

**Brick Township Council
November 14, 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 January 8, 2016. 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 Reports of Municipal Officers.
 - d. Approve Minutes of October 18th and November 1, 2016 Meetings.
 - e. Presentations:
 1. Police Swearing In.
 2. Students of the Month.

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 – State Body Armor Replacement Fund Program.
 - ___3. Authorize Acceptance of Emergency Management Performance Grant.
 - ___4. Authorize Award of Proposal – Fair & Open Process – Property & Casualty Insurance Coverage & Services Program.
 - ___5. Authorize Award of Contract – Five 8 Cubic Yard Front Load Containers and Ten 40 Cubic Yard Roll Off Containers through NJPA National Cooperative.
 - ___6. Authorize Special Events Permit – Harbor Freight Tent Sale.
 - ___7. Authorize Placement of Tax Liens for Property Clean-ups.
 - ___8. Support S-1674 and A-3817 Bill That Would Offer South Jersey Dedicated Seats on Turnpike Authority.
 - ___9. Bond Releases/Reductions:
 - a. Inspection Fund Release – Robert Dahl – Community Drive.
 - b. Performance Bond Release – 545 Brick Blvd., LLC – Brick Boulevard.

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

 - ___10. Bill Resolution – Computer 2016.
 - ___11. Bill Resolution – Manual 2016.

5. Ordinances on First Reading:

- ___1. Amend Chapter 145 - Construction Codes Fees.
- ___2. Amend Chapter 191 – Fire Prevention Fees.
- ___3. Amend Chapter 250 – Engineering and Zoning Fees.

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, December 6, 2016 at 7:00 p.m.**

RESOLUTION

WHEREAS, a review of the disbursements and commitments against the 2016 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 2016 Budget appropriations be and the same are hereby authorized:

GENERAL APPROPRIATIONS WITHIN/OUTSIDE CAP

**Transferred To:
Salary and Wages**

Engineering	\$	45,000.00
<i>Subtotal</i>	<u>\$</u>	<u>45,000.00</u>

**Transferred To:
Other Expenses**

Public Employees Retirement System	\$	8,443.61
Legal	\$	25,000.00
Vehicle Maintenance	\$	50,000.00
Health Benefits	\$	300,000.00
<i>Subtotal</i>	<u>\$</u>	<u>383,443.61</u>

Total Transferred To \$ 428,443.61

**Transferred From:
Salary and Wages**

Finance	\$	10,000.00
Police	\$	35,000.00
<i>Subtotal</i>	<u>\$</u>	<u>45,000.00</u>

**Transferred From:
Other Expenses**

Buildings & Grounds	\$	8,443.61
Landfill	\$	375,000.00
<i>Subtotal</i>	<u>\$</u>	<u>383,443.61</u>

Total Transferred From \$ 428,443.61

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CERTIFICATION

I, Lynnette A, Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November 2016.

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 2016 in the amount of \$11,246.61 which is now available from the New Jersey Division of Criminal Justice – State Body Armor Replacement Fund Program Grant – 2016.

BE IT FURTHER RESOLVED, that the like sum of \$11,246.61 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – State Body Armor Replacement Fund Program Grant - 2016.

BE IT FURTHER RESOLVED, that the above is the result of funds received from the New Jersey Division of Criminal Justice – State Body Armor Replacement Fund Program Grant in the amount of \$11,246.61.

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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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RESOLUTION

AUTHORIZATION FOR THE TOWNSHIP COUNCIL TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2016 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING (EMAA) AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS.

WHEREAS, the Township of Brick, Office of Emergency Management has been awarded Emergency Management Agency Assistance Sub Grant Award FY16-EMPG-EMAA-1506 from the New Jersey State Police Office of Emergency Management. The Sub Grant, consisting of a total amount of \$18,800.00, including \$9,400.00 Federal Award and \$9,400.00 Local Matching Funds, is for the purpose of enhancing Brick Townships ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Brick Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Sub grant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Sub Grant Award calls for a match in the amount of \$9,400.00 which the Brick Township Office of Emergency Management adequately satisfies through the 2016 Township of Brick approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of The Township of Brick will apply and accepts the award of the FFY16 Emergency Management Performance Grant Program Sub Grant in the amount of \$9,400.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$9,400.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$9,400.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$9,400.00 is hereby appropriated under the caption FFY16 Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that the Brick Township Administrator, the Chief Fiscal Officer and the Township Director of Emergency Management are authorized to sign the appropriate sub grant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; the Brick Township Administrator; the Brick Township Chief Financial Officer; the Ocean County Division of Emergency Management and Office of the Treasury.

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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda # 4-3	Date 11/14/16
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RESOLUTION

WHEREAS, N.J.S.A. 19:44A-20.4 et. seq. provides the procedure for soliciting proposals through a "fair and open process"; and

WHEREAS, there is a need to retain a professional for Property and Casualty Insurance Coverage and Services Program; and

WHEREAS, the Township of Brick has solicited proposals for said services through a "fair and open process"; and

WHEREAS, the Business Administrator has reviewed the proposal and is satisfied with the qualifications and experience of the firm which is the subject of such an award; and

WHEREAS, the Business Administrator has recommended award to Conner Strong & Buckelew Companies, LLC, 231 Main Street, P.O. Box 2017, Toms River, NJ 08754 to be retained for the purpose of providing the required services.

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

1. That the Mayor is authorized to execute and the Township Clerk to attest to the agreement with Conner Strong & Buckelew Companies, LLC., 231 Main Street, P.O. Box 2017, Toms River, NJ 08754 in the amount of \$1,891,944.00 (Option #1).
2. That this contract is being awarded pursuant to a "fair and open process".
3. That this contract is being awarded as a Professional Service Contract in accordance with the provisions of N.J.S.A. 40A:11-5 (m) and in accordance with the requirements of 5:34-2.1 as an Extraordinary Unspecifiable Service.
4. That pursuant to 40A:11-15 (6), this contract is awarded for a period of not more than three (3) years commencing on January 1, 2017 pending successful completion of the previous year contract.
5. That no later than September 15th of each year Conner Strong & Buckelew Companies submits a Property & Casualty Insurance Coverage rate quote for each consecutive year.
6. That such agreement shall be available for public examination in the Office of the Township Clerk during normal business hours.
7. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
8. That funding for this service is contingent upon an adequate appropriation in the 2017 Liability and Workmen's Compensation Budgets and adequate appropriation in subsequent year's budget.
9. 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.
10. That a certified copy of this resolution shall be provided to Conner Strong & Buckelew Companies, Business Administrator, Chief Financial Officer, Risk Manager 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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
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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 July 23, 2013 the Governing Body authorized the Township to enter into an agreement with the National Joint Powers Alliance, hereinafter referred to as NJPA, 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 ten (10) 8 Cubic Yard Front Load Containers and five (5) 40 Cubic Yard Roll Off Containers through the NJPA; and

WHEREAS, the NJPA awarded a contract to Wastequip, LLC, 841 Meacham Road, Statesville, NC 28677 under Contract #060612-WQI for Solid Waste and Recycling Collection Equipment with Related Equipment, Accessories and Supplies.

