

**Brick Township Council**  
**December 1, 2015**  
**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 on January 9, 2015. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website ([www.bricktownship.net](http://www.bricktownship.net)). At this time please turn off all cell phones.
3.
  - a. Roll Call.
  - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.

**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 Budget Appropriation Transfers.
- \_\_\_2. Authorize Insertion of Chapter 159 – Community Development Block Grant
- \_\_\_3. Authorize Insertion of Chapter 159 – Drunk Driving Enforcement Fund.
- \_\_\_4. Authorize Insertion of Chapter 159 – Police Re-Accreditation Grant.
- \_\_\_5. Authorize Insertion of Chapter 159 – NJDOT State Highway 70 – Additional Monies.
- \_\_\_6. Authorize Receipt of Bids – Roadway Improvements to Cedarwood Park West.
- \_\_\_7. Authorize Award of Bid – Purchase & Delivery of Sign Materials.
- \_\_\_8. Authorize Award of Bid – Tree Trimming, Removal & Disposal Service.
- \_\_\_9. Authorize Award of Bid – Operation of Brick Beach I Food Concession Stand.
- \_\_\_10. Authorize Award of Contract – Employees & Retiree’s Prescription Coverage.
- \_\_\_11. Authorize Award of Contract – Cobra Services – Benefit Analysis, Inc.
- \_\_\_12. Authorize Award of Contract – Employee Health Benefits Coverage – Horizon Blue Cross Blue Shield.
- \_\_\_13. Authorize Award of Contract – Stop Loss Coverage – Symetra.
- \_\_\_14. Authorize Award through HGAC-Buy National Cooperative – Residential Rollout Carts.
- \_\_\_15. Authorize Execution of Memorandum of Understanding with U.S. Fish & Wildlife for Installation of Marsh Monitoring Equipment.
- \_\_\_16. Support NJDOT Traffic Regulation Order – Bicycle Lanes.
- \_\_\_17. Authorize Memorandum of Agreement – Teamsters – School Crossing Guards.
- \_\_\_18. Authorize Conveyance of Properties to Enable Inc.
- \_\_\_19. Authorize Placement of Tax Liens for Property Clean-ups.
- \_\_\_20. Bond Releases/Reductions:
  - a. Performance Bond Reduction – Matthew & Meghan Presutti – Off Route 35 South.
  - b. Performance Bond Reductions – John Kane – Off Route 35 South.
  - c. Performance Bond Release – Metro PCS New York, LLC - Brick Boulevard.
  - d. Inspection Fund Release – W&F Developers – Various Locations.
  - e. Inspection Fund Release – May04 SAM, LLC – Brick Boulevard.
  - f. Inspection Fund Release – Shay Varone – Chambers Bridge Road.
- \_\_\_21. Tax Collector:
  - a. Veteran/Widow of Veteran Deductions Granted – 2015.
  - b. Senior Citizens Deductions Granted – 2015.
  - c. Disability Deductions Granted – 2015.
  - d. Tax Overpayments – 2015.

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

- \_\_\_22. Bill Resolution – Computer 2015.
- \_\_\_23. Bill Resolution – Manual 2015.

5. Ordinances on First Reading:

- \_\_\_1. Authorize Property Donation – Block 213.08 Lots 1 – 3 – Pine Crest Drive.
- \_\_\_2. Amend Chapter 324 – Peddling and Soliciting.

6. Ordinance on Second Reading:

- \_\_\_1. Amend Chapter 331 – Outside Storage & Delivery of Firewood – Residential Areas.

7. 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.**

**Brick Township Council  
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7:00 PM  
Agenda No. 1**

8. Council Comments.
9. Motion to Adjourn.

**And any other matters which may come before Council.  
Formal Action may be taken at all meetings.**

**\*\* Next scheduled meeting of the Township Council will be held at Civic Plaza, 270 Chambers  
Bridge Road on Tuesday, December 15, 2015 at 7:00 pm.**

**RESOLUTION**

**WHEREAS**, a review of the disbursements and commitments against the 2015 budget has disclosed the necessity for certain adjustments to the budget appropriations; and,

**WHEREAS**, N.J.S.A. 40A:4-58 authorizes transfers during the last two months of any fiscal year.

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

1. That the following transfers between certain 2015 Budget appropriations be and the same are hereby authorized:

**GENERAL APPROPRIATIONS WITHIN/OUTSIDE CAP**

**Transferred To:**  
**Salary and Wages**

Administration	\$	21,000.00
Purchasing	\$	35,000.00
Human Resources	\$	42,000.00
Mayor	\$	1,000.00
Clerk	\$	10,000.00
Data Processing	\$	5,000.00
Treasurer	\$	21,000.00
Land Use	\$	20,000.00
Buildings & Grounds	\$	10,000.00
Recreation	\$	15,000.00
Parks	\$	1,000.00
EMT Services	\$	1,000.00
<i>Subtotal</i>	<u>\$</u>	<u>182,000.00</u>

**Transferred To:**  
**Other Expenses**

Electricity	\$	300,000.00
Water & Sewer	\$	10,000.00
Natural Gas	\$	20,000.00
<i>Subtotal</i>	<u>\$</u>	<u>330,000.00</u>

*Total Transferred To* \$ 512,000.00

**Transferred From:**  
**Salary and Wages**

Police	\$	100,000.00
Sanitation	\$	100,000.00
Accumulated Leave	\$	182,000.00
<i>Subtotal</i>	<u>\$</u>	<u>382,000.00</u>

**Transferred From:**  
**Other Expenses**

Communications Equipment	\$	22,000.00
Roads	\$	108,000.00

Agenda #	Date
4-1	11/15
Agenda #	Date

*Subtotal*

\$ 130,000.00

*Total Transferred From*

\$ 512,000.00

### CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December 2015.

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

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2015 in the amount of \$287,194.00 which is now available from the U.S. Department of Housing and Urban Development – Office of Community Planning and Development for the 2015 Community Development Block Grant in the amount of \$287,194.00.

