPS" Municipal Purposes	\$ 19,291,737.38
Reserve for uncollected taxes, based on estimated <b>98.41 % tax collections</b>	\$ 3,987,269.58
Total General Appropriations	\$106,623,266.82
Less: Anticipated Revenues Other Than Current Property Tax	\$ 28,425,227.64
Amount to be raised from taxes for support of Municipal Budget	\$ 78,198,039.18

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

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**RESOLUTION**

**RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS**

**WHEREAS**, the COVID 19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 municipal current fund budgets; and

**WHEREAS**, Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services ("Division") to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY2021 budget, and, if necessary, in future years and

**WHEREAS**, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

**WHEREAS**, the Chief Financial Officer of the Township of Brick, certifies that the following revenues were affected in 2020 by the COVID 19 pandemic and that the 3-year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021;

<u>Revenue Category</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Average</u>
Fees and Permits	481,731.41	462,318.78	332,708.20	425,586.13
Municipal Court	599,652.62	569,696.53	334,575.67	501,308.27

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean, State of New Jersey that the above referenced revenues be anticipated using the 3-year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

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**RESOLUTION**

**WHEREAS**, libraries of all types are at the heart of their cities, towns, schools, and campuses, serving their communities; and

**WHEREAS**, libraries are accessible and inclusive places that foster a sense of belonging and community; and

**WHEREAS**, today's libraries and their services extend far beyond the four walls of a building and everyone is welcome to use their resources; and

**WHEREAS**, for people lacking broadband at home, libraries provide access to computers and wi-fi, even checking out internet hotspots and laptops; and

**WHEREAS**, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

**WHEREAS**, libraries offer opportunities for everyone to explore new worlds and become their best selves through access to technology, multimedia content, and educational programs; and

**WHEREAS**, in times of crisis, libraries, librarians, and library workers play an invaluable role in supporting their communities both in person and virtually; and

**WHEREAS**, to adapt to our changing world, libraries are expanding their resources and continuing to meet the needs of their patrons; and

**WHEREAS**, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all; and

**WHEREAS**, libraries have long served as trusted and treasured institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

**WHEREAS**, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week.

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

1. We join Mayor John G. Ducey in recognizing April 4-10 2021 as National Library Week in the Township of Brick
2. We urge all residents to celebrate National Library Week by visiting the library and taking advantage of all they have to offer.

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**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:

**SNOW REMOVAL SERVICES – ADDITIONAL CONTRACTORS**

**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 services.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned services.

**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 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

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**RESOLUTION**

**WHEREAS**, the Township of Brick is a participating agency under the Stafford Township Cooperative Pricing System known as ID #33-OCCPS organized pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, Stafford Township as the lead agency has awarded an open-ended contract #33-OCCPS-2021-003 to various vendors for Automotive Parts, Supplies and Repairs on March 9, 2021; and

**WHEREAS**, Local Public Contracts Law N.J.S.A. 40A:11-4 requires that every contract for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

**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 desires to join the above said contract; and

**WHEREAS**, it is the recommendation of the General Supervisor, Public Works, 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 Automotive Parts, Supplies and Repairs is hereby awarded to following vendors:
  - Advanced Fastener Industries, 3900 East Indiantown Road, Suite 607-165, Jupiter FL 33477
  - Barlow Automotive, LLC (d/b/a Barlow Buick-GMC), 445 Route 72 East, Manahawkin, NJ 08050
  - Beach Haven Automotive, Inc., 816 Long Beach Boulevard, Ship Bottom, NJ 08008
  - Campbell Freightliner, LLC, 1015 Cranbury South River Road, Monroe, NJ 08831
  - Chapman Ford Sales, 6744 Black Horse Pike, Egg Harbor Township, NJ 08234
  - Freehold Ford, Inc., 3572 US Route 9, Freehold, NJ 07728
  - Gabrielli Kenworth of New Jersey, LLC, 2306 Route 130 North, Dayton, NJ 08810
  - GranTurk Equipment Co., Inc., One Schuylkill Parkway, Building B, Bridgeport, PA 19405
2. That this is an open-ended contract and shall not exceed \$100,000.00 per year with funds to be certified prior to each order. Sufficient funds are available in 2021 budget and pending adoption of the 2022 and 2023 budgets under appropriations entitled Vehicle Maintenance, Vehicle Equipment & Parts account 1-01-26-315-262.
3. That the term of the contract shall be from April 4, 2021 to April 3, 2023 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, which shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That copy of this resolution shall be forwarded to all vendors, Stafford Township (Co-op Lead Agency), Business Administrator, General Supervisor, Public Works, 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 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