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 ten (10) 8 Cubic Yard Front Load Containers and five (5) 40 Cubic Yard Roll Off Containers available through the NJPA National Cooperative in the total amount of \$37,215.00.
2. That the NJPA has awarded a contract to Wastequip, LLC, 841 Meacham Road, Statesville, NC 28677 under Contract #060612-WQI for Solid Waste and Recycling Collection Equipment with Related Equipment, Accessories and Supplies
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 Wastequip, LLC, 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 14th day of November, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
45	11/14/16
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RESOLUTION

WHEREAS, Harbor Freight Tools has applied for a special event permit to conduct a Tent Sale on November 25-27, 2016 in accordance with Chapter 393 of the Code of the Township of Brick; and

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

WHEREAS, the Mayor and Council desire to approve Harbor Freight Tools request for special event application to conduct a Tent Sale at 2770 Hooper Avenue on November 25-27, 2016 with the conditions and restrictions detailed below.

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

SECTION 1. That Harbor Freight Tools request for special event application to conduct a Tent Sale on November 25-27, 2016 between the hours of 8:00 am and 9:00 pm, at 2770 Hooper Avenue with the conditions and restrictions as follows:

1. All fire lanes and fire access and areas and store exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
2. A tent permit must be obtained from the Brick Township Bureau of Fire Safety.
3. Any generator or extension of temporary wiring to be permitted and approved by the building department prior to use.
4. Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
5. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police, the Township Planner and Harbor Freight Tools.

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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-6	11/14/16
Agenda #	Date
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RESOLUTION

RESOLUTION OF 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

**31 Lagoon Drive East – Block 97 / Lot 108 - \$453.77
30 Halsey Drive – Block 253.15 / Lot 11 - \$567.21
186 Drum Point Road – Block 555 / Lot 9 - \$954.74**

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

**31 Lagoon Drive East – Block 97 / Lot 108 - \$453.77
30 Halsey Drive – Block 253.15 / Lot 11 - \$567.21
186 Drum Point Road – Block 555 / Lot 9 - \$954.74**

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

**31 Lagoon Drive East – Block 97 / Lot 108- \$453.77
30 Halsey Drive – Block 253.15 / Lot 11 - \$567.21
186 Drum Point Road – Block 555 / Lot 9 - \$954.74**

- 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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	11/14/16
Agenda #	Date
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RESOLUTION

WHEREAS, Senator Jeff Van Drew and Senator Christopher J. Connors have introduced New Jersey Senate Bill S-1674; and

WHEREAS, S-1674 and its accompanying Assembly Bill A-3817 would provide South Jersey with a guaranteed seat on the New Jersey Turnpike Authority (NJTPA) by requiring that at least one of the seven appointed members of the agency that oversees the Garden State Parkway be from Ocean, Atlantic or Cape May Counties; and

WHEREAS, this bill would provide South Jersey counties a stronger voice and an equitable share of resources on the NJTPA; and

WHEREAS, the bill would also require representation on the NJTPA by at least one resident of Burlington County, Camden County, Gloucester County, or Salem County; at least one resident of Mercer County, Middlesex County, or Monmouth County; and at least one resident of Bergen County, Essex County, Hudson County, Union County, or Passaic County; and

WHEREAS, S-1674 has been unanimously approved by the Senate Transportation Committee; and

WHEREAS, the Township Council urges the New Jersey Legislature to adopt the provisions of Senate Bill S-1674 and Assembly Bill A-3817.

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

1. The Township Council of the Township of Brick hereby supports the adoption of Senate Bill S-1674 introduced by Senator Jeff Van Drew and Senator Christopher J. Connors.
2. That the Municipal Clerk send copies of this resolution to Senator Jeff Van Drew, Senator Christopher J. Connors, Senate President Stephen M. Sweeney, Assembly Speaker Vincent Prieto and Governor Chris Christie

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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8	11/14/16
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RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Township Clerk by letter dated October 27, 2016 that there is \$146.80 remaining in the engineering inspection fund from Robert Dahl, 6 Melanie Way, Manahawkin, NJ 08050 for Block 581 Lot 20, Community Drive 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 \$146.80 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 \$146.80 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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
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RESOLUTION

WHEREAS, 545 Brick Boulevard, LLC, 399 Monmouth Street, East Windsor, NJ 08520 posted Westchester Fire Insurance Co. Bond #K09003010 in the amount of \$563,820.94 and a cash performance bond in the amount of \$62,646.78 to guarantee certain site improvements to Fortunoff's Furniture, 545 Brick Boulevard, Block 547 Lot 1 (PB-2745) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated October 27, 2016 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Township Engineer recommends that the Westchester Fire Insurance Co. Bond #K09003010 in the amount of \$563,820.94 and a cash performance bond in the amount of \$62,646.78 (plus interest of applicable) be returned to the applicant; and

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

1. That Westchester Fire Insurance Co. Bond #K09003010 in the amount of \$563,820.94 and a cash performance bond in the amount of \$62,646.78 (plus interest if applicable) be returned 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 November 14, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 14th day of November, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-96	11/14/16
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ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING CHAPTER §145-1 THROUGH §145-3.1 OF THE TOWNSHIP CODE CAPTIONED "CONSTRUCTION CODES, UNIFORM"

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that Chapter §145-1 through §145-3.1 of the Codified Ordinances of the Township of Brick is amended to read as follows:

Chapter 145 CONSTRUCTION CODES, UNIFORM

§145-1. Enforcing agency; subcode officials; office location.