**BE IT FURTHER RESOLVED** that the like sum of \$ 287,194.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Community Development Block Grant 2015.

**BE IT FURTHER RESOLVED**, that the above is the result of funds received from the U.S. Department of Housing and Urban Development – Office of Community Planning and Development for the 2015 Community Development Block Grant in the amount of \$287,194.00.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1st of December, 2015.

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

Agenda #	Date
4-2	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2015 in the amount of \$21,656.56 which is now available from the State of New Jersey – Division of Highway Traffic Safety – Drunk Driving Enforcement Fund.

**BE IT FURTHER RESOLVED**, that the like sum of \$21,656.56 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Drunk Driving Enforcement Fund.

**BE IT FURTHER RESOLVED**, that the above is the result of funds received from the State of New Jersey – Division of Highway Traffic Safety – Drunk Driving Enforcement Fund in the amount of \$21,656.56.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-3	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2015 in the amount of \$20,000.00, which is now available from the Ocean County Municipal Joint Insurance Fund – Police Re-Accreditation Grant – 2016.

**BE IT FURTHER RESOLVED** that the like sum of \$20,000.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Police Re-Accreditation Grant - 2016.

**BE IT FURTHER RESOLVED**, that the above is the result of funds received from the Ocean County Municipal Joint Insurance Fund – Police Re-Accreditation Grant in the amount of \$20,000.00.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-4	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**WHEREAS**, additional monies are available through the State of New Jersey - Department of Transportation in the amount of \$122,255.00 for the New Jersey State Highway Route 70 Grant - 2012;

**NOW, THEREFORE, BE IT RESOLVED**, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of the additional monies as an item of revenue in the budget of 2015 in the amount of \$122,255.00, which is now available from the State of New Jersey - Department of Transportation – New Jersey State Highway Route 70 Grant – 2012.

**BE IT FURTHER RESOLVED** that the like sum of \$122,255.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – New Jersey State Highway Route 70 Grant - 2012.

**BE IT FURTHER RESOLVED**, that the above is the result of additional funds received from the State of New Jersey – Department of Transportation – New Jersey State Highway Route 70 Grant in the amount of \$122,255.00.

**C E R T I F I C A T I O N**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-5	12/1/15
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 project:

**ROADWAY IMPROVEMENTS TO CEDARWOOD PARK WEST**

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

1. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the Consulting Engineer, CME Associates, for this project is hereby authorized to prepare formal 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 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
46	12/1/15
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 Sign Materials** on Friday, November 13, 2015; and

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

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

**WHEREAS**, the Director of Public Works has found that Beacon Graphics, Creative Visual Systems and Garden State Highway Products, Inc. has the lowest responsive and responsible bidder in full compliance within the respective category, per the bid specification and is therefore recommended for award.

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

1. That The bid for Purchase and Delivery of Sign Materials is hereby awarded to:  
Beacon Graphics, 189 Meister Avenue, Branchburg, NJ, 08876  
Creative Visual Systems, 400 Apgar Drive Unit G, Somerset, NJ, 08873  
Garden State Highway Products, Inc. 1740 E. Oak Road, Vineland NJ, 08361  
at the attached rates for the duration of this contract.
2. This bid will be an open-ended contract not to exceed \$50,000.00 per year with funds to be certified prior to each service.
3. This award is for two (2) years commencing on December 9, 2015 and ending on December 8, 2017.
4. A copy of this resolution shall be forwarded to the Beacon Graphics, Creative Visual Systems, Garden State Highway Products, Business Administrator, Chief Financial Officer, Director of Public Works, Office of Facilities Management and the Purchasing Agent
5. 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.

## 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 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015

Agenda #	Date
4-7	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

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

## RESOLUTION

**WHEREAS**, Sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for **Tree Trimming, Removal and Disposal Service** on Tuesday, November 10, 2015; and

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

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

**WHEREAS**, the Director of Public Works has found that Falkinburg Tree Experts Co., Po Box 688, Brielle, New Jersey as the lowest responsive and responsible bidder in full compliance within the respective category, per the bid specification and is therefore recommended for award.

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

1. That the bid for Tree Trimming, Removal and Disposal Service for the Municipal Complex is hereby awarded to Falkinburg Tree Experts Co., Po Box 688, Brielle, New Jersey per the attached rates.
2. This bid will be an open-ended contract not to exceed \$50,000.00 per year with funds to be certified prior to each service.
3. This award is for two (2) years commencing on December 7, 2015 and ending on December 6, 2017.
4. All pricing shall remain firm fixed for the duration of the contract.
5. A copy of this resolution shall be forwarded to the Falkinburg Tree Experts, Business Administrator, Chief Financial Officer, Director of Public Works, Office of Facilities Management and the Purchasing Agent
6. 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.

## 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 1<sup>st</sup> day of December 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December 2015.

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

Agenda #	Date
4-8	12/1/15
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 **Operation of Brick Beach 1 Food Concession Stand** on Tuesday, September 15, 2015; and

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

**WHEREAS**, the Director of Recreation has recommended the award of said bid to the highest responsive and responsible bidder being in full compliance of the bid specification; and

**WHEREAS**, the Director of Recreation has found that Jersey Shore Snack Shack, 413 Blodgett Ave., Point Pleasant, NJ as the highest responsive and responsible bidder in full compliance per the bid specification and is therefore recommended for award.