Agenda #	3/Date
7-3	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

\_\_\_\_\_  
 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 #13-18 – account C-04-55-860-501 – \$66,346.00
3. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer, Director of Information Technology 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 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	Date
7-4	3/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**RESOLUTION CONFIRMING THE TERMINATION OF CONTRACT FOR BAMBOO REMOVAL SERVICES AND AUTHORIZING NEW SOLICITATION OF BIDS**

**WHEREAS**, on Thursday, September 10, 2020 the Township solicited bids for Bamboo Removal Services and awarded the contract at its meeting on November 10, 2020 to Poison Ivy Removal, Inc., P.O. Box 20486, Huntington Station, NY 11746 in the amount of \$39,949.99; and

**WHEREAS**, Poison Ivy Removal, Inc. is required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1 et seq. and provide the Affirmative Action evidence prior to execution of the contract; and

**WHEREAS**, despite repeated demands by the Township to Poison Ivy Removal, Inc., the vendor has failed to provide such evidence and their bid shall be considered as non-responsive; and

**WHEREAS**, pursuant to Article 17 of BISD – Termination of Contract – if, through any cause, the contractor shall fail to fulfill in a timely and proper manner obligations under the contract or if the contractor shall violate any of the requirements of the contract, the Township shall there upon have the right to terminate the contract by giving written notice to the contractor of such termination; and

**WHEREAS**, any contractor whose contract has been terminated for failing to perform, refusal to perform or failure to perform to the satisfaction or expectations of the Township shall be barred from being awarded future Township bids under the guidelines of prior negative experience for a period up to five (5) years; and

**WHEREAS**, due to vendor's breach of contract, the Township wishes to terminate the contract and solicit new bids for the Bamboo Removal Services.

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

1. The Township Council confirms and ratifies the termination of contract with Poison Ivy Removal, Inc., P.O. Box 20486, Huntington Station, NY 11746 for Bamboo Removal Services, as awarded on November 10, 2020.
2. The Township Council authorizes the Purchasing Agent to solicit new bids for Bamboo Removal Services.

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/Date
7-5	3/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Purchase and Delivery of Aggregates and Asphalt on Tuesday, March 2, 2021; and

**WHEREAS**, the bids have been reviewed by the General Supervisor, Public Works; and

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

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

1. That the contract for the purchase and delivery of aggregates and asphalt is hereby awarded to the following vendors in accordance with the attached schedule of prices:
  - American Bituminous Company, Inc., 100 Main Street, West Collingswood Heights, NJ 08059
  - Brickwall Corporation, 2215 West Lacey Road, Forked River, NJ 08731
  - Central Jersey Hot Mix Asphalt, LLC, 577 South Hope Chapel Road, Jackson, NJ 08527
  - R.W.V. Land & Livestock South, Inc., P.O. Box 1323, Jackson, NJ 08527
  - Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, NJ 07724
  - Trap Rock Industries, LLC, P.O. Box 419, Kingston, NJ 08528
  - The Walter R. Earle Corporation, P.O. Box 757, Farmingdale, NJ 07727
2. That this is a unit price bid not to exceed \$500,000.00 per year with funds to be certified prior to each order. Sufficient funds are available pending adoption of the 2021 operating budget under appropriations entitled Roads – Paving, Patching, Drainage Materials account 1-01-26-290-263; Maintenance of Parks – Supplies – Public Grounds, account 1-01-28-375-242; and available capital budget accounts.
3. That this is a two (2) year contract commencing on March 24, 2021 and ending on March 23, 2023 with prices that shall remain firm fixed.
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 the vendors, Business Administrator, Chief Financial Officer, General Supervisor, Public Works, Township Engineer 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 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