- A. There is hereby established in the Township of Brick a State Uniform Construction Code enforcing agency, consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Fire Protection Subcode Officials, Electrical Subcode Officials, Mechanical Subcode, and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the Chief administrator of the enforcing agency.
- B. Each official position created in Subsection A. hereof shall be filled by a person qualified for such position pursuant to P.L. 1975, c. 217 (N.J.S.A. 52:27 D-119 et seq.), as amended, and N.J.A.C. 5:23, provided that, in lieu of any particular subcode official, an on-site inspection agency may be retained by contract, pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person, provided that such person is qualified pursuant to P.L. 1975, c.217, and N.J.A.C 5:23 to hold each such position.
- C. Each official position created in Subsection A hereof shall be filled by a person qualified for such position pursuant to P.L. 1975, c. 217 (N.J.S.A. 52:27 D-119 et seq.), as amended, and N.J.A.C. 5:23, provided that, in lieu of any particular subcode official, an on-site inspection agency may be retained by contract, pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person, provided that such person is qualified pursuant to P.L. 1975, c.217, and N.J.A.C 5:23 to hold each such position.
- D. The public shall have the right to do business with the enforcing agency at one office location except for emergencies and unforeseen or unavoidable circumstances.

§145-2. Submission of plot plan required.

Neither the Construction Official nor any building subcode official shall accept or approve any foundation for any structure unless the person, firm or corporation applying for such acceptance or approval shall have submitted a plot plan showing the location of such foundation in relation to the side lines and front and rear property lines of the lot upon which such foundation has been constructed and showing the elevation of the top of any such foundation in relation to mean sea level datum or other datum acceptable to the Township Engineer and until such plot plan has been certified by the Township Engineer as conforming to the survey information submitted in connection with the application for a construction permit.

§ 145-3. Fee provisions

- A. The fees for construction permits including but not limited to, subcode, plan review, demolition, building removal, sign permits, certificate of occupancy, certificate of continued occupancy, elevator permits and inspections, commercial fuel storage tank installation, and surcharge fees shall be as shown on the Schedule of Fees which is adopted as part of this section and for which Schedule of Fees 10 copies have been placed on file in the office of the Municipal Clerk and in the office of the Construction Code Official, whose department is charged with enforcement of this section so that such copies may be examined by the public as long as this section is in effect.

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- B. All fees collected pursuant to this chapter shall be remitted quarterly to the Township Treasurer by no later than the last day of the last month of each quarter commencing with the quarter ending on March 31.
- C. The Township Council may by resolution waive the payment of any fees provided for in this chapter. Where an application is brought for any permit provided for in the chapter for property owned by the Brick Township Board of Education, the Brick Township Municipal Utilities Authority, the Brick Township Housing Authority, the Brick Township Joint Board of Fire Commissioners or any other local public entity in the Township of Brick or any agent for any of these public entities. The Brick Township Board of Education shall be exempt for the payment of any fee provided for by this chapter except as provided for in §145-3D.
- D. Where local construction code plan review and release is requested by the school district pursuant to P.L. 1990, c.23 a plan review fee shall be charged at a rate equivalent to the plan review fee for an application submitted by a non-public entity as authorized by NJAC 5:23-3.11A(b)2.

§145-3.1. Schedule of Fees.

The following fee schedule is hereby adopted and establishes for the following construction and subcode fees.

- A. **Sum of fees:** The fee for a construction permit shall be the sum of certificate fees and subcode fees listed in this section and shall be paid before a permit is issued. All fees charged pursuant to this chapter shall be rounded in accordance with standard mathematical practices (i.e., \$105.44 becomes \$105 and \$198.67 becomes \$199).
- B. **Estimated Cost Required:** All applications for a permit shall include an estimated cost of construction. For the purpose of determining the estimated cost of construction the applicant shall submit to the Construction Official such cost data as may be available and produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractors bid, or contract if available, shall be submitted. The Construction Official and or his designee shall make the final decision regarding the estimated cost.
 - 1. When the proposed construction includes a combination of more than one of the following types of work: new construction including additions, pre-manufactured construction, repair, alteration, or renovation the estimated cost of construction shall identify the cost of each type of work.
 - 2. The cost data shall indicate the cost for work regulated by each subcode. A separate cost shall be provided for building subcode, plumbing subcode, fire subcode, electrical subcode, Mechanical Subcode and elevator Subcode, or in any other manner required by the Construction Official.
 - 3. For applications subject to Barrier Free requirements an additional cost estimate shall be provided indicating the cost of any work in the primary function space of the structure, and the percentage of that cost that provides improvements to the Barrier Free access to the structure.

C. Certificate fees

- 1. **Certificates of Occupancy:** Certificate of Occupancy fees shall be the following:
 - a. For New Construction and additions
 - I The fee for all use groups except multi-tenant occupancies shall be 10% of the permit fee
 - II The fee for multi-tenant buildings shall be \$200 for the common areas and \$150 per tenant space
 - b. For a Certificate of Occupancy as a result of a change of use the Certificate fee shall be \$150
 - c. The fee to extend a temporary Certificate of Occupancy is \$30, however no fee shall be charged for a temporary Certificate that is issued based on prior approvals.
 - d. A Certificate Occupancy to reoccupy a structure following asbestos hazard abatement shall be charged as an administrative fee as in subsection L below.