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

1. That the bid for the operation of Brick Beach 1 Food Concession Stand is hereby awarded to Jersey Shore Snack Shack, 413 Blodgett Ave., Point Pleasant, NJ in the amount of \$26,000.00 per year totaling \$78,000.00 for the three (3) summer seasons contract.
2. This award is for three (3) summer seasons commencing with the 2016 summer season and concluding on September 30, 2018.
3. That the payment of \$26,000.00 has been included for the 2016 summer season and equal installments in the proper form shall be made to the Township of Brick no later than January 15 of each remaining contract year.
4. A copy of this resolution shall be forwarded to Jersey Shore Snack Shack, the Business Administrator, Chief Financial Officer, the Director of Recreation and the Purchasing Agent.
5. 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.

## 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 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHP CLERK

Agenda #	Date
4-9	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

## RESOLUTION

**WHEREAS**, Fairview Insurance Agency Associates, LLC is the Broker of Record for the Township of Brick for Employee Health Benefits Insurance Coverage; and

**WHEREAS**, Fairview Insurance Agency Associates, LLC has obtained renewal rates from Central Jersey Health Insurance fund to provide Prescription coverage for Township of Brick Employees and Retirees; and

**WHEREAS**, it is the desire of the Township to provide said coverage at the rates negotiated by Fairview Insurance Agency Associates, LLC.

**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 does hereby accept the proposal negotiated by Fairview Insurance Agency Associates, LLC to approve the Indemnity and Trust Agreement with the Central Jersey Health Insurance Fund, 9 Campus Drive, Suite 216, Parsippany, N.J. 07054 to provide to the Township of Brick Employees and Retirees Prescription Coverage as per the attached.
2. That this contract is awarded pursuant to 40A:11-5 (m) and 5:34-2.1 as an Extraordinary Unspecifiable Service pursuant to the NJ Public Contracts Law and Regulations.
3. That funding for this service is contingent upon an adequate appropriation in the 2016 Employee Group Insurance Budget.
4. That the Mayor is 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 the term of this contract is for a period of one year, commencing on January 1, 2016 with provisions for a second and third year agreements, pending successful completion of the previous year agreement.
6. The Township of Brick may terminate coverage given ninety (90) day notice to the Fund, as outlined in the Indemnity and Trust Agreement.
7. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
8. That a certified copy of this resolution shall be forwarded to Fairview Insurance Agency Associates, Central Jersey Health Insurance Fund, Business Administrator, Chief Financial Officer, Human Resource Director and the Purchasing Agent.

## CERTIFICATION

I, Lynnette Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this day 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

Agenda #	Date
4-10	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

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

## RESOLUTION

**WHEREAS**, Fairview Insurance Agency Associates, LLC is the Broker of Record for the Township of Brick for Employee Health Benefits Insurance Coverage; and

**WHEREAS**, Fairview Insurance Agency Associates, LLC has obtained renewal rates from Benefits Analysis Inc. to provide COBRA rates and COBRA coverage benefit consulting for Township of Brick Employees and Retirees; and

**WHEREAS**, it is the desire of the Township to provide said coverage at the rates negotiated by Fairview Insurance Agency Associates, LLC.

**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 does hereby accept the proposal negotiated by Fairview Insurance Agency Associates, LLC to award a contract to Benefits Analysis, Inc. 80 E. Passaic Avenue, Nutley, N.J. 07110 to provide COBRA rates and COBRA coverage benefit consulting for Township of Brick Employees and Retirees as per the attached.
2. That this contract is awarded pursuant to 40A:11-5 (m) and 5:34-2.1 as an Extraordinary Unspecifiable Service pursuant to the NJ Public Contracts Law and Regulations.
3. That funding for this service is contingent upon an adequate appropriation in the 2016 Employee Group Insurance Budget.
4. That the Mayor is 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 the term of this contract is for a period of twelve months and shall commence on January 1, 2016.
6. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
7. That a certified copy of this resolution shall be forwarded to Fairview Insurance Agency Associates, Benefits Analysis, Inc., Business Administrator, Chief Financial Officer, Human Resource Director and the Purchasing Agent.

## CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this day 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

Agenda #	Date
4-11	12/1/15

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

**RESOLUTION**

**WHEREAS**, Fairview Insurance Agency Associates, LLC is the Broker of Record for the Township of Brick for Employee Health Benefits Insurance Coverage; and

**WHEREAS**, Fairview Insurance Agency Associates, LLC has obtained renewal rates from Horizon Blue Cross Blue Shield to provide medical coverage for Township of Brick employees and retirees; and

**WHEREAS**, it is the desire of the Township to provide said coverage at the rates negotiated by Fairview Insurance Agency Associates, LLC.

**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 does hereby accept the proposal negotiated by Fairview Insurance Agency Associates, LLC to award a contract to Horizon Blue Cross Blue Shield to provide third party administrative services to the Township of Brick Employee and Retirees Health Benefits Insurance Coverage as it complies with exiting contract language.
2. That this contract is awarded pursuant to 40A:11-5 (m) and 5:34-2.1 as an Extraordinary Unspecifiable Service pursuant to the NJ Public Contracts Law and Regulations.
3. That funding for this service is contingent upon an adequate appropriation in the 2016 Employee Group Insurance Budget.
4. That the Mayor is authorized to execute and the Assistant 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 the term of this contract is for a period of twelve months and shall commence on January 1, 2016.
6. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
7. That a certified copy of this resolution shall be forwarded to Fairview Insurance Agency Associates, LLC, Horizon Blue Cross Blue Shield, Business Administrator, Chief Financial Officer, Human Resource Director and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this day 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-12	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Fairview Insurance Agency Associates, LLC is the Broker of Record for the Township of Brick for Employee Health Benefits Insurance Coverage; and

**WHEREAS**, Fairview Insurance Agency Associates, LLC has obtained renewal rates from Symetra Financial to provide Stop Loss coverage for Township of Brick employees and retirees; and

**WHEREAS**, it is the desire of the Township to provide said coverage at the rates negotiated by Fairview Insurance Agency Associates, LLC.

