

**Brick Township Council  
December 15, 2015  
Civic Plaza  
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 4, 2015. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website ([www.bricktownship.net](http://www.bricktownship.net)). At this time please turn off all cell phones.
3.
  - a. Roll Call.
  - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.
  - c. Approve Reports of Municipal Officers.
  - d. Approve Minutes of October 20, 2015.

4. Resolution:

- \_\_\_1. Authorize Advice and Consent of Mayor's Appointment of Police Chief.

5. Presentations:

1. Police Swearing In.
2. Students of the Month.
3. Kathy Schachel - USA BMX Hall of Fame Recipient.
4. John Koester – American Public Works Association Employee Award Recipient.

**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."***

6. Resolutions:

- \_\_\_1. Recognize Kathy Schachel – USA BMX Hall of Fame Recipient.
- \_\_\_2. Recognize John Koester – American Public Works Assn. Employee Award Recipient.
- \_\_\_3. Authorize Budget Appropriation Transfers.
- \_\_\_4. Authorize Execution of Green Acres Project Agreement – Multi Park Improvements.
- \_\_\_5. Authorize Receipt of Bids – Recreation Equipment & Supplies.
- \_\_\_6. Authorize Receipt of Bids – Veterinary Services.
- \_\_\_7. Authorize Award of Contract – Employee Vision Coverage.
- \_\_\_8. Authorize Award of Bid – Demolition of Structures – Block 1374 Lot 27 at 127 South Beverly Drive.
- \_\_\_9. Authorize Change Order No. 2 – Computer & Printer Supplies.
- \_\_\_10. Authorize Renewal of Shared Services Agreement with BTMUA – Sign Shop Services.
- \_\_\_11. Authorize Appointment of Emergency Management Coordinator.
- \_\_\_12. Authorize Renewal of Police Towing Licenses – 2016.
- \_\_\_13. Authorize Renewal of Motor Vehicle Selling Licenses – 2016.
- \_\_\_14. Authorize Donation of Police Vehicle to Ocean County Vocational Technical School.
- \_\_\_15. Bond Releases/Reductions:
  - a. Performance Bond Reduction – Lake Riviera Co. – Off Brick Boulevard.
  - b. Performance Bond Release – Riviera Inc. – Highland Terrace.
  - c. Performance Bond Release – Eric Plackis – Hillside Avenue.
  - d. Performance Bond/Inspection Fund Release – Associates in Foot & Ankle – Route 88.
  - e. Inspection Fund Release – Brickman Facility Solutions – Brick Boulevard.
  - f. Inspection Fund Release – Kearny Bank – Brick Boulevard.
- \_\_\_16. Tax Collector:
  - a. 100% DAV Refund & Cancel Taxes – Block 306 Lot 4 – 46 Birch Drive.
  - b. Tax Overpayments – 2006.
  - c. Tax Overpayments – 2007.
  - d. Tax Overpayments – 2015.
  - e. County Board Judgment Appeal Granted – Block 268 Lot 4 – 665 Drum Point Road.

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

- \_\_\_17. Bill Resolution – Computer 2015.
- \_\_\_18. Bill Resolution – Manual 2015.

7. Ordinances on Second Reading:

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

**Brick Township Council  
December 15, 2015  
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Caucus/Public Meeting  
7:00 PM  
Agenda No. 1**

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

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

**\*\* Next scheduled meeting of the Township Council will be held on Thursday, December 31, 2015 at 10:00 am.**

**RESOLUTION**

**WHEREAS**, the Township of Brick is currently in need of a Chief of Police;  
and

**WHEREAS**, it is the desire of the governing body to appoint James Riccio  
as Chief of Police for the Township of Brick; and

**WHEREAS**, James Riccio is experienced and duly qualified to be  
appointed to the position of Chief of Police for the Township of Brick; and

**WHEREAS**, the Mayor has nominated and the governing body supports,  
the appointment of James Riccio as Chief of Police for the Township of Brick on  
a provisional basis, pending certification.