2. **A Certificate of Continued Occupancy** fee shall be a flat fee for all required subcodes. The fee shall be determined by use at the following rate:
 - a. The fee for a certificate of continued occupancy for a R-3, R-4 or R-5 use shall be \$125
 - b. The fee for a certificate of continued occupancy for all other use groups shall be \$150
 3. **Certificate of Clearance for Lead Abatement:** The fee for lead hazard abatement work shall be \$100 plus a certificate fee of \$35.
 4. **Certificate of Approval or Certificate of Compliance:** There shall be no additional fee for a Certificate of Compliance or Certificate of Approval other than any associated subcode permit fee, or subcode fee for elevator inspections, pool bonding inspections, backflow/cross connection test or other ongoing inspections.
- D. Garbage Can Purchase Required :** Prior to issuing of a Certificate of Occupancy for a new residence the owner of the property or the permit applicant must provide evidence that the appropriate automated garbage can and automated recycling can has been purchased in a size and at a cost determined by the Public Works Director. If a previous dwelling existed on the lot, and the previous dwellings automated garbage and recycling cans remain, no additional automated can purchases will be required.
- E. Plan review fees:** The fee for a plan review shall be 25% of the amount to be charged for the construction permit. At the discretion of the Construction Official, the fee shall be paid before the plans are reviewed, or at the time the permit is issued. The amount paid for the plan review shall be credited toward the amount of the fee to be charged for the construction permit. For Prototype Plans the fees shall be reduced as follows:
1. For State-wide prototype plans review conducted by the State, the permit fee will be reduced by 15%.
 2. For Township-reviewed prototype plans the fee will be reduced by 25%, unless the foundation system is not included as part of the prototype application. If a township reviewed prototype plan does not include foundation systems the plan review fee will be reduced by 15%.
 3. Where local construction code plan review and release is requested by the school district pursuant to P.L. 1990, c.23 a plan review fee shall be charged at a rate equivalent to the plan review fee for an application submitted by a non-public entity indicated in §145-3.1 E above, as authorized by NJAC 5:23-3.11A(b)2.
 4. For additional plan review required due to changes to the plan after a permit has been issued an additional plan review fee will be charged based on an hourly rate.
 - a. For R-3, R-4, and R-5 Uses the Fee shall be \$75 per hour.
 - b. For all other Uses the fee shall be \$80 per hour.
 5. Elevator Plan Review fees shall be shall be charged based on §145.3.1(R) below.
- F. Demolition Permit:** A demolition permit shall be issued for the removal of principle structures, accessory structures such as sheds, detached garages, pools, or similar structures, or the removal or abandonment in place of flammable or combustible liquid storage tanks, septic tanks or similar structures. The fee for a demolition permit shall be:
1. For R-3, R-4, or R-5 structures the fees shall be
 - I For principal structures: \$200
 - b. For accessory structures other than septic tanks or oil tanks the fee shall be \$125
 - c. For onsite abandonment or removal of an oil tank the fee shall be \$150
 - d. For the abandonment of a Septic Tank the fee shall be \$150
 2. For all other uses the fees shall be:
 - a. For principal structures the fees shall be \$250
 - b. For accessory structures other than septic tanks and oil tanks the fee shall be \$200
 - c. For onsite abandonment or removal of an oil tank the fee shall be \$250
 - d. For the abandonment of a Septic Tank the fee shall be \$150
- G. Expired Permits:** The Construction Official shall review requests for renewal of permits that have become invalid per N.J.A.C. 5:23-2.16 (b). If in the opinion of the Construction Official, with the advice of the appropriate subcode officials, no specific hazards exist that would prevent the reactivating of the permit, the permit may be reactivated for a fee of \$125 per subcode.

- H. **Sign Permit.** Fees for the installation of a sign shall be a flat fee per sign installed plus fees associated with the electrical subcode. The fee shall be:
1. For pylon or other type of signs not connected to a principle structure \$200 each
 2. For signs attached to a principle structure \$100
- I. **Annual Permit:** The fee for an annual permit shall be \$150. Prior to the issuance of an annual permit, a training registration fee, and a list of not more than three individuals to be trained per subcode shall be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Education Unit along with a copy of the construction permit (form F170). Checks shall be payable to "Treasurer, State of New Jersey." The Department of Community Affairs shall register these individuals and notify them of the courses being offered.
- J. **Development-wide Inspection of Homes:** The fee for development-wide inspection of homes after issuance of a certificate of occupancy ordered pursuant to N.J.A.C. 5:23-2.35 shall be an amount equal to twice the hourly base salary paid to any licensed code official performing the work or the hourly fees charged to the municipality by a professional contracted to provide such services pursuant to N.J.A.C. 5:23-2.35 subject to the limitations and accounting procedures established in N. J. A. C. 5:23-4 (d). Such charges or fees shall be only those that are reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation.
1. The municipality shall place in escrow all monies paid by the developer for this purpose. The escrow shall be held in any account maintained by the municipality in the same manner as that established for the deposit of escrow funds paid for professional review services, inspection fees and performance and maintenance guarantees as provided for at N.J.S.A. 40:55D-53.1.
 2. The developer shall post an initial deposit in the amount of \$ 200.00 per home or an amount determined by the municipality to be necessary to cover the estimated cost of two months' inspection activity, whichever is greater. At monthly intervals, the developer shall increase the amount in the escrow fund so that it shall be sufficient to pay the cost of the next two months' inspection activity or the cost of completing the inspections, whichever is less.
 3. Standards for hourly charges for development-wide inspection of homes after issuance of a certificate of occupancy shall be as follows:
 - a. Hourly charges shall be limited only to municipal or consulting professional charges for inspections, review of plans and supporting documents and preparation of reports and documents and shall accurately reflect the hours engaged in these activities.
 - b. The only costs that shall be added to any such charges shall be actual out-of-pocket expenses of any consulting professional engineer or registered architect hired for this purpose including normal and typical expenses incurred in performing inspections and reviewing plans and supporting documents for the required corrective work.
 - c. The developer shall not be billed and no charge shall be made to any escrow account or deposit for any municipal clerical or administrative functions, overhead expenses, meeting room charges, or any other municipal costs and expenses except as provided for in this subsection, nor shall a municipal enforcing agency professional add any such charges to his expenses.
 - d. Where licensed municipal code officials perform these inspections, the fee shall be 200 percent of the hourly base salary of the inspector(s) multiplied by the number of hours spent on inspections and review of plans and supporting documents for any necessary corrective work.
 - e. Payments shall be charged to the escrow, and shall be made by the Chief Financial Officer of the municipality, and a final accounting shall be provided, in accordance with the procedure set forth in paragraphs c and d of N.J.S.A. 40:55D-53.2. Payments shall be made from any such escrow by the Chief Financial Officer only upon approval by the Construction Official.
 - f. Appeals of any charges levied by the municipality pursuant to this subsection shall be made to the construction board of appeals, in accordance with the procedures set forth in N.J.S.A. 40:55D-53.2a and N.J.A.C. 5:23A.
- K. **Surcharge fee:** In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations thereunder, the

Construction Official shall collect, in addition to fees specified in this schedule of fees, a surcharge fee in accordance with the provisions of N.J.A.C. 5:23-4.19 as may be amended. Said surcharge shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31, and June 30 and not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the code regulations first become effective, said fees shall be collected and remitted for the third and fourth quarters only.

1. The enforcing agency shall report annually to the Bureau of Housing Inspection, at the end of the State's fiscal year, and not later than July 31, the total amount of the surcharge fees collected in the fiscal year. In the fiscal year in which the code regulations first became effective, said report shall be for the third and fourth quarters only.

L. Asbestos Fees: Asbestos fees pertain only to educational facilities and public buildings as defined in N.J.A.C. 5:23-8.2. The fee for a permit for a asbestos hazard abatement project shall include:

1. An administrative fee of \$106 for each construction permit issued for an asbestos hazard abatement project.

2. An administrative fee of \$21 for each certificate of occupancy issued following the completion of the asbestos hazard abatement project.