**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 does hereby accept the proposal negotiated by Fairview Insurance Agency Associates, LLC to award a contract to Symetra, 777 108<sup>th</sup> Avenue NE, Suite 1200, Bellevue, WA 98004-5135 to provide to the Township of Brick Stop Loss coverage as per the attached.
2. That this contract is awarded pursuant to 40A:11-5 (m) and 5:34-2.1 as an Extraordinary Unspecifiable Service pursuant to the NJ Public Contracts Law and Regulations.
3. That funding for this service is contingent upon an adequate appropriation in the 2016 Employee Group Insurance Budget.
4. That the Mayor is 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 the term of this contract is for a period of twelve months and shall commence on January 1, 2016.
6. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
7. That a certified copy of this resolution shall be forwarded to Fairview Insurance Agency Associates, Symetra, Business Administrator, Chief Financial Officer, Human Resource Director and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this day 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-13	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, P.L. 2011, c. 139 allows contracting units to enter into agreement with state, regional, or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contracts to other government agencies; and

**WHEREAS**, on June 12, 2012 the Governing Body authorized the Township to enter into an agreement with the Houston-Galveston Area Council-Buy, hereinafter referred to as HGAC-Buy, to purchase goods and/or services in order to make the procurement process more efficient and to provide cost savings to the Township; and

**WHEREAS**, it is the desire of the Director of Public Works to purchase one-hundred (100) 95 Gallon Capacity Residential Rollout Carts through the HGAC-Buy National Cooperative; and

**WHEREAS**, the HGAC-Buy awarded a contract to Schaefer Systems International Inc., 10021 Westlake Drive, Charlotte, NC 28273 under Contract #GC01-13 for Refuse and Recycling Containers and Lifters.

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

1. That the Governing Body of the Township of Brick authorizes the purchase and delivery of one-hundred (100) 95 Gallon Capacity Residential Rollout Carts available through the HGAC-Buy National Cooperative in the total amount of \$6060.00.
2. That the HGAC-Buy has awarded a contract to Schaefer Systems International Inc., 10021 Westlake Drive, Charlotte, NC 28273 under Contract #GC01-13 for Refuse and Recycling Containers and Lifters.
3. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto.
4. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
5. That the Township Clerk shall further forward a certified copy of this resolution to Schaefer Systems International Inc., Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 1<sup>st</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

Agenda #	Date
4-14	12/1/15
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, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH US FISH AND WILDLIFE FOR INSTALLATION AND MAINTENANCE OF MARSH MONITORING EQUIPMENT

WHEREAS, the United States Fish and Wildlife Service (the "Service") manages the property known as the as Edwin B. Forsythe National Wildlife Refuge, hereinafter called "Forsythe Refuge," located in Ocean, Burlington, and Atlantic Counties, New Jersey, containing over 47,000 acres; and

WHEREAS, the Service, as part of its mission as directed by Congress, administers national wildlife refuges for the purposes of (1) preserving, restoring, and enhancing in their natural ecosystems native species of animals and plants; (2) perpetuating migratory bird resources; (3) preserving a natural diversity and abundance of fauna and flora on refuge lands; (4) providing an understanding and appreciation of fish and wildlife ecology and man's role in the environment; and (5) providing refuge visitors with high quality, safe, wholesome and enjoyable recreational experiences oriented toward wildlife to the extent that these activities are compatible with the purposes for which the wildlife refuge was established; and

WHEREAS, the Service has installed Surface Elevation Tables (SET) in the Forsythe Refuge, to measure the relative elevation change of wetland sediments, particularly relative to sea level rise and specific processes such as hurricanes, tropical storms and nor'easters; and

WHEREAS, the fixed SETs provide a nondestructive method for making highly accurate and precise measurements of sediment elevation of intertidal and subtidal wetlands over long periods of time relative to a fixed subsurface datum by providing a constant reference plane in space from which the distance to the sediment surface can be measured by means of pins lowered to the sediment surface; and

WHEREAS, one SET is fixed on Township property on Block 196, Lot 5, adjacent to Reedy Creek on its southern bank about 210 meters upstream from the creek's mouth at Barnegat Bay; and

WHEREAS, the Service has proposed a Memorandum of Understanding (MOU) with the Township that would authorize the Service to access, maintain and monitor the SET on Township property; and

WHEREAS, the Township Council desires to approve the MOU as proposed by the Service; and

WHEREAS, the Township Council desires to authorize the Mayor to execute, and the Township Clerk to attest, to the MOU;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor is hereby authorized to execute and the Clerk to attest to the Memorandum of Understanding between the United States Fish and Wildlife Service and the Township, for the purposes set forth in the MOU, which include authorization to the Service to access, maintain and monitor the SET located on Township property at Block 196, Lot 5.
2. That a copy of said MOU shall be kept on file and made available for public inspection at the Office of the Township Clerk during normal business hours.
3. That the Township Clerk shall forward a certified copy of this resolution to the United States Fish and Wildlife Service.

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 December 1, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township this 1st day of December, 2015.