**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 governing body does hereby appoint James Riccio  
as Chief of Police for the Township of Brick pending certification,  
effective December 15, 2015.
2. That a certified copy of this resolution shall be forwarded to the  
Human Resources, Finance and James Riccio.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County  
of Ocean and State of New Jersey, do hereby certify the foregoing to be a true  
and correct copy of a resolution adopted by the Township Council on December  
15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this  
Township this 15<sup>th</sup> day of December, 2015.

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

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

**RESOLUTION**

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

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

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

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

**GENERAL APPROPRIATIONS WITHIN/OUTSIDE CAP**

**Transferred To:  
Salary and Wages**

Senior Citizens	\$	15,000.00
Crossing Guards	\$	5,000.00
Parks	\$	5,000.00
Mayor	\$	500.00
EMT	\$	5,000.00
<i>Subtotal</i>	\$	<u>30,500.00</u>

**Transferred To:  
Other Expenses**

Inspections	\$	50,000.00
Prosecutor	\$	3,500.00
Insurance Incentive	\$	1,000.00
<i>Subtotal</i>	\$	<u>54,500.00</u>

*Total Transferred To* \$ 85,000.00

**Transferred From:  
Salary and Wages**

Salary & Wage Adjustment	\$	15,000.00
Engineering	\$	15,500.00
<i>Subtotal</i>	\$	<u>30,500.00</u>

**Transferred From:  
Other Expenses**

Code Enforcement	\$	38,000.00
Health Insurance	\$	1,000.00
Municipal Court	\$	3,500.00
Buildings & Grounds	\$	12,000.00
<i>Subtotal</i>	\$	<u>54,500.00</u>

*Total Transferred From* \$ 85,000.00

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on December 15, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-3	12/15/15
Agenda #	Date

**THE STATE OF NEW JERSEY  
BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES PROGRAM**

**GREEN ACRES PROJECT AGREEMENT**

**BETWEEN** the Township of Brick, County of Ocean and State of New Jersey, having office as 401 Chambers Bridge Road, Brick, New Jersey 08723, hereinafter "Local Government Unit"; and

The State of New Jersey by the Department of Environmental Protection, Green Acres Program, Mail Code 501-01, P.O. Box 420, Trenton, New Jersey 08625-0420, hereinafter "State" (collectively the "Parties"),

**WITNESSETH:**

**WHEREAS**, the Local Government Unit has submitted an application to the State for financial assistance under the Green Acres Program; and

**WHEREAS**, the State has reviewed said application and has found it to be in conformance with the scope and intent of the Green Acres Program and has approved The Local Government Unit's request and awarded funding ("Green Acres Funds"); and

**WHEREAS**, the Parties wish to execute this Green Acres Project Agreement ("Project Agreement") to govern the Local Government Unit's use of Green Acres Funds; and

**WHEREAS**, The Local Government Unit has agreed to utilize the Green Acres Funds and to hold and use the premises hereinafter described in accordance with the Green Acres Laws; and

**NOW, THEREFORE**, in consideration of the principles, assurances and premises contained herein, the Parties agree to perform in accordance with the provisions, terms and conditions set forth in this Project Agreement.

**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 of the Township of Brick is hereby authorized to execute an agreement and any amendment thereto with the State known as Multi Park Improvements – Project Number 1507-14-039 in the amount of \$1,100,000; and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$2,362,000.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

Agenda #	Date
6-4	12/15/15
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 item:

**RECREATION EQUIPMENT & SUPPLIES**

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

1. 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 15<sup>th</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda # 6-5	Date 12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

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

**VETERINARY 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 Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of proposals for the above-mentioned Professional.
2. That the Division of Purchasing and Contracting is hereby authorized to prepare proposal specifications for the above-mentioned services in accordance with Chapter 19, P.L. 2004 (Pay-to-Play).

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this 15<sup>th</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-6	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, MetLife Premier Client Group of New Jersey is the Broker of Record for the Township of Brick for Employees Health Benefits Insurance Coverage; and

**WHEREAS**, the Township's Insurance Broker of Record has solicited proposals from United Healthcare Insurance to provide Vision Coverage for Township of Brick Employees; and

**WHEREAS**, it is the desire of the Township of Brick to provide said coverage at the rates negotiated by MetLife Premier Client Group of New Jersey.