M. Application for a Variation: The fee for an application for a variation in accordance with N.J.A.C 5:23-2.10 is non-refundable, paid at the time of the application. The fee shall be:

1. For R-5 use: \$75

2. For all other uses:

a. Class 1 structures: \$200

b. Class 2 structures: \$150

c. Class 3 structures: \$100

3. The fee to resubmit an application for a variation shall be \$100 for all uses.

N. Building Subcode Fees

1. **Minimum Fee Required:** The minimum building Subcode fee is \$150

2. **New Construction:** Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The fee shall be rounded to the nearest dollar.

a. Fee for use groups B,H,I-1,I-2,I-3,M,E,R-1,R-2,R-3,R-4,R-5,U shall be: \$0.050 per cubic foot

b. Fee for use groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-1, S-2 shall be \$0.045 per cubic foot

c. The fee for a commercial farm building shall be \$0.20 per cubic foot

3. **Renovations, alterations repairs:** For reconstruction, renovations, alterations and repairs of existing buildings or equipment, appliances or portions thereof, the fee shall be based on the cost of construction, except for installation or replacement of mechanical equipment in Use R3, R4 or R5 groups which will be based on the mechanical Subcode Fees in section § 145-3.1T below. The cost of the construction shall be determined based on cost data submitted by the applicant in accordance with § **145-3.1B**. The fee shall be cumulative based of the following:

a. For estimated cost of \$1 to \$50,000: the fee shall be \$50 per thousand dollars of cost

b. Plus for estimated cost of \$50,001 to \$100,000: add \$40 per thousand dollars of cost

c. For estimated cost of over \$100,000: add \$35 per thousand dollars of cost

4. **New structures or additions that include portions without a calculable volume,** including but not limited to uncovered decks, or porches will be charged a fee based on cost of construction at the same rate as a renovation.

5. **Industrial/Modular Construction or an existing structure is relocated:** When a pre-manufactured structure is set or an existing structure is relocated on a different lot or in a new location on the same lot, there shall be a flat fee for the setting of the structure on the foundation system of \$250. In addition, any site installed systems or equipment, including but not limited to foundations, decks, porches or A/C platforms shall be charged as an alteration.

6. **Pools:** The fee for the installation of a swimming pool, spas, or hot tub shall be a flat fee. The fee shall be :

- a. For use R-5:
 - I Above ground pools: the fee shall be \$150
 - II In-ground pools: the fee shall be \$250
 - b. For all other uses: the fee for all pools shall be \$300
7. **Roofing:** The fee for reroofing of an existing structure shall be:
- a. For R-3, R-4 or R-5 uses, the fee shall be \$250
 - b. For all other uses the fee will be charged based on cost estimates as an alteration
8. **Siding:** The fee for re-siding of an existing structure shall be:
- a. For R-3, R-4 or R-5 uses, the fee shall be \$250
 - b. For all other uses the fee will be charged based on cost estimates as an alteration
9. **Tents:** For Tents that do not meet the requirements of NJAC 5:23-2.14(b)4(ii)(1) to (5) the fee shall be \$100.
10. **Retaining Walls:** The fee for a retaining wall or a series of retaining walls four feet or greater in height or a retaining wall less than four feet in height that negatively impacts a foundation shall be:
- a. For R-3, R-4, or R-5 Use Group with a Surface area of 550 square feet or less the fee will be a flat fee of \$150
 - b. For R-3, R-4, or R-5 Use Group with a Surface area of greater than 550 square feet shall have a flat fee of \$200.
 - c. All other Uses: The fee shall be based on the cost of construction as an alteration.
- O. **Plumbing subcode fees**
1. **Minimum fee:** The minimum Plumbing subcode fee shall be \$150
 2. **Fixtures and Stacks:** The fee for fixtures, appurtenance, stacks, air admittance valves, backflow prevention devices not equipped with test ports, or appliances connected to the plumbing system except as otherwise listed shall be:
 - a. For use R-3, R-4, or R-5 \$18 dollars per item
 - b. For all other uses the fee shall be \$21 per item
 3. **Piping replacement:** For Piping repairs or replacement of piping (more extensive than between two adjacent joints or other ordinary maintenance) not resulting in additional fixtures, appliances, equipment or special devices the fee shall be \$75.
 4. **Special Devices:** For a special device, including but not limited to grease traps, oil separators, refrigeration units, backflow prevention devices equipped with test ports (double check-valve assemblies, reduced pressure zone and pressure vacuum breaker backflow preventers), coils and associated drains for air conditioning systems, steam boilers and hot water boilers, the fee shall be \$100. For rehabilitation of existing structures of use R-3, R-4, or R-5 no additional plumbing subcode fee shall be charged for items included in the Mechanical Subcode Fees listed in § 145-3.1T below.
 5. **Hot Water Heaters:** The fee for the installation of a hot water heater shall be:
 - a. For new construction in use groups R-3, R-4 and R-5 the fee is \$125 each. Installation or replacement in existing structures shall be charged as indicated in the Mechanical Subcode Fees § 145-3.1T below.
 - b. For All other Uses \$150.
 6. **Public Utilities Connections:** Utilities Connections including public water connection and public sewer connection the fee for each connection shall be:
 - a. For Use Group R-3, R-4 and R-5 \$150 each
 - b. For all other Uses the fee shall be \$200 for each.
 7. **Private Water and Septic Connections:**
 - a. Private Septic Tanks: Structures with a connection to a septic tank system shall be charged a flat fee of \$100 for each connection.
 - b. Private Wells : For connections to a private well or an inspection of a pump on a private well the fee shall be \$100

8. **Gas Piping:** new gas piping systems or alterations of an existing system shall be charged based on the number of outlets on the system, even if those outlets are for future appliances. The fee shall be:
 - a. Medical gas piping: \$25 per outlet.
 - b. All other Gas piping and Oil piping: \$20 per outlet.

9. **Swimming Pool, Spas or Hot Tubs Drains and Vacuum Release Valves:** For the main drains and associated Vacuum Release Valves the fee shall be:
 - a. R-3, R-4 and R-5 uses:
 - I Drain lines \$30 each drain inlet
 - II Vacuum release (when installed): \$60 for each device
 - b. For all other uses:
 - I Drain lines: \$75 for each drain inlet
 - II Vacuum release \$150 per device

10. **Auxiliary Water Meter:** The fee for the installation of an additional meter for outdoor usage and not connected to the sanitary sewer
 - a. Use Group R-3, R-4 and R-5: \$75.
 - b. All other Uses: \$100.

11. **Ongoing Inspections:** for the annual inspection or review of a certification of a cross connection control device performance test a flat fee shall be \$150

P. Electrical Subcode fees

1. For the purposes of computing the electrical subcode fees all fixtures, receptacles, devices, motors except those in plug-in appliances, generators, transformers, heating equipment, cooking equipment, photo voltaic solar systems, or other devices consuming or generating electrical current shall be counted. The fee is based on the unit rate per fixture or per kilowatt, horsepower or ampere rating of the device or equipment.

