

Brick Township Council
January 12, 2016
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 December 18, 2015. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net). At this time please silence or turn off your cell phone.
3.
 - a. Roll Call.
 - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.
 - c. Approve Minutes of November 16, 2015 Meeting.

Consent Agenda

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

4. Resolutions:

- ___ 1. Authorize Receipt of Bids – Landscape Maintenance at Brick Landfill.
- ___ 2. Authorize Receipt of Bids – Seasonal Turf Chemical Program.
- ___ 3. Authorize Receipt of Bids – Manufacture & Printing of Tax Bills.
- ___ 4. Authorize Receipt of Bids – Purchase & Delivery of Multi-Camera Digital Video Recording System.
- ___ 5. Authorize Award of Bid and Re-Bid – Summerfest Food Vendors.
- ___ 6. Authorize Award of Bid – Janitorial Supplies.
- ___ 7. Authorize Re-Bid – ATM Vendor.
- ___ 8. Authorize Re-Bid – Beer & Wine Concession.
- ___ 9. Authorize Re-Bid – Bricktoberfest Amusement Concession.
- ___ 10. Authorize Rejection of Proposals – Grantsman.
- ___ 11. Authorize Change Order No. 1 – Final – Brick Beach 1 Parking Lot Improvements.
- ___ 12. Authorize Re-Bid – Brick Beach 1 Parking Lot Improvements.
- ___ 13. Authorize Change Order No. 1 – Final – Stormwater Basin Improvements at Landfill.
- ___ 14. Authorize Settlement of Tri-Murti Associates Condemnation Action.
- ___ 15. Bond Releases/Reductions:
 - a. Performance Bond Release – River Rock Sports Bar & Grille – Route 70.
 - b. Inspection Fund Release – James Kathenes /Drum Point Marina – Drum Point Rd.
 - c. Inspection Fund Release – James Kathenes/Drum Point Marina – Drum Point Rd.
 - d. Inspection Fund Release – J. Linn/Drum Point Marina - Drum Point Rd.
 - e. Inspection Fund Release – George Westlund – Off Cherry Quay Rd.
- ___ 16. Tax Collector:
 - a. 100% DAV Refund & Cancel Taxes – Block 170 Lot 23 – 400 Adamston Road.
 - b. 100% DAV Refund & Cancel Taxes – Block 177 Lot 3.01 – 503 Mantoloking Road.
 - c. Senior Citizens Deductions Granted – 2015.
 - d. Disability Deductions Granted – 2015.

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

- ___ 17. Bill Resolution – Computer 2016.
- ___ 18. Bill Resolution – Manual 2016.

5. Ordinance on First Reading:

- ___ 1. Amend Chapter 245 – Land Use – Temporary Sleeping Quarters.

6. Public Comments.

Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.

7. Council Comments.

8. Motion to Adjourn.

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

***** Next scheduled Caucus/Public meeting of the Township Council will be on Tuesday, January 26, 2016 at 7:00 p.m.**

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:

LANDSCAPE MAINTENANCE AT BRICK LANDFILL

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

RESOLUTION

WHEREAS, it has been brought to the attention of the governing body of the Township of Brick the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

Seasonal Turf Chemical Program

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-2	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, it has been brought to the attention of the governing body of the Township of Brick the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

Manufacture and Printing of Tax Bills

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, it has been brought to the attention of the governing body of the Township of Brick the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

Purchase & Delivery of Multi-Camera Digital Video Recording System including Video Server, Video on Demand and Bulletin Board Technology

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	1/12/16
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 **Summerfest Food Vendors** on **Tuesday, December 29, 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 bidders on a per category basis; and

WHEREAS, it is the desire of the Township to re-bid the remaining two (2) available categories.

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

1. The bid for Summerfest Food Vendors is hereby awarded to Tony's Italian Sausage, LTD, 13 Rutgers Street, Hazlet, NJ 07730 for the following category:
 - Category 2 – Hot Food: Sausage, Cheesesteak - \$952.00

2. The Bid for Summerfest Food Vendors is hereby awarded to John & Debbie 'O's, 69 Oak Glen Road, Toms River, NJ 08753 for the following categories:
 - Category 3 – Grilled / Fried Items - \$1,302.00
 - Category 5 – Ice Cream - \$901.00
 - Category 6 – Italian Ice – \$802.00
 - Category 7 – Funnel Cakes - \$902.00

3. That the Office of Purchasing and Contracting is hereby authorized to advertise for the receipt of bids for the two (2) remaining categories.