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

1. That the Township of Brick does hereby accept the proposal negotiated by MetLife Premier Client Group of New Jersey to approved the Indemnity and Trust Agreement with United Healthcare Insurance, 195 Asylum Street, Hartford, CT 06103-3408 to provide to the Township of Brick an Employee Vision Coverage as per the following rates:

**RATE SCHEDULE**

Employee	\$4.51
Employee & Spouse	\$7.60
Employee & Child (ren)	\$7.95
Employee & Family	\$11.00

2. That this contract is awarded pursuant to 40A:11-5 (m) and 5:34-2.1 as an Extraordinary Unspecifiable Service pursuant to the NJ Public Contracts Law and Regulations.
3. That funding for this service is contingent upon an adequate appropriation in the 2016 Employee Group Insurance Budget.
4. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of agreement, which shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That the term of this contract is for a period of one year, commencing on January 1, 2016 with provisions for a second and third year agreement, pending successful completion of the previous year agreement.
6. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
7. That a certified copy of this resolution shall be forwarded to Metlife Premier Client Group of New Jersey, United Healthcare Insurance, Business Administrator, Chief Financial Officer, Human Resource Director and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this 15<sup>th</sup> day of December 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

Agenda #	Date
6-7	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

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

**CHANGE ORDER #2**  
**BC #15101 - COMPUTER & PRINTER SUPPLIES**

**WHEREAS**, on July 7, 2015 a one-year contract for the Computer & Printer Supplies was awarded to various vendors on an item per item bid; and

**WHEREAS**, The Tree House had erroneously submitted an incorrect unit price for item #59 and #59R due to item description; and

**WHEREAS**, it is the recommendation of the Director of IT to award item #59 and #59R to the next lowest responsive, responsible bidder; and

**WHEREAS**, Change Order #2 has been reviewed by the Purchasing Agent and has recommended said items be awarded to the next lowest responsive, responsible bidder in compliance with the Administrative Requirements and Technical Specifications.

**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. Item #59 - MICR Toner Cartridge for Lexmark E460DW – Black (OEM) is hereby awarded to WB Mason for \$244.44.
2. Item #59R - MICR Toner Cartridge for Lexmark E460DW – Black (Remanufactured) is hereby awarded to KT's Office Services for \$101.00.
3. This is a unit price bid; therefore, funds shall be certified prior to each order.
4. That all other terms and conditions of the original bid remain as awarded.
5. A copy of this resolution shall be forwarded to the successful bidder, the Business Administrator, Chief Financial Officer, the Director of IT and the Purchasing Agent.
6. That the Mayor is 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 15<sup>th</sup> day of December 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-9	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR SIGN SHOP SERVICES**

**WHEREAS**, the Township of Brick has a sign shop at the Department of Public Works Facility; and

**WHEREAS**, the Brick Township Municipal Utilities Authority has a need for the services of a sign shop; and

**WHEREAS**, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Brick Township Municipal Utilities Authority to enter into a contract for the provision of certain governmental services with the Township of Brick; and

**WHEREAS**, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

**WHEREAS**, it is the desire of the governing body to authorize the execution of a Shared Services Agreement with the Brick Township Municipal Utilities Authority for Sign Shop Services.

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

1. That the governing body does hereby authorize the execution of a Shared Services Agreement with the Brick Township Municipal Utilities Authority for Sign Shop Services, as set forth in the Agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to, respectively, the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Township Clerk's Office during normal business hours.
4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Brick Township Municipal Utilities Authority.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015..