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
415	2/1/15
Agenda #	

TOWNSHIP OF BRICK  
RESOLUTION NO. \_\_\_\_\_

WHEREAS, the NJ Department of Transportation has completed reconstruction along Route NJ 35 and has recommended that Bicycle Lanes as described in the NJDOT **Route 35 Restoration (Sandy Restoration) Contract No. 004950321** be established along portions of Route NJ 35 in the Township of Brick; and

WHEREAS, the New Jersey Department of Transportation requires a **Resolution** of support in order to promulgate the required Traffic Regulation Order establishing the Bicycle Lanes pursuant to N.J.S.A. 39:4-8.4c from the Township of Brick; and

WHEREAS, the Township of Brick Council has reviewed the request and supports the establishment of the Bicycle Lanes along Route NJ 35;

NOW, THEREFORE IT BE RESOLVED by the Mayor and Council of the Township of Brick, Ocean County, State of New Jersey, that the Mayor and Council concur with the New Jersey Department of Transportation's recommendation(s) to establish Bicycle Lanes along Route NJ 35 as follows:

**BICYCLE LANES:**

The lane locations described are hereby designated as Bicycle Lanes. No vehicle other than a Bicycle shall be permitted the use of said lane.

<u>State Highway</u>	<u>Side</u>	<u>Lane Width</u>	<u>Limits</u>
Route NJ 35 <i>northbound</i> (Ocean Avenue)	<i>east</i>	5 feet	Between the Township of Toms River – Township of Brick corporate line and the Township of Brick – Borough of Mantoloking corporate line (Approximate mileposts 7.24 to 9.04)
Route NJ 35 <i>southbound</i>	<i>west</i>	5 feet	Between the Borough of Mantoloking – Township of Brick corporate line and the Township of Brick – Township of Toms River corporate line (Approximate mileposts 9.04 to 7.24)

**Repealer Clause:**

The Township of Brick concurs that any approved traffic regulation in conflict with or inconsistent with the provisions of this **Resolution** be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

\_\_\_\_\_, RMC

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
(Date)

CERTIFICATION

I, Lynnette A. Iannarone do hereby certify that the foregoing is a true copy of a resolution adopted by the Township of Brick Council at a meeting held on the 1<sup>st</sup> day of December, 2015.

\_\_\_\_\_  
Municipal Clerk RMC

Agenda #	Date
4-16	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

\_\_\_\_\_  
(Municipal Seal)

## RESOLUTION

Modification of the Collective Bargaining Agreement with School Traffic Guards

**WHEREAS**, the Township and Teamsters Local 469 are parties to a current collective bargaining agreement covering School Traffic Guards effective January 1, 2012 through December 31, 2015; and

**WHEREAS**, the Township and Teamsters Local 469 have engaged in negotiations to modify the current collective bargaining agreement; and

**WHEREAS**, the parties have reached a Memorandum of Agreement modifying the terms and conditions of employment for Brick School Traffic Guards set forth in the current collective bargaining agreement; and

**WHEREAS**, Township Administration has recommended ratification of the Memorandum of Agreement reached with the School Traffic Guards to modify the current collective bargaining agreement; and

**WHEREAS**, the Township Council having reviewed the Memorandum of Agreement and finding ratification of the Agreement is in the best interests of the Township;

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of Brick Township hereby ratifies and accepts the Memorandum of Agreement between the Township and School Traffic Guards modifying the terms and conditions of their employment set forth in their current collective bargaining agreement as agreed to in the Memorandum of Agreement.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the Township Council of Brick Township that Administration is authorized to take all necessary action to amend the salaries of School Traffic Guards covered by the current collective bargaining agreement between the Township and Teamsters Local 469, School Traffic Guards, consistent with the Memorandum of Agreement, and Administration is hereby authorized to execute the Memorandum of Agreement and provide a copy of same to Teamsters Local 469.

This Resolution shall be effective retroactive to June 1, 2014.

### 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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-17	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Homes Now Inc. serves as the Administrative Agent for the Township of Brick Affordable Housing Program; and

**WHEREAS**, by Deeds dated January 18, 2013, the Township of Brick conveyed title to (Block 321, part of Lot 4.02 Township of Brick Tax Map) Drum Point Road and (Block 1371, Lot 12 Township of Brick Tax Map) Herbertsville Road to facilitate the development of two group homes which will become a part of the Township's Affordable Housing inventory; and

**WHEREAS**, Homes Now Inc. is receiving financing to assist for the construction of these group homes from the New Jersey Housing Mortgage Finance Agency ("NJHFMA"); and

**WHEREAS**, Homes Now Inc. has been advised by NJHFMA the title to said property needs to be conveyed to the service provider with these group homes, Enable Inc., a non-profit cooperation of the State of New Jersey; and

**WHEREAS**, in connection with the conveyance of said properties to Enable Inc. NJHFMA has further requested that the Deed restrictive covenant applicable to both parties be extended to December 31, 2046 and that the Township will not exercise the reverter clause until it has given NJHFMA written notice and further will permit NJHFMA a period of 90 days to cure any condition which might have the property revert to Township ownership; and

**WHEREAS**, the Township of Brick wishes the project to obtain NJHFMA financing agrees to both of the above referenced conditions.

**NOW, THEREFORE**, be it resolved as follows:

1. The Township of Brick hereby consents to the conveyance of the above referenced properties to Enable Inc., a non-profit corporation of the State of New Jersey, the service provider for the proposed group homes.
2. The Township further agrees to the above referenced revised Deed Restrictive Covenant and to include in the Deed the requested notice and opportunity to cure by NJHFMA the reverter clauses for either property be invoked.
3. A certified true copy of this resolution shall be furnished by it adoption to Homes Now, Inc.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	12 Date
4-18	1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE DIRECTOR OF PUBLIC WORKS CONCERNING ADDITIONAL COSTS INCURRED IN THE REMOVAL OF DEBRIS AND CLEANING UP OF THE PROPERTY LOCATED AT MULTIPLE BLOCKS/LOTS AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTIES FOR SAID COSTS.