4. That a copy of this resolution shall be forwarded to the all bidders, the Business Administrator, Chief Financial Officer, Director of Recreation and the Purchasing Agent.

5. 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.

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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-5	1/12/16
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 the **Purchase and Delivery of Janitorial Supplies** on December 29, 2015; and

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

WHEREAS, the Directory of Public Works has recommended the award of said bid to the lowest responsive and responsible bidders on and item per item basis, and

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

1. The bid for the Purchase and Delivery of Janitorial Supplies is hereby awarded to the following contractors in accordance with the attached schedule of prices:
 - Central Poly Corp., 2400 Bedle Place, Linden, NJ 07036
 - General Linen, 2104 Bridge Ave., Point Pleasant, NJ 08742
 - Interboro Packaging Corporation, 114 Braken Rd, Montgomery, NY 12549
 - United Sales USA Corp., 185 30th Street, Brooklyn, NY 11232
2. That this contract shall be for two (2) years beginning February 4, 2016 and ending on February 3, 2018 with prices remaining firm fixed through the duration of the contract.
3. That this contract shall not exceed \$45,000.00 per year with funds to be certified prior to each order.
4. That a copy of this resolution shall be forwarded to the successful bidders, Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.
5. 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.

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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-6	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for the ATM Vendor on December 29, 2015; and

WHEREAS, no bids were received at the indicated time and place; and

WHEREAS, the Business Administrator recommends that the Township Council authorize the Division of Purchasing and Contracting to re-bid said service.

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the re-bid of the ATM Vendor.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette 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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for the Beer & Wine Concession on December 29, 2015; and

WHEREAS, no bids were received at the indicated time and place; and

WHEREAS, the Business Administrator recommends that the Township Council authorize the Division of Purchasing and Contracting to re-bid said service.

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the re-bid of the Beer & Wine Concession.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette 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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for the Bricktoberfest Amusement Concession on December 29, 2015; and

WHEREAS, no bids were received at the indicated time and place; and

WHEREAS, the Business Administrator recommends that the Township Council authorize the Division of Purchasing and Contracting to re-bid said service.

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for the re-bid of the Bricktoberfest Amusement Concession.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette 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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, N.J.S.A. 19:44a-20.5 et. seq. provides for the procedure for the soliciting proposals through a "fair and open process"; and

WHEREAS, the Township of Brick has solicited proposals for Professional Services for Grantsman Services through a "fair and open" process on December 3, 2015; and

WHEREAS, the proposals have been reviewed by the Business Administrator; and

WHEREAS, the Governing Body has decided to abandon this project for provision or performance of the goods and services and hereby recommends the rejection of all proposals in their entirety pursuant to N.J.S.A. 40A:11-13.2(c).

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 all proposals for Professional Services for Grantsman Services are hereby rejected in their entirety pursuant to N.J.S.A. 40A:11-13.2(c).
2. That the Township Clerk shall further forward a certified copy of this resolution to all bidders, Business Administrator, Professional Planner, Chief Financial Officer 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 January 12, 2016.

IN WITNESS WHEREOF, I hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

Change Order Resolution No. 1 - Final

WHEREAS, on September 27, 2013 the Township of Brick solicited bids for the **Brick Beach I – Parking Lot Improvements**; and

WHEREAS, on October 8, 2013; the Governing Body awarded a contract to the lowest responsive responsible bidder, that being **Johnson Baran Corp., P.O. Box 842, Forked River, NJ 08731 in the amount of \$231,333.70**, Capital Ordinance #9-13; and

WHEREAS, soon after the award, Johnson Baran was informed that the NJDEP Bureau of Coastal Engineering would utilize the Brick Beach I Parking Lot as a staging area for the construction of a steel sheet pile revetment due to the Superstorm Sandy Event; and

WHEREAS, the Township placed the Brick Beach I Parking Lot Improvements Project contract on hold until the completion of the steel sheet pile revetment project; and

WHEREAS, the steel sheet pile revetment project was not completed until the June of 2015, just prior to the 2015 summer season; and