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-10	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY APPOINTING THE EMERGENCY MANAGEMENT COORDINATOR**

**WHEREAS**, The State of New Jersey Office of Emergency Management requires that each municipality appoint an Emergency Management Coordinator; and

**WHEREAS**, the Municipal Emergency Management Coordinator shall serve for a term of three years; and

**WHEREAS**, the Municipal Emergency Management Coordinator is responsible for the planning, activating, coordinating and conduct of Emergency Management operations within the municipality; and

**WHEREAS**, The Chief of Police James Riccio, who serves on the Township Emergency Management team, has been designated by the Mayor to act as the Emergency Management Coordinator for the Township of Brick; and

**WHEREAS**, it is the intention of the Township Council of the Township of Brick to comply with requirements set forth by the State of New Jersey Office of Emergency Management and to forward a resolution naming the appointee to the Office for its records.

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

- 1) That the Township Council of the Township of Brick hereby appoints James Riccio, Chief of Police, to serve as Emergency Management Coordinator for a term of (3) three years; and
- 2) That a copy of this resolution shall be forwarded to the State of New Jersey Office of Emergency Management.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this 15<sup>th</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
10-11	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the following have made application to renew their licenses to operate a towing business in Brick Township, pursuant to Chapter 437 of the Township Code for the year 2016:

- 1) Andrew's Auto Body, 27 Princeton Avenue
- 2) Brick Performance 227 Drum Point Road
- 3) D&L Towing, 539 Mantoloking Road
- 4) Frank's Towing & Transport Service, LLC, 2005 Route 88
- 5) Joe's Service Center & Towing, LLC, 584 Mantoloking Road
- 6) Joe's Towing & Auto & Truck Repair, LLC, 100 Midstreams Road
- 7) LePore's Service Center, 380 Herbertsville Road
- 8) P.P.T.D, 311 Herbertsville Road
- 9) Route 88 Auto Body, Inc, 1700 Route 88
- 10) Sandy's Servicenter LLC, 789 Mantoloking Road
- 11) Surfside Collision, Inc., 539 Mantoloking Road

**WHEREAS**, the aforesaid applications have been found to be in proper form and the proper fees have been collected; and

**WHEREAS**, Land Use, Code Enforcement and the Fire Bureau has inspected the aforesaid locations and have found them to be in compliance; and

**WHEREAS**, the Brick Township Police Chief has found them to be in compliance and recommends that these applicants be approved.

**WHEREAS**, the Township Council is satisfied with the recommendations of the Brick Township Police Chief.

**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 a towing license be granted to the above applicants for 2016.
- 2. That towers be required to accept cash, checks and credit cards for payment.
- 3. That a certified copy of this resolution be forwarded to:
  - a. Police Chief
  - b. Purchasing
  - c. Applicants

**CERTIFICATION**

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

Agenda #	12	Date	15/15
Agenda #		Date	
Agenda #		Date	
Agenda #		Date	

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

**RESOLUTION**

**WHEREAS**, the following have made application to renew their licenses to operate a business for the selling of Motor Vehicles, pursuant to Chapter 466 of the Township Code for the year 2016:

**DISPLAY LICENSES:**

- 1) Brick Auto Body, 783 Mantoloking Road
- 2) Brick Performance 227 Drum Point Road
- 3) Circle Dodge, 781 Route 70
- 4) J&C, Inc., 2005 Route 88
- 5) Jeremiah Auto Sales, 436-438 Herbertsville Road
- 6) Lepore Enterprises, 380 Herbertsville Road
- 7) Michele Motors, 2078 Route 88
- 8) Specialty Automotive, 1874 Route 88 East
- 9) Surfside Collision, 539 Mantoloking Road
- 10) Truckland, 459 Brick Boulevard

**NO-DISPLAY LICENSES:**

- 1) Route 88 Auto Body, 1700 Route 88 West

**WHEREAS**, the aforesaid applications have been found to be in proper form and the proper fees have been collected; and

**WHEREAS**, Land Use, Code Enforcement and the Fire Bureau has inspected the aforesaid and have found them to be in compliance; and

**WHEREAS**, the Township Clerk recommends that these applications be approved; and

**WHEREAS**, the Township Council is satisfied with the recommendation of the Township Clerk.

**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 a Motor Vehicle Selling License be granted to the above applicants for the year 2016.
- 2. That a certified copy of this resolution be forwarded to each applicant.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-13	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**SALE OR OTHER DISPOSITION  
OF PERSONAL PROPERTY**

**WHEREAS**, the Township of Brick has deemed certain items in its inventory to be surplus property no longer needed for public use and wishes to eliminate its surplus property, specifically a 2007 Ford Interceptor, SN #2FAFP71W77X138248; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-36(2) the contracting unit need not advertise for bids when it makes any such sale to another contracting unit; and

**WHEREAS**, the Ocean County Vocational Technical School, Law and Public Safety Division, Waretown, N.J. is interested in acquiring this vehicle, which is deemed surplus, from the Township of Brick.