2. **Minimum fee:** The minimum electrical Subcode fee shall be \$150.

3. **Fixtures/Receptacles Fee:** The fees for fixtures devices or receptacles shall be charge a cumulatively fee based on the blocks of fixtures, devices or receptacles. For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light-standards eight feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than one horsepower (hp) or one kilowatt (kw) except those associated with photo voltaic systems. Photo voltaic systems shall be charged as indicated below.
 - a. For a block of 1 to 50 fixtures, devices or receptacles the fee shall be \$100.
 - b. For each additional block of up to 25 devices, the fee shall be \$40

4. **Motors or Electrical Devices:** Except motors and devices installed for operation of an elevator, each motor or electrical device rated one horsepower or greater or one kilowatt or greater the fee shall be based on the horsepower or kilowatt rating as follows:
 - a. 1 horsepower or kilowatt to 10 horsepower or kilowatt the fee shall be \$25.
 - b. Greater than 10 horsepower or kilowatt to 50 horsepower or kilowatt the fee shall be \$65.
 - c. Greater than 50 horsepower or kilowatt to 100 horsepower or kilowatt, the fee shall be \$200.
 - d. Greater than 100 horsepower or kilowatt to 1000 horsepower or kilowatt, the fee shall be \$300.
 - e. Greater than 1000 horsepower or kilowatt, the fee shall be \$550.
 - f. For motors and devices installed for a residential elevator, the fee shall be \$25.
 - g. For motors and devices installed for a commercial elevator, the fee shall be \$65.

5. **Transformers and Generators:** For transformers and generators, the fee shall be based on the rating in kilowatts as follows:
 - a. 1 Kilowatt to 10 Kilowatts the fee shall be \$25.
 - b. Greater than 10 Kilowatts to 45 Kilowatts the fee shall be \$65.

- c. Greater than 45 Kilowatts to 112.5 Kilowatts the fee shall be \$250
 - d. Greater than 112.5 Kilowatts the fee shall be \$550.
6. **Service Panels, Service Entrances, or Sub Panels:** : For service panels service entrances temporary services or sub-panels other than those used for photo voltaic solar systems, or for an electrical inspector to authorize the reset of a meter to an existing panel the fee shall be based on the ampere ratings listed below. For a temporary services panel the fee shall include all integral receptacles associated with the temporary service:
- a. 1 to 125 Amperes the fee shall be \$75
 - b. Greater than 125 to 225 Amperes, the fee shall be \$180.
 - c. Greater than 225 to 600 Amperes the fee shall be \$275.
 - d. Greater than 600 to 1000 Amperes the fee shall be \$650.
 - e. Over 1000 Amperes the fee shall be \$700.
7. **Private Pools/Spas:** The fee charged for electrical work for each permanently installed private swimming pool as defined in the building subcode, spa, hot tub or fountain shall be a flat fee which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panelboards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices listed in §145.3.1(P) 1-6. The flat fee for private pools shall be:
- a. Installation of above-ground pool the fee shall be \$75
 - b. Installation of an in-ground pool the fee shall be \$150
8. **Photovoltaic (Solar) systems:** For photovoltaic systems, the fee shall be based on the designated kilowatt rating of the solar photovoltaic system plus fees for associated equipment including invertors, micro inverters, disconnects and combiner panels as follows:
- a. The fee for the PV system shall be:
 - I For 1 to 50 Kilowatts the fee shall be \$100
 - II 51 to 100 Kilowatts the fee shall be \$250
 - III Greater than 100 Kilowatts the fee shall be \$750.
 - b. Inverters fees, other than micro inverters (inverters under 1 kilowatt) shall be based on the kilowatts as follows:
 - I From 1 Kilowatts to 10 Kilowatts the fee shall be \$25.
 - II From 11 Kilowatts to 45 Kilowatts the fee shall be \$65.
 - III Over 45 Kilowatts the fee shall be \$225.
 - c. Micro Inverters, inverters with a rating of less than 1 kilowatt, the fee shall be a range based on the number of micro-inverters used.
 - I For 1 to 10 micro-inverters installed the fee shall be \$10
 - II For 11 to 25 micro-inverters the fee shall be \$65
 - III For 26 or more micro inverters the fee shall be \$100.
 - d. Disconnects and combiner panels: Disconnect and combiner box panels fees are based on the ampere rating as follows:
 - I 1 to 100 Amperes, the fee is \$75.
 - II 150-200 Amperes, the fee shall be \$180.
 - III Over 200 Amperes the fee is on the fee for a service entrance in number 6 above.
 - e. Disconnects and combiner panels. Disconnect and combiner box panels fees are based on the ampere rating, as follows:
 - I For one to 100 amperes, the fee is \$75.
 - II For 150 to 200 amperes, the fee shall be \$180.
 - III For over 200 amperes, the fee is based on the fee for a service entrance in Subsection **P(6)** above.
9. **Annual Pool Inspection:** The fee for the annual electrical inspection of a swimming pool, spa, or hot tub shall be \$65.00.

Q. Fire Subcode Fees

- 1. For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to

the plumbing system, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follows:

2. **Minimum Fee:** The minimum fee for the Fire Subcode shall be:
 - a. For use group R-3, R-4, and R-5: \$85.
 - b. For all other uses the fee is \$125.

3. **Smokes, heat, CO Detectors and Fire Sprinkler Heads :** The fee for smoke detectors, CO detectors and fire sprinkler heads shall be a charge based on the number of heads installed:
 - a. For use R-3, R-4 and R-5 the fee shall be:
 - I For 1-12 heads: \$85
 - II For greater than 12 heads: \$160
 - b. For all other uses the fee shall be:
 - I For 1-20 Heads: \$200
 - II For 21-100 heads: \$175
 - III For 101-200 heads: \$290
 - IV For 201-400 heads: \$450
 - V For 401 -1,000 heads: \$580
 - VI For over 1,000 heads: \$725

4. **Gas or Oil fired Appliances:** For gas or oil fired appliances, except those connected to the plumbing system, the fee shall be based on a flat fee for each appliance. Gas or oil fired appliances include but are not limited to dryers, stoves, ovens, furnaces, grills, fireplaces, decorative appliances etc.
 - a. For newly constructed R-3, R-4, and R-5 uses the fee shall be \$85 for each appliance. For installation or replacement in existing R-3, R-4 and R-5 uses the fee shall be charged as indicated in the Mechanical Subcode Fees § 145-3.1T below:

 - b. For all other uses the fee shall be \$125 for each appliance

5. **Solid Fuel burning fireplaces:** For solid fuel burning appliances, including but not limited to wood burning fireplaces or stoves, pellet stoves, peat stoves, or manufactured fuel stoves the fee shall be: \$85

6. **Tank installations:** For the installation of a fuel storage tank the fee shall be:
 - a. For a R-3, R-4 or an R-5 use: \$100
 - b. For all other uses, the fee shall be based on the tank size:
 - I 1-2,000 gallons \$175
 - II from 2, 001 to 10,000 gallons \$255
 - III from 10,000 gallons the fee shall be \$355

7. **Chimney Inspection:** When a Chimney Verification Form is not submitted for the replacement of fuel fired equipment, the owner of the property shall be required to apply for a fire inspection of the existing chimney. The fee shall be \$100.