Agenda #	3/23/21
7-6	
Agenda #	Date
Agenda #	Date
Agenda #	Date

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



**RESOLUTION**

**WHEREAS**, an application has been filed for a person-to-person transfer of plenary retail consumption license number 1506-33-037-005 heretofore issued to Jack & Mikes Bar & Grille Inc. transferred to JSM at Brick IV, LLC, 1260 Stelton Road, Piscataway, NJ 08854 in the inactive status; and

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

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

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

**WHEREAS**, the Municipal Clerk has advised that the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license, as well as the licensed business and all additional financing obtained in connection with the licensed business; and

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

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

1. The application for the person-to-person transfer of plenary retail consumption license number 1506-33-037-005 to JSM AT Brick, LLC is hereby approved in the inactive status and in accordance with the application submitted and with the following restrictions;
  - a. Operate a family style restaurant having a varied menu and which premises shall contain at least one hundred twenty-five (125) seats for the consumption of this food.
  - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the applicant.

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

Agenda #	3/23/21
7-7	
Agenda #	Date
Agenda #	Date
Agenda #	Date

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

**RESOLUTION**

**WHEREAS**, an application has been filed for a person-to-person transfer of plenary retail distribution license number 1506-44-043-003 heretofore issued to RJS Tech, Inc. t/a Joe Canal's Discount Liquor, 720 Route 70, Brick, NJ 08723 to be transferred to Arthaa, LLC t/a Joe Canal's Discount Liquor; and

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

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

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

**WHEREAS**, the Municipal Clerk has advised that the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license, as well as the licensed business and all additional financing obtained in connection with the licensed business; and

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

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

1. The application for the person-to-person transfer of plenary retail distribution license number 1506-44-043-003 to Arthaa LLC, 720 Route 70, Brick, NJ 08723 t/a Joe Canal's Discount Liquor is hereby approved in accordance with the application submitted.
2. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the applicant.

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/Date
7-8	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the National MS Society, 1480 US Hwy. 9 N, Suite 301, Woodbridge, NJ 07095 has applied for a special event permit to conduct a Bike MS: Coast the Coast Event on Saturday, May 8, 2021 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 the National MS Society's request for special event application to conduct a Bike MS Coast the Coast Event on Saturday, May 8, 2021 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 the National MS Society's request for special event application to conduct a Bike Ride Event on Saturday, May 8, 2021 between the hours of 8:00 am and 3:00 pm at Route 35 Bike Lanes Northbound and Southbound with the conditions and restrictions as follows:

1. All fire lanes shall remain open and accessible at all times.
2. Applicant will provide the Municipal Clerk with the NJDOT Permit prior to event.
3. Ride will be conducted in accordance with all applicable State laws and utilize the designated bicycle lanes.
4. Occupancy limits will be in compliance with state regulations on the day of the event.
5. All social distancing guidelines must be adhered to.
6. Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
7. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

**SECTION 2.** That a copy of this Resolution shall be provided to the Chief of Police and the National MS Society.

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

Agenda #	3/	Date
7-9	3/	23/21
Agenda #		Date
Agenda #		Date
Agenda #		Date

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

**RESOLUTION**

**WHEREAS**, the Standing Ovation School of Dance LLC, 280 Brick Boulevard, Brick has applied for a special event permit to conduct an Outdoor Recital Event on Saturday, June 12, 2021 with a rain date on June 13, 2021 with rehearsals on June 10 and 11, 2021 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 Standing Ovations School of Dance's request for a special event permit to conduct an Outdoor Recital Event on June 12, 2021 with a rain date of June 13, 2021 with rehearsals on June 10 and 11, 2021 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.** Standing Ovation School of Dance's request for special event permit to conduct an Outdoor Recital Event from 9am to 9pm on June 12, 2021 with a rain date of June 13, 2021 and June 10 and 11, 2021 for rehearsals at 280 Brick Boulevard is approved with the conditions and restrictions as follows:

1. Occupancy limits will be in compliance with state regulations on the day of the event.
2. All social distancing guidelines must be adhered to.
3. All fire lanes are to remain open and accessible.
4. Applicant will obtain permission from adjacent property owners for overflow parking.
5. The area where guests will view the performance in the back lot will be segregated and blocked from the rest of the parking lot and travel lane.
6. This resolution does not authorize a waiver of the noise ordinance.
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 Standing Ovation School of Dance.