WHEREAS, the Township had requested Johnson Baran to investigate whether they could perform the work for the 2013 bid prices; and

WHEREAS, the cost of construction materials and prevailing wage rates have increased such that the Contractor can no longer execute the contract for the prices provided in the 2013 bid; and

WHEREAS, in accordance with the Local Public Contracts Law, the Contractor is not required to hold their prices for a longer duration than the specified contract time of completion; and

WHEREAS, the Township is requesting authorization to close this contract and rebid this project; and

WHEREAS, Johnson Baran has informed the Township they will not be able to perform the project under the current contract and has requested reimbursement for the Performance and Payment Bond expense in the amount of \$4,470.00; and

WHEREAS, in accordance with N.J.S.A. 5:30 14.4, the Business Administrator has recommended that Change Order No. 1 - Final be authorized and that the contract issued to **Johnson Baran Corp.** be decreased by \$226,863.70 and the contract be commensurately decreased from \$231,333.70 to \$4,470.00.

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 Change Order No. 1- Final is hereby authorized as stated above.
2. That a certified copy of this resolution shall be forwarded to Johnson Baran Corp., CME Associates, Business Administrator, Chief Financial Officer, 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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

Agenda #	Date
4-11	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

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 project:

REBID - BRICK BEACH I PARKING LOT IMPROVEMENTS

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

1. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the Consulting Engineer for the project, CME Associates, 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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

Change Order Resolution No. 1 - Final

WHEREAS, it has come to the attention of the governing body of the Township of Brick that a Change Order representing as built quantity adjustment is needed to successfully complete the **Stormwater Basin Improvement - Former Landfill, Ordinance #7-12**; and

WHEREAS, in accordance with N.J.S.A. 5:30 14.4, the Business Administrator has recommended that Change Order No. 1 - Final be authorized and that the contract issued to **Earle Asphalt Co.** be decreased by \$10,920.00 and the contract be commensurately decreased from \$241,213.13 to \$230,293.13.

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 Change Order No. 1- Final is hereby authorized as stated above.
2. That a certified copy of this resolution shall be forwarded to Earle Asphalt Co., Business Administrator, Matrix New World, Township Engineer, 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 12th day of January, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A.IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-13	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CONSENT ORDER TO SETTLE A CONDEMNATION ACTION AND TO AUTHORIZE A REVISED DECLARATION OF TAKING FOR PROPERTY KNOWN AS P/O LOT 1, BLOCK 383.40, OWNED BY TRI-MURTI ASSOCIATES

WHEREAS, the Township commenced a condemnation action in 2012, designated as Brick Township v. Tri-Murti Associates, Docket No. OCN-L-1576-12 (the "Condemnation Action"), pertaining to the taking of a temporary construction easement and a permanent easement of property known as P/O Lot 1, Block 383.40, owned by Tri-Murti Associates, for the purpose of completing renovations to the Lower Lake Riviera Dam; and

WHEREAS, the Township deposited the sum of \$30,150 into court at the time of the taking, as a good faith estimate of the value of the property being taken by condemnation; and

WHEREAS, the owner of the property contested the value of the land being taken and the amount of land subject to the taking; and

WHEREAS, the Township has agreed to accept a permanent easement on a larger portion of land as part of a negotiated settlement of the Condemnation Action; and

WHEREAS, the amended amount of land subject to the permanent easement being granted to the Township under the terms of the settlement is now valued at \$90,000, which is described in an Amended Declaration of Taking, to be recorded as part of the settlement of the Condemnation Action; and

WHEREAS, the Township's Appraiser and the Township Attorney have reviewed the terms of the settlement and recommend the terms to the Mayor and Township Council as a reasonable settlement of the Condemnation Action; and

WHEREAS, the Township Council desires to authorize the settlement upon the terms set forth in the attached Consent Order and Amended Declaration of Taking, and to authorize the payment of the sum of \$59,850.00, representing the balance due for the additional land subject to the taking;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Township Attorney is authorized to execute the Consent Order on behalf of the Township, and to submit the Consent Order for consideration of the Court, to fully and finally settle the Condemnation Action designated as Brick Township v. Tri-Murti Associates, Docket No. OCN-L-1576-12, which provides for the payment of \$59,850.00 to the property owner for the additional land subject to the taking, as set forth in the Amended Declaration of Taking.
2. That the Mayor is hereby authorized to execute and the Clerk to attest to the Amended Declaration of Taking, and its recording with the Office of the County Clerk, which increases the size of the property subject to the taking of the permanent easement by the Township.
3. That a copy of said Consent Order and the Amended Declaration of Taking shall be kept on file and made available for public inspection at the Office of the Township Clerk during normal business hours.
4. That the Township Clerk shall forward a certified copy of this resolution to Tri-Murti Associates.