**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 Mayor and Administrator are authorized to enter into an Agreement with the Ocean County Vocational Technical School, Law and Public Safety Division, Waretown, N.J. for the 2007 Ford Interceptor, SN #2FAFP71W77X138248, which is deemed no longer needed for public use.
2. The property so described shall be picked up from the Township of Brick and be conveyed, at a mutually agreed time, to the Ocean County Vocational Technical School, Law and Public Safety Division, Waretown, N.J. at its sole expense.
3. This Resolution shall be effective upon the Ocean County Vocational Technical School receipt from the Township of Brick, a fully executed Agreement for the 2007 Ford Interceptor, SN #2FAFP71W77X138248.
4. A certified copy of this Resolution shall be sent to the Ocean County Vocational School and kept on file in the Office of the Clerk.

**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 15<sup>th</sup> day of December, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-14	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Lake Riviera Co., LP & Smith & Sons Realty Co., LP, 550 Brick Boulevard, Brick, NJ 08723 had posted Ocean First Letter of Credit No. 1093 in the amount of \$322,129.31 and a cash performance bond in the amount of \$35,792.15 to guarantee certain site improvements to Blocks 446.05 Lots 3, 4 & 5 (Taco Bell, PB-2428) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated November 30, 2015 has advised that a portion of the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the Ocean First Letter of Credit No. 1093 in the amount of \$322,129.31 be reduced to \$137,426.81 and the cash performance bond in the amount of \$35,792.15 be reduced to \$15,269.64 returning \$20,522.51 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 Ocean First Letter of Credit No. 1093 in the amount of \$322,129.31 be reduced to \$137,426.81 and the cash performance bond in the amount of \$35,792.15 be reduced to \$15,269.64 returning \$20,522.51 to the applicant; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-15a	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Riviera Inc. (Smith Homes) Monty & Peggy Smith, 550-580 Brick Boulevard, Brick, NJ 08723 had posted a cash performance bond in the amount of \$12,000.55 to guarantee certain site improvements to Block 400.12, Lots 5 & 6 (523-525 Highland Terrace PB-2479) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated November 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 \$12,000.55 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 \$12,000.55 be returned to the applicant holding inspection fees for final invoicing; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-15b	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Eric Plackis, PO Box 915, Brick, NJ 08723 had posted First Indemnity of America Insurance Company Performance Surety Bond No. S20020 in the amount of \$38,082.12 and a cash performance bond in the amount of \$3,808.21 to guarantee certain site improvements to Block 1217 Lot 991 (Hillside Avenue PB-2420) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated December 1, 2015 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the First Indemnity of America Insurance Company Performance Surety Bond No. S20020 in the amount of \$38,082.12 and a cash performance bond in the amount of \$3,808.21 be returned to the applicant holding inspection fees for final invoicing; and

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

1. That the First Indemnity of America Insurance Company Performance Surety Bond No. S20020 in the amount of \$38,082.12 and a cash performance bond in the amount of \$3,808.21 be returned to the applicant holding inspection fees for final invoicing; and
2. That the Township Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-15c	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Associates in Foot & Ankle Surgery, LLC, 2211 Route 88, Brick, NJ 08724 had posted Manasquan Savings Bank Irrevocable Standby Letter of Credit 1240013-13 in the amount of \$445,114.68 and a cash performance bond in the amount of \$49,457.19 to guarantee certain site improvements to Blocks 1026 Lot 10 & 11 (PB-2713) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated December 3, 2015 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Township Engineer recommends that Manasquan Savings Bank Irrevocable Standby Letter of Credit 1240013-13 in the amount of \$445,114.68 and a cash performance bond in the amount of \$49,457.19 (plus interest of applicable) along with \$3,993.95 (plus interest if applicable) remaining in the engineering inspection fund be returned to the applicant; and