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

Agenda #	3/	Date
7-10		23/21
Agenda #		Date
Agenda #		Date
Agenda #		Date

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

**RESOLUTION**

**WHEREAS**, the applicant for the project known as JSM at Martin Boulevard for property designated as Block 868.01 Lots 15 & 16, 1916 Route 88, BA-3092 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 March 12, 2021, 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 JSM at Martin Boulevard for property designated as Block 868.01 Lots 15 & 16, 1916 Route 88, 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, 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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/ Date
7-11a	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Sandiloo Property, LLC, 1521 Ocean Avenue, Mantoloking, NJ 08738 had posted a cash bond in the amount of \$13,071.10 to guarantee site improvements to Block 26 Lot 3 (459 Route 35N, PB-2810) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated March 15, 2021 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$13,071.10 (plus interest if applicable) and \$372.98 remaining in the engineering inspection fund be returned to the applicant; and

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

1. That the cash performance bond in the amount of \$13,071.10 (plus interest if applicable) and \$372.98 remaining in the engineering inspection fund be returned to the applicant.
2. That the Municipal 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, 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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/Date
7-11b	3/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Robert Romanow, 11 Brower Drive, Brick, NJ 08723 had posted a cash bond in the amount of \$2,875.20 to guarantee site improvements to Block 89.01 Lot 46.01 (Brower Drive, PB-2665) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated March 10, 2021 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$2,875.20 and \$22.60 remaining in the engineering inspection fund be returned to the applicant; and

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

1. That the cash performance bond in the amount of \$2,875.20 and \$22.60 remaining in the engineering inspection fund be returned to the applicant.
2. That the Municipal 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, 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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/ Date
7-11c	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Sharbell Development Corp., 1 Washington Boulevard, Suite #9, Robbinsville, NJ 08691 had posted Citibank, NA Letter of Credit No. LC-103738 in the amount of \$162,167.16 and a cash performance bond in the amount of \$18,018.57 to guarantee site improvements to Block 12.22 Lot 1 (Route 35 South/North, Sharbell Development Corp, PB-2753) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated March 11, 2021 has advised that a portion of the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the Citibank, NA Letter of Credit No. LC-103738 in the amount of \$162,167.16 be reduced to \$116,758.12 and the cash performance bond in the amount of \$18,018.57 be reduced to \$12,973.12 returning \$5,045.45 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 Citibank, NA Letter of Credit No. LC-103738 in the amount of \$162,167.16 be reduced to \$116,758.12 and the cash performance bond in the amount of \$18,018.57 be reduced to \$12,973.12 returning \$5,045.45 to the applicant; and
2. That the Municipal 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, 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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/ Date
7-11d	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that we are amending Resolution #105-21 due to the incorrect total refund amount; 100% DAV has been granted on Block 902.18, Lot 12, Account # 416775 as of 1-1-2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 1-1-2020 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
902.18/12/416775 103 Redwood Pl. East	Felicitto, Robert J II	\$5,909.38-2020 <u>\$1,477.34-2021</u> \$7,386.72

**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 March 23, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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

Agenda #	3/Date
7-12a	3/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, 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>
86.09/20/101585 Driftwood Drive	John Collins	\$65.82

**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 the 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	3/Date
7-126	/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2021.