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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township this 12th day of January, 2016.

Agenda #	Date
4-14	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, River Rock Sports Bar & Grille, Corp. 1600 Route 70 W, Brick, New Jersey 08724 had posted a cash performance bond in the amount of \$23,512.99 to guarantee certain site improvements to Block 1322, Lot 1 (BA-2878) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated December 30, 2015 has advised that all 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 \$23,512.99 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 \$23,512.99 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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Township Clerk by letter dated December 31, 2015 that there is \$1,754.21 remaining in the engineering inspection fund from James Kathenes/Drum Point Marina, 501 Havens Cove Road, Brick NJ 08723 for Block 194.21 Lot 13 (BA-1567) 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 \$1,754.21 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 \$1,754.21 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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Township Clerk by letter dated December 31, 2015 that there is \$986.22 remaining in the engineering inspection fund from James Kathenes/Drum Point Marina, 501 Havens Cove Road, Brick NJ 08723 for Block 257 Lots 1-14 (BA-1875) 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 \$986.22 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 \$986.22 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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Township Clerk by letter dated December 31, 2015 that there is \$747.18 remaining in the engineering inspection fund from J. Linn/Drum Point Marina, 500 Drum Point Road, Brick NJ 08723 for Block 257 Lots 1-14 (BA-1875) 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 \$747.18 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 \$747.18 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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Township Clerk by letter dated December 30, 2015 that there is \$48.19 remaining in the engineering inspection fund from George Westlund, 280 Cheryl Lane, Brick, NJ 08723 for Block 340 Lots 54.01, 54.02 & 55 (PB-2681) 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 \$48.19 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 \$48.19 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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-15e	1/12/16
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 100% DAV has been granted on Block 170, Lot 23, Account # 102717, 400 Adamston Rd. as of November 25, 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 Tax Collector be authorized to cancel taxes from November 25, 2015 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
170/23/102717 400 Adamston Rd.	Nicholas Lorris	\$ 482.32

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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 12th day of January, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
4-16a	1/12/16
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 100% DAV has been granted on Block 177, Lot 3.01, Account # 102767, 503 Mantoloking Rd. as of October 20, 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 Tax Collector be authorized to cancel taxes from October 20, 2015 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
177/3.01/102767 503 Mantoloking Rd.	John Procini	\$ 692.18

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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 12th day of January, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
4-166	1/12/16
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 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>
870.05/75/417301 11 Beaver Hollow Dr.	Finamore, Christine	\$ 250.00
903.21/11/517073 501 Midstreams Rd.	Pichirallo, Jessie G.	\$ 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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	1/Date
4-16C	1/12/16
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>
1399.24/91/726480 512 Nebraska Ave.	Moscato, Maria	\$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 January 12, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of January, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

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

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING SECTION 245-296M.(1)(d) OF THE CODE OF THE TOWNSHIP OF BRICK

WHEREAS, by Ordinance Number 36-14, the Township Council of the Township of Brick amended Chapter 245 of the Codified Ordinance of the Township of Brick to permit a temporary encampment as an accessory use to a place of assembly until December 31, 2015; and

WHEREAS, Ordinance Number 36-14 is Codified in Chapter 245-296 of the Township Code; and

WHEREAS, The Township Council wishes to extend the duration of Chapter 245-296M.(1)(d) to permit a temporary encampment as an accessory use to a place of assembly until December 31, 2016;

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

Section 245-296M.(1)(d) of the Code of the Township of Brick is hereby amended to read as follows:

M.(1)(d). Termination date. The validity of a temporary encampment accessory use to a place of assembly shall expire on December 31, 2016.

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 12th day of January, 2016, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 9th day of February, 2016 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

Agenda #	Date
5-1	1/12/16
Agenda #	Date
Agenda #	Date
Agenda #	Date