8. **Suppression Systems Other Than Sprinklers:** For a fire suppression system other than sprinklers, the fees shall be:
 - a. For Pre-engineered systems including, carbon dioxide, foam suppression, wet chemical, dry chemical, halon etc.: \$170
 - b. For total flooding systems: \$145
 - c. Kitchen Exhaust system including hood: \$140 per hood

9. **Standpipe System:** A stand pipe system shall be charged \$235 per unit

10. **Fire Pump:** Each fire pump will be charged \$235 per pump

11. **Incinerator/Crematorium:** For each incinerator or crematorium, the fee shall be \$350

12. **Replacement of Transmission Line:** The fee for replacement of an existing transmission means from a digital alarm communicator transmitter to a fire alarm supervising station as per N.J.A.C. 5:23-2.17A(c)5v shall be \$85

13. **Underground Fire Suppression Main and Fire Water Tanks:** When a underground water main is dedicated as fire suppression main only without domestic water attachments, or a water tank is required for a system the fire subcode fee shall be: \$250

R. **Elevator:**

1. **Elevator Fees.** The fees for the Elevator Subcode, including plan review fees as well as fees for witnessing acceptance tests and performing inspections on new and altered elevator devices, shall be as follows:
 - a. For plan review in structures of group R-3, R-4, or R-5, and for elevator devices wholly within dwelling units in structures of group R-2, the fee shall be \$63 per device.
 - b. For plan review in structures of all other groups, the fee shall be \$328 per device.
 - c. For elevator device inspection and tests in other than Group R-3, R-4 or R-5, and for elevator devices not wholly within dwelling units in structures of Group R-2, the fee shall be as follows:
 - I Traction and winding drum elevators:
 - i. One to 10 floors, the fee shall be \$306.
 - ii. Over 10 floors, the fee shall be \$ 510.
 - II Hydraulic Elevators, the fee shall be \$272.
 - III Roped Hydraulic Elevators, the fee shall be \$306.
 - IV Escalators, moving walks, the fee shall be \$272.
 - V Dumbwaiters Fee shall be \$68.
 - VI Stairway chairlifts, inclined and vertical wheelchair lifts and man lifts, the fee shall be \$68.
 - d. Additional charges for devices equipped with the following features shall be as follows:
 - I Oil Buffers (change per oil buffer): \$54.
 - II Counterweight governor and safeties: \$136.
 - III Auxiliary power generator: \$102.
 - e. For elevator devices in structures of Group R-3,R-4 or R-5 or otherwise exempt devices in structures of Group R-2, the fee shall be \$204. This fee shall be waived when signed statements and supportive inspection and acceptance test reports are filed by an approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 2.20.
 - f. The fee for performing inspections of minor work shall be \$68.
2. The fees for routine and periodic test and inspections for elevator devices in structures not of Group R-3, R-4 or R-5 otherwise exempt devices in structures of Group R-2 shall be:
 - a. For the six-month routine inspection of elevator devices:
 - I Traction and winding drum Elevators:
 - i. One to 10 floors, the fee shall be \$190.
 - ii. Over 10 floors, the fee shall be \$244.
 - II Hydraulic Elevators, the fee shall be \$ 136.
 - III Roped Hydraulic Elevators, the fee shall be \$190.
 - IV Escalators and moving walks, the fee shall be \$190.
 - b. The fee for the one-year periodic inspection and witnessing of test of elevator device, which shall include a six-month routine inspection fee, shall be as follows:
 - I Traction and winding drum elevators:
 - i. One to 10 floors, the fee shall be \$272.
 - ii. Over 10 floors, the fee shall be \$326.
 - II Hydraulic Elevators, the fee shall be \$204.
 - III Roped Hydraulic elevators, the fee shall be \$272.
 - IV Escalators and moving walks, the fee shall be \$436.
 - V Dumbwaiters, the fee shall be \$108.
 - VI Man Lifts, stairway chairlifts, inclined and vertical wheelchair lifts, the fee shall be \$164.
 - c. Additional yearly periodic inspection charges for Elevator devices equipped with the following features shall be as follows:
 - I Oil buffers (charge per oil buffer) Fee shall be \$54.
 - II Counterweight governor and safeties: \$108.
 - III Auxiliary power Generator: \$68.

- d. The fee for the three-year or five-year inspections of Elevator devices shall be as follows:
- I Traction and Winding Drum Elevators:
 - i. One to 10 floors (five-year inspection): \$462.
 - ii. Over 10 floors (five-year inspection): \$582.
 - II Hydraulic and Roped Hydraulic Elevators:
 - i. Three-year inspection: \$340.
 - ii. Five year inspection: \$204.
- S. Mechanical Subcode Fees: The Mechanical inspector, or in the absence of a Mechanical inspector, the Plumbing Subcode Official, shall have the responsibility for the enforcement of provisions of the code, except electrical, for the installation and replacement of heating or cooling equipment or water heaters or other mechanical equipment such as refrigeration, air conditioning or ventilating apparatus, gas piping or heating systems, or stand-by power generators, in existing buildings of use R-3, R-4, or R-5.
- 1. The fee for a mechanical inspection shall be \$ 125.00 for the first device and \$ 75.00 for each additional device. No separate fee shall be charged for gas, fuel oil, or water-piping connections associated with the mechanical equipment inspected.
- T. **Report:** The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township of Brick, biannually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

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 14th day of November, 2016, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 6th day of December, 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 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

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING CHAPTER §191 OF THE TOWNSHIP CODE CAPTIONED "FIRE PREVENTION"

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that Chapter **191** of the Codified Ordinances of the Township of Brick captioned "FIRE PREVENTION" is amended and supplemented as follows:

1. Chapter 191-3 captioned "Establishment and duties of Bureau of Fire Safety" is amended to read as follows:

§ 191-3 Establishment and duties of Bureau of Fire Safety.