**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>
1067.26/11/522232 24 Sunflower Lane	Henderson & Henderson, PC	\$83.24
86.09/20/101585 Driftwood Drive	John Collins	\$66.75

**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 the 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	3/Date
7-12c	3/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are unclaimed redemption monies in the Trust Account; and

**WHEREAS**, the Tax Collector has repeatedly, unsuccessfully requested the lienholders surrender the redeemed tax sale certificates; and

**WHEREAS**, the Tax Collector is requesting authorization to escheat these monies to the Township Treasurer in the amount of \$2,959.08 as per NJSA 54:5-57.1; and

**WHEREAS**, should at any time in the future a listed lienholder come forward, the Township will issue any and all monies due the lienholder.

**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 escheat monies as stated, totaled below and issue a check to the Township Treasurer.

<u>Certificate #</u>	<u>Amount</u>
2010-0023	445.72
2013-0056	462.92
2010-0041	337.55
2011-0046	416.41
2012-0363	1,296.48
<b>TOTAL</b>	<b>\$2,959.08</b>

**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 the 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Township this 23<sup>rd</sup> day of March, 2021.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
7-12d	3/23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, 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; and

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

**WHEREAS**, The Tax Collector is requesting authorization to escheat these monies to the Township Treasurer in the amount of \$101,100.00 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 escheat monies as stated, totaled below and issue a check to the Township Treasurer.

<u>Certificate #</u>	<u>Amount</u>
2015-0087	\$45,000.00
2015-0135	\$30,000.00
2015-0190	\$26,000.00
2015-0037	\$100.00

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on the 23<sup>rd</sup> day of March, 2021.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and the seal of the Township this 23<sup>rd</sup> day of March, 2021.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	3/Date
7-12 e	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION  
RESOLUTION SUPPORTING THE STATE HOUSE COMMISISON PRE-APPLICATION TO  
THE NJDEP GREEN ACRES PROGRAM FOR THE POLICE ATHLETIC LEAGUE MAJOR  
DIVERSION**

**TOWNSHIP OF BRICK**

**WHEREAS**, Blocks 548.01, Lots 21 and 23.04 are part of the Township of Brick, Michael Milano Park (Police Athletic League) 60 Drum Point Road, which was encumbered with restrictions against disposal or diversion form recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres program; and

**WHEREAS**, in conjunction with an after the fact diversion caused by the road widening and stormwater facility construction of Brick Boulevard by the Ocean County Board of Chosen Freeholders in 2002 that encumbered portions of Block 548.01, lots 21 and 23.04 causing the diversion of *Part of Michael Milano Park (Police Athletic League)*, it is necessary to remove the Green Acres restrictions from a 2.636 portion of the Michael Milano Park (Police Athletic League); and

**WHEREAS**, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

**WHEREAS**, the Township of Brick wishes to apply for approval of *Part of Michael Milano Park (Police Athletic League)* as a major diversion of parkland under N.J.A.C. 7:36-26; and

**WHEREAS**, as required by N.J.A.C. 7:36-26.8, the Township of Brick held a scoping hearing on March 23, 2021 to solicit public comment on the diversion of *Part of Michael Milano Park (Police Athletic League)* in connection with said project; and

**WHEREAS**, the next step in the application process is for approval of a major disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7:36-26.9; and

**WHEREAS**, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for the Township of Brick to submit as part of the pre-application a Resolution endorsing the application to divert parkland;

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

1. The Township of Brick endorses the filing of a pre-application for the diversion of *Part of Michael Milano Park (Police Athletic League)* pursuant to N.J.A.C. 7:36-26;
2. The Township of Brick hereby finds that the diversion of *Part of Michael Milano Park (Police Athletic League)* would meet minimum substantive criteria at N.J.A.C. 7:36-26-1(d) by bringing the Township into compliance with Green Acres Stewardship regulations, replacing the diverted property with high quality environmentally valuable lands at the Beaton Tract and providing for the release of funds for development projects the Township has completed utilizing Green Acres Grant Funds.
3. The Township of Brick acknowledges that in order to obtain the approval of the diversion of *Part of Michael Milano Park (Police Athletic League)*, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.

**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 23<sup>rd</sup> day of March, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 23<sup>rd</sup> day of March, 2021.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	3/Date
7-13	23/21
Agenda #	Date
Agenda #	Date
Agenda #	Date