WHEREAS, in accordance with the provisions of N.J.S.A. 40:65-12 and Chapter 331, specifically Section 331-5 through 331-9, of the Township Code of the Township of Brick, the Township of Brick removed debris and cleaned up the property located at

643 Mark Manor Dr. / Block 646.16 Lot 3 - \$138.04  
8 Cadiz Dr. / Block 211.10 Lot 5 - \$1659.12  
178 Cleveland Ct. / Block 1355.34 Lot 9 - \$173.20

after duly-giving notice to the property owner of said property pursuant to Chapter 56; and

WHEREAS, the Director of Public Works has certified the costs incurred by the Township in removing the debris and cleaning up the aforementioned property; and

WHEREAS, the total additional costs incurred by the Township for the removal of the debris and cleaning up the property, as certified by the Director of Public Works, are

643 Mark Manor Dr. / Block 646.16 Lot 3 - \$138.04  
8 Cadiz Dr. / Block 211.10 Lot 5 - \$1659.12  
178 Cleveland Ct. / Block 1355.34 Lot 9 - \$173.20

WHEREAS, Chapter 331 of the Township Code, in accordance with N.J.S.A. 40:65-12, et seq. authorizes the governing body to have a lien placed against the subject property for the costs incurred by the Township in the removal of the debris from the subject premises and cleaning up the property, together with interest at the same rate as other taxes as set forth in N.J.S.A. 40:48-2.14.

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

- 1. That the Mayor and Township Council do hereby formally accept and approve the certification submitted by the Director of Public Works for the removal of debris and cleaning up the property located at

643 Mark Manor Dr. / Block 646.16 Lot 3 - \$138.04  
8 Cadiz Dr. / Block 211.10 Lot 5 - \$1659.12  
178 Cleveland Ct. / Block 1355.34 Lot 9 - \$173.20

- 2. That the Mayor and Township Council do hereby direct the Tax Collector to place an assessment against the subject property in accordance with this resolution.
- 3. That a copy of the certified costs incurred by the Township in removing the debris and cleaning up the property, together with a copy of the resolution, shall be forwarded to the owner of the property by certified mail.
- 4. That a certified copy of this resolution be forwarded to the Tax Collector and to the Code Enforcement Officer.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

Agenda #	Date
4-19	12/1/15
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**WHEREAS**, Matthew & Meghan Presutti, 28 Guinea Hollow Road, Lebanon, NJ 08833 had posted a cash performance bond in the amount of \$22,288.65 to guarantee certain site improvements to Block 26 Lot 6 & 7 off Route 35S (PB-2690) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated November 19, 2015 has advised that a portion of the required improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$22,288.65 be reduced to \$17,367.15 returning \$4,921.50 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 \$22,288.65 be reduced to \$17,367.15 returning \$4,921.50 to the applicant; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, 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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
420a	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, John Kane, 6 Meeker Avenue, Edison, NJ 08817 had posted a cash performance bond in the amount of \$22,288.65 to guarantee certain site improvements to Block 26 Lot 6 & 7 off Route 35S (PB-2690) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated November 19, 2015 has advised that a portion of the required improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$22,288.65 be reduced to \$17,367.15 returning \$4,921.50 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 \$22,288.65 be reduced to \$17,367.15 returning \$4,921.50 to the applicant; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, 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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-206	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Metro PCS New York, LLC, 5 Skyline Drive, Hawthorne, NY 10532 had posted Liberty Mutual Insurance Company Performance Surety Bond No. 022028534 in the amount of \$6,445.99 and a cash performance bond in the amount of \$716.23 to guarantee certain site improvements to Block 547 Lot 4 (Brick Boulevard BA-2629) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated November 20, 2015 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the Liberty Mutual Insurance Company Performance Surety Bond No. 022028534 in the amount of \$6,445.99 and a cash performance bond in the amount of \$716.23 returned to the applicant holding inspection fees for final invoicing; 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 Liberty Mutual Insurance Company Performance Surety Bond No. 022028534 in the amount of \$6,445.99 and a cash performance bond in the amount of \$716.23 be returned to the applicant holding inspection fees for final invoicing; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, 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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December 2015.

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

Agenda #	Date
4-20c	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Township Clerk by letter dated November 20, 2015 that there is \$2,852.34 remaining in the engineering inspection fund from W & F Developers, One Woodbridge Center, Ste. 610, Woodbridge, NJ 07095 for various projects in the Township of Brick; and

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

**WHEREAS**, the Assistant Township Engineer recommends that the \$2,852.34 remaining in the engineering inspection fund be returned to the applicant; and

**WHEREAS**, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$2,852.34 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
  - a. Assistant Township Engineer
  - b. Chief Finance Officer
  - c. Applicant

**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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December 2015.

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

Agenda #	Date
4-20d	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Township Clerk by letter dated November 20, 2015 that there is \$740.35 remaining in the engineering inspection fund from Mayo4Sam, 447 Brick Boulevard, Brick, NJ 08723 for 447 Brick Boulevard, Brick Block 547 Lot 8 (PJ Sweeney's) in the Township of Brick; and

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

**WHEREAS**, the Assistant Township Engineer recommends that the \$740.35 remaining in the engineering inspection fund be returned to the applicant; and

**WHEREAS**, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$740.35 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
  - a. Assistant Township Engineer
  - b. Chief Finance Officer
  - c. Applicant

**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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December 2015.

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

Agenda #	Date
420e	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Township Clerk by letter dated November 20, 2015 that there is \$298.05 remaining in the engineering inspection fund from Shay Varone, 471 Madison Avenue, Toms River, NJ 08753 for 235 Chambers Bridge Road, Block 702 Lot 19 (Parkway Pizza) in the Township of Brick; and

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

**WHEREAS**, the Assistant Township Engineer recommends that the \$298.05 remaining in the engineering inspection fund be returned to the applicant; and

**WHEREAS**, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$298.05 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
  - a. Assistant Township Engineer
  - b. Chief Finance Officer
  - c. Applicant

**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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December 2015.