Pursuant to Section 203 of the Uniform Fire Safety Act (P.L. 1983, c. 383; N.J.S.A. 52:27D-203), this chapter shall be enforced by the Joint Board of Fire Commissioners of the Township of Brick, County of Ocean and State of New Jersey, which shall be known for the purposes of the Act as the Bureau of Fire Safety. A Bureau of Fire Safety shall herein be established within the Joint Board to enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the Township of Brick, other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Code. In addition, the Bureau of Fire Safety shall be charged with the duties of enforcement of such other ordinances and rules and regulations that pertain to fire prevention and control. The Bureau of Fire Safety shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs. Said Bureau shall be under the supervision and control of the Joint Board of Fire Commissioners of the Township of Brick or such other officers as they may designate. Such funds, as may be necessary to support the operation of the Bureau, shall be raised by the Joint Board of Fire Commissioners in the manner prescribed by law. Pursuant to the Uniform Fire Code, the Bureau shall be operated by a fire official herein known as the "Bureau Chief" and enforcement and support personnel under his supervision having the minimum qualifications and certifications set forth under the Uniform Fire Code. The salary of the Bureau Chief and other personnel employed by the Bureau shall be to the extent permitted by law, established by the Joint Board of Fire Commissioners. The annual budget for the operation of the Bureau of Fire Safety shall be established by the Joint Board of Fire Commissioners. The Joint Board of Fire Commissioners shall have the authority to appoint, promote and terminate personnel within the Bureau but each person so terminated, shall be afforded the opportunity to be heard by the Commissioners, consistent with recognized standards of due process.

2. Chapter 191-5 captioned "Additional Required Inspections" is amended to read as follows:

§ 191-5 Additional required inspections.

A.

No change.

B.

For the purpose of this chapter, all uses shall be defined pursuant to the current edition of the latest New Jersey State-adopted edition of the International Building Code and the New Jersey Uniform Fire Code and shall be subject to inspection and annual fee as outlined yearly.

#	Date
52	11/14/16
#	Date
#	Date

Type Use	Square Footage/Total Gross	Required Fee
6	0 to 1,000	\$45
7	1,001 to 2,000	\$55
8	2,001 to 2,500	\$60
9	2,501 to 3,500	\$70
10	3,501 to 4,500	\$85
11	4,501 to 5,000	\$90

Type	Use	Square Footage/Total Gross	Required Fee
	12	5,001 to 6,000	\$95
	13	6,001 to 7,000	\$100
	14	7,001 to 7,500	\$120
	15	7,501 to 8,000	\$130
	16	8,001 to 9,000	\$135
	17	9,001 to 10,000	\$140
	18	10,001 to 11,000	\$160
	19	11,001 to 12,000	\$185
		Buildings over 12,000	Additional fee of \$15 per 1,000 square feet

C.

For all uses defined under this chapter, other than owner-occupied residential structures, wherein there are two or more utilizing common area facilities within the building, the owner of the building shall be subject to a fee for the entire building area in accordance with the square footage/total gross set forth herein plus \$35 for each unit within said building.

Sections D. through K.

No change.

L.

Certificate of Fire Code Status in accordance with N. J. A. C. 5:71-3.7(b)9. \$40.00.

3. Chapter 191-6 captioned "Site plans" is amended to read as follows:

§ 191-6 Site plans.

A.

No change.

B.

Each applicant shall pay the following fees to the Bureau of Fire Safety for review of any site or subdivision plans:

Type	Fee
Minor site plan	\$140
Major site plan	\$200
Minor subdivision	\$100
Major subdivision	\$250
Abridged	\$100
Re-review	\$75, Each site inspection, re-review or re-inspection

4. Chapter 191-8 captioned "Amendments to State Fire Prevention Code pursuant to N.J.A.C. 5:70-3.4" is amended to read as follows:

§ 191-8 Amendments to State Fire Prevention Code pursuant to N.J.A.C. 5:70-3.2.

A.

Smoke and other required detectors [N.J.A.C. 5:70-2.3(a)]. The Bureau of Fire Safety will enforce the Uniform Fire Code for certificate of smoke detector and other required alarm compliance in certain structures used for residential purposes as same pertains to the sale of a residential structure. The fee for an inspection and issuance of a certificate will be \$45 on a scheduled inspection day (Scheduled days are 10 business days or more from the contact date.); \$80 for a nonscheduled smoke detector inspection appointment more than four business days but less than 10 business days from the contact date; and \$130 for a nonscheduled smoke detector inspection appointment less than four business days from the Bureau contact date. Any reinspection required for failure to have properly installed or operating detectors in accordance

with the code will be subject to a reinspection fee of an additional \$30. This fee will also be charged for failure to maintain the scheduled appointment or entry to the structure

B. though D.

No change.

E. Standby fees. Fees for extracurricular activities which shall require additional Fire Department presence or standby due to the scope of actions shall require a standby fee as established by the Brick Township Joint Board of Fire Commissioners/Bureau of Fire Safety. The standby fee shall be determined by the Bureau Chief. Public events sponsored by the Township of Brick and the Brick Township Board of Education shall be exempt from standby fees.

- (a) Fire engine: \$200/hour with crew (one driver and three firefighters; one must be an officer or acting officer).
- (b) Ladder truck: \$300/hour with crew (one driver and four firefighters; one must be identified as an officer).
- (c) Rescue unit: \$250/hour with crew (one driver and four firefighters; one must be an acting officer).
- (d) Brush unit: \$100/hour with crew (one driver and two firefighters; one must be an acting officer).
- (e) Fire boat: \$100/hour with crew (one driver and two firefighters; one must be considered an officer).
- (f) Certified fire inspector standby: \$50/hour (two-hour minimum).

F through K.

No change.

NOTICE

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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING CHAPTER §250-29 OF THE TOWNSHIP CODE CAPTIONED "FEES"

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that Chapter 250-29 of the Codified Ordinances of the Township of Brick captioned "FEES" is amended and supplemented to amend the schedule of fees applicable to a zoning permit application, plot plan review and engineering inspection or reinspection.

1. The amendments to Chapter 250-29 captioned "Fees" is amended to read as follows:

Category	Application Fees	Escrow Fees
Zoning permit application		
• Accessory use/structure	\$50.00	
• Principal use/structure/addition	\$75.00	
Plot plan review application	\$50.00	
Engineering Inspection/Reinspection	\$100.00	

NOTICE

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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

Agenda #	Date
5-3	11/14/16
Agenda #	Date
Agenda #	Date
Agenda #	Date