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

1. That Manasquan Savings Bank Irrevocable Standby Letter of Credit 1240013-13 in the amount of \$445,114.68 and a cash performance bond in the amount of \$49,457.19 (plus interest of applicable) along with \$3,993.95 (plus interest if applicable) remaining in the engineering inspection fund 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 December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
6-15d	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Township Clerk by letter dated November 24, 2015 that there is \$326.90 remaining in the engineering inspection fund from Brickman Facility Solutions, LLC, 6530 W. Campus Oval, Suite 300, New Albany, OH 43054 for 39 Brick Boulevard, Block 379 Lot 4 (Bank of America) 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 \$326.90 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 \$326.90 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
  - a. Assistant Township Engineer
  - b. Chief Finance Officer
  - c. Applicant

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-15c	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Township Clerk by letter dated November 24, 2015 that there is \$67.25 remaining in the engineering inspection fund from Kearny Bank, 120 Passaic Avenue, Fairfield, NJ 07004 for 2 Brick Boulevard, Block 380.01 Lot 2.01 (Kearny Bank) 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 \$67.25 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 \$67.25 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
  - a. Assistant Township Engineer
  - b. Chief Finance Officer
  - c. Applicant

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December 2015.

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

Agenda #	Date
6-15 f	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV has been granted on Block 306, Lot 4, Account # 205610, 46 Birch Dr. as of August 11, 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 August 11, 2015 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
306/4/205610 46 Birch Dr.	Gonzales-Lagos, Rafael	\$ 2088.71

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-16a	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2006.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
211/31/103835 St. Lawrence Blvd.	Nierva, Michael	\$ 7.77

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-166	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2007.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
940/131/517515 830 North Dr.	Noviello, Joseph & Lynley	\$ 6.00
1342.19/10/624409 245 19 <sup>th</sup> Ave.	Kavanagh, Walter	\$48.44

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-16C	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

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

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
940/131/517515 830 North Dr.	Noviello, Joseph & Lynley	\$ 3574.45
1427.01/25/729626 835 Constitution Dr.	Monte, Nicholas & Alison	\$ 2174.44
210.30/41/103429 28 Catalina Dr.	Barbato, Sheila	\$ 2951.19

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-16d	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that a County Board Judgment has been granted for Block 268, Lot 24, Account # 205117, 665 Drum Point Rd. for 2015 reducing the assessment from 219,001 to 21,900.

**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 Tax Collector be authorized to change the Assessment and billing.

**CERTIFICATION**

I, Lynnette A. Iannarone, RMC, Municipal Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on December 15, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 15<sup>th</sup> day of December, 2015.

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

Agenda #	Date
6-16 e	12/15/15
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

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

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

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

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

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

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

SECTION 1.

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

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

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

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

NOTICE

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

  
 LYNNETTE A. IANNARONE  
 TOWNSHIP CLERK

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JOHN G. DUCEY  
 MAYOR

Agenda #	12/1/15
5-1	
Agenda #	12/15/15
7-1	
Agenda #	

ORDINANCE

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

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

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

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

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

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

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

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

No person shall engage in the following acts:

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

Agenda #	Date
5-2	12/1/15
7-2	12/15/15

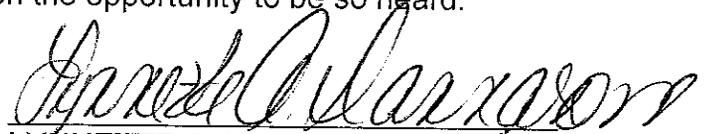
- F. Advertise for sale or rental, a property which is non-existent or which is not actually for sale or rental.
- G. Engage in or hire or conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest, create or play upon fear with the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

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This Ordinance shall take effect after second reading and publication as required by law.

#### NOTICE

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



LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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JOHN G. DUCEY  
MAYOR