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

Agenda #	Date
420f	12/1/15
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 Veteran Deductions/Widow of Veteran Deductions have been granted and refunds are to be issued on the following properties for 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
321.05/1/205794 294 Sky Manor Blvd.	Colin Redy	\$ 250.00
324.42/6/206446 80 Tiller Lane	Micheal V. Demaio	\$ 250.00
1136/4/520210 235 Van Ave.	Nicholas Benigno	\$ 250.00
1192.14/2/621435 10 Darley Circle	Maryann Largey	\$ 250.00

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk for the Township of Brick, County of Ocean and State of New Jersey do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 1, 2015

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
421a	12/1/15
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that Senior Citizen deductions have been granted and refunds are to be issued on the following properties for the year 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1192.31/17/622062 12 Poe Rd.	Margarita Tucholski	\$ 250.00

**CERTIFICATION**

I, Lynnette Iannarone, RMC, Municipal 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 December 1, 2015

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-216	12/1/15
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 disability deductions have been granted and refunds are to be issued on the following properties for 2015.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
563/20/31432 436 Laurel Ave.	John Paccione	\$ 250.00

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal 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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-21c	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2015.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
324.08/9/206229 132 Captains Dr.	Christopher Alino	\$ 1442.28
383.11/31/309346 289 Hudson Dr.	Stevan Strautmanis	\$ 733.87
1133.01/2/521439 243 Lake Rd.	Karen Ilberg	\$ 518.56
1299.66/10.01/623716 357 16 <sup>th</sup> Ave.	Maurice Gaquer	\$ 324.67
1427/6c0603/727744 4 Amy Ct.	Elizabeth Bislick	\$ 1134.19
755/37c3303/413930 9C Court E	Police & Fireman's Retirement System	\$ 872.33
1277.02/10/623448 10 Drew Ave.	Perry and Judy Foster	\$ 1441.28

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal 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 December 1, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 1<sup>st</sup> day of December, 2015.

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

Agenda #	Date
4-21d	12/1/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**ORDINANCE**

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE DONATION OF PROPERTY KNOWN AS BLOCK 213.08, LOTS 1, 2 & 3 FOR NO CONSIDERATION**

**WHEREAS**, the owner of property known as BLOCK 213.08, LOTS 1, 2 & 3 (the "Property"), have proposed to donate the Property to the Township for no consideration; and

**WHEREAS**, the Property is owned by the Chan Ping Wah; and

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

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

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

**SECTION 1.**

- A. The Governing Body hereby authorizes the acquisition by donation of property designated as BLOCK 213.08, LOTS 1, 2 & 3 for no consideration.
- B. The Mayor and Township Clerk are hereby authorized to sign any necessary documentation to effect the acquisition of title to the Property by donation.
- C. The acceptance of title to the Property by the Township is expressly conditioned on the completion of reasonable due diligence by the Township of the Property, which due diligence shall be completed within sixty (60) days of the final approval of this Ordinance, and which may include a title search, a survey, an environmental assessment and such other due diligence as deemed necessary by the Township.

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

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 1<sup>st</sup> day of December, 2015, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 15<sup>th</sup> day of December, 2015 at 7:00 p.m., at the Civic Plaza, located at 270 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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

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

Agenda #	Date
5-1	12/1/15
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 324 OF  
THE TOWNSHIP CODE, ENTITLED "PEDDLING AND  
SOLICITING"

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

**SECTION 1.** The Township Code of the Township of Brick is hereby amended  
and supplemented in Chapter 324, entitled "Peddling and Soliciting," in Subsection  
324-8, to further limit the hours during the day when solicitors may knock on doors,  
which Subsection 324-8(B) shall now read as follows:

**B.** No person subject to the provisions of this chapter shall canvass,  
solicit or distribute circulars or other materials or call from house to house,  
except between the hours of 10:00 a.m. and the earlier of 6:00 p.m. or  
sundown.

**SECTION 2.** The Township Code of the Township of Brick is hereby amended  
and supplemented in Chapter 324, entitled "Peddling and Soliciting," in Subsection  
324-8, to add a new subsection (G) which shall require minors aged 16 and under to  
be accompanied by an adult when soliciting, and which shall read as follows:

**G.** Any person subject to the provisions of this chapter shall be  
responsible for any minors, aged 16 and under, participating in any  
peddling or soliciting under the terms of this chapter, and shall ensure that  
such minors shall be accompanied by an adult at all times.

**SECTION 3.** The Township Code of the Township of Brick is hereby amended  
and supplemented in Chapter 324, entitled "Peddling and Soliciting," to add a new  
section 324-20, and which shall read as follows:

**§ 324-20. Prohibited discrimination.**

No person shall engage in the following acts:

- A. The promoting, influencing or attempting to promote or influence a property owner, occupant, or tenant to list for sale, sell, or remove from a lease real property by referring to race, color, sexual orientation, ethnicity, or religious affiliation of neighbors, prospective buyers, or other occupants or prospective occupants of real property.
- B. Induce directly or indirectly, or attempt to induce directly or indirectly, the sale or listing for sale of real property representing that the presence or anticipated presence of persons of any particular race, religion, or national origin in the area has resulted or may result in:
  - 1. The lowering of property values;
  - 2. A change in the racial, religious or ethnic composition of the block, neighborhood, or area in which the property is located;
  - 3. An increase in criminal or antisocial behavior in the area;
  - 4. A decline in the quality of the schools serving in the area.
- C. Make any representation (or misrepresentations) concerning the listing or sale of the anticipated listing for sale or the sale of any real property in any residentially zoned areas for the purpose of inducing or attempting to induce the sale or listing for sale of other real property in such area.
- D. Make any representation to any prospective purchaser that any block, neighborhood or area has, will, or might undergo an adverse change with respect to the religious, racial, or ethnic composition of the block, neighborhood or area for the purpose of discouraging the purchase of property in a particular area.
- E. Place a sign purporting to offer for sale any property that is not in fact offered for sale.

Agenda #	Date
5-2	11/15
Agenda #	Date

- F. Advertise for sale or rental, a property which is non-existent or which is not actually for sale or rental.
- G. Engage in or hire or conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest, create or play upon fear with the purpose of inducing or attempting to induce the sale or listing for sale of real property.
- H. To solicit or canvass any owner whose name and property is included on the list maintained by the Township Clerk of persons requesting that they not be canvassed or solicited.
- I. To engage in any economic reprisal or any other form of intimidation against any person because that person has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or conference under the terms of this article.
- J. To aid, abet, incite, compel or coerce any person to engage in any of the practices forbidden by this article or to obstruct or prevent any person from complying with the provisions of this article.
- K. Refer, directly or indirectly, or by implication, to race, color, creed, ethnicity or sexual orientation in any advertisement or other solicitation offering real property for the sale or rental.
- L. Solicit or attempt to solicit the sale or rental or the listing for sale or rental of real property without furnishing in written form to the owner or occupier of such real property the name of the person or organization soliciting such sale, rental or listing.

**SECTION 4.** 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 5.** 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 1st day of December, 2015, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 15<sup>th</sup> day of December, 2015 at 7:00 p.m., at the Civic Plaza, located at 270 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**

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING THE TOWNSHIP  
CODE TO ADOPT CHAPTER 331, ARTICLE III, ENTITLED  
"OUTSIDE STORAGE AND DELIVERY OF FIREWOOD IN  
RESIDENTIAL AREAS"**

**WHEREAS**, the Township Council recognizes that the use of wood burning stoves, fireplaces or other wood burning devices lower energy cost to heat a home; and

**WHEREAS**, the Township Council of the Township of Brick recognizes that wood piles that contain diseased wood, wood infested with dangerous invasive insects, or wood inhabited by rats or other vermin stored in a residential area may have a detrimental effect on adjoining property owners; and

**WHEREAS**, excessive storage of firewood creates a public nuisance and adversely affects the esthetics of our neighborhoods, and

**WHEREAS**, the Township Council finds it appropriate to regulate the storage of firewood in residential areas to protect the quality of life of our residents while protecting the rights of an individual to use wood burning stoves, fireplaces and other wood burning devices;

**SECTION 1.** The Township Code of the Township of Brick is hereby amended and supplemented so as to adopt Chapter 331, Article III, entitled "Outside Storage And Delivery of Firewood in Residential Areas"

**SECTION 2.** The adopted Chapter 331, Article III, shall read as follows:

**Article III. OUTSIDE STORAGE AND DELIVERY OF FIREWOOD IN RESIDENTIAL AREAS.**

**§ 331-9. Deliveries and Outside Storage of Firewood on a residential property; Regulations**

- A. As used in the section the term firewood shall mean any and all wood logs, sticks, twigs, branches, stumps, stakes, and includes wood items of every kind and description used for fireplaces or wood burning stoves.
- B. Firewood deliveries of split, cut wood, sized appropriately to be used as fuel shall be limited to two deliveries in any thirty-day (30) period, or deliveries of log-length material that is intended to be cut, split and sized for use as firewood is limited to one delivery every thirty (30) days. For purposes of this section, a property owner shall be limited to either the single delivery of log-length material or the two deliveries of split length wood in any single thirty-day (30) period.
- C. No persons shall store firewood in the front yard on residential property, except that firewood may be temporarily stored in a front yard for a period of ten (10) days from the date of its delivery. Storage in the side yard of a property shall be effectively screened from view so it is not visible for the front yard or any street. For the purpose of this section when a residential structure is on a corner lot, fronting on two roads, the front yard of the structure will be the portion of the structure facing the longest street frontage. Any firewood storage on the portion of the property fronting on a street, but not considered the front yard will still require screening from view so it is not visible from the street.

*Revised*

D.

**Outside Storage of Firewood; Generally**

- (1) The firewood shall be cut, split, prepared for use and stored in neat, secure stacks. The firewood shall be neatly stacked and may not be stacked closer than one foot to any lot line and not higher than four feet from grade, except adjacent to a fence where firewood can be stacked as high as the fence. If the fence is on the lot line firewood must remain **one foot** from the fence and the maximum height of the firewood shall be four feet. Fences as used in this Section shall not include hedges and other vegetation. The firewood shall be

Agenda #	11/Date
5-1	11/16/15
Agenda #	12/Date
6-1	11/15
Agenda #	Date
Agenda #	Date

stored a minimum of eight inches off the ground and on a well-supported, non-rotting base.

- (2) There shall be no more than five cords of wood stored at any time; and no more than one-fourth of a fireplace cord shall be stored on the porch of a residential structure. Storage on a front porch must be in a factory built metal storage device.
- (3) All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of within ten days and shall not be allowed to remain on the premises.
- (4) Woodpiles that contain diseased wood that is capable of transmitting disease to healthy trees and woodpiles that harbor, or are infested or inhabited by rats or other vermin are public nuisances and may be abated pursuant to the provisions of this Code.
- (5) Firewood may be stored on a residential property solely for use on the premises and not for resale.

**§331-10. Violations and Penalties.**

- A. Any violation of this chapter shall be punishable as provided in Chapter 1, § 1-15, General penalty.
- B. The Brick Township Police Department or the Code Enforcement Officer shall enforce the provisions of this article.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 16<sup>th</sup> day of November, 2015, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 1<sup>st</sup> day of December, 2015 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

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JOHN G. DUCEY  
MAYOR