



Brick Township Council
Caucus/Public Meeting
June 28, 2022
7:00 PM
Agenda No. 1

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 7, 2022. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).
3.
 - a. Roll Call.
 - b. Salute to the Flag/Pledge of Allegiance/Moment of Silence.

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. Recognize Pride Month – June.
 - ___ 2. Authorize Receipt of Bids – Professional Medical Services.
 - ___ 3. Authorize Re-Bid – Heating, Ventilating & Air Conditioning & Repair Services.
 - ___ 4. Authorize Award of Contract through NJ Cooperative Purchasing Program – Upfit New Police Patrol Vehicles.
 - ___ 5. Authorize Award of Contract through NJ Cooperative Purchasing Program – Panasonic ToughBooks.
 - ___ 6. Authorize Change Order No. 1 – Oregon Avenue Drainage Improvements Pipe Reconstruction.
 - ___ 7. Authorize Change Order No. 1 – Nejecho Lagoon Dredge and Windward Beach Nourishment Project.
 - ___ 8. Authorize Execution of Memorandum of Understanding between Bright Harbor Healthcare and the Township of Brick.
 - ___ 9. Authorize Execution of Agreement between the Township of Brick and Helpsy.
 - ___ 10. Opposing Assembly Bill A-1294 and Senate Bill S-2103 and Urging That Such Legislation Not Advance Further.
 - ___ 11. Authorize 2022-2023 Club Liquor License Renewal – VFW Post #8867.
 - ___ 12. Bond Releases/Reductions:
 - a. Inspection Fund Release – Michael Thomas Brown – Princeton Avenue.
 - b. Inspection Fund Release – GMP Construction – Princeton Avenue.
 - ___ 13. Tax Collector:
 - a. 100% DAV Refund & Cancel Taxes – Block 380.21 Lot 1 C1032.
 - b. Tax Overpayments – 2022.
- *******End of Consent Agenda*******
- ___ 14. Bill Resolution – Computer 2022.
 - ___ 15. Bill Resolution – Manual 2022.

5. Ordinances on First Reading:

- ___ 1. Amend Chapter 245 – To Permit Craft Cidery and Meadery, Craft Distilleries, Wine Tasting Room and Instructional Wine Making Facility License Holders.
- ___ 2. Amend Chapter 288-45 – To Add No Left Turn onto Beaverson Boulevard from Lions Head Office Park.

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 will be held on Tuesday, July 12, 2022 at 7:00 p.m.**

RESOLUTION

WHEREAS, the Township of Brick prides itself on being an inclusive and welcoming community that recognizes and appreciates the importance of freedom and equality; and

WHEREAS, the month of June has been designated as Pride Month to celebrate the Lesbian, Bisexual, Gay, Transgender and Queer community and to recognize the immeasurable impact to the cultural, civic and economic successes of our country LGBTQ individuals have had; and

WHEREAS, the designation of June as Pride Month is in commemoration of the Stonewall Riots in New York City that took place in June 1969 and are widely considered to be the catalyst for the LGBTQ Rights Movement; and

WHEREAS, while there have been great advancements over the last half-century, our society must continue to support the LGBTQ community and fight against all forms of discrimination, hatred and bigotry that the community continues to experience.

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

1. We proudly and enthusiastically recognize June as Pride Month in the Township of Brick.
2. We call upon all residents to join us in recognizing and celebrating the enduring efforts and contributions of the Lesbian, Bisexual, Gay, Transgender and Queer community within not only Brick Township, but as our Nation as a whole.

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 June 28, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	6/28/22
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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 item:

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

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 held on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
42	6/28/22
Agenda #	Date
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Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for Heating, Ventilating & Air Conditioning Maintenance and Repair Services on Friday, June 17, 2022; and

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

WHEREAS, the Superintendent of Public Works recommends that the Township Council authorize the Division of Purchasing and Contracting to bid said service second time.

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 bid for Heating, Ventilating & Air Conditioning Maintenance and Repair Services.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above mentioned project.

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 held on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	6/28/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

**AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12A**

WHEREAS, the Township of Brick pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services, the cost of which in the aggregate exceeds the bid threshold, under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Brick has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Brick intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution, which shall be subject to all the conditions applicable to the current State contracts.

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

1. That the Township of Brick authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts.
2. That sufficient funds are available in the municipal budget under appropriation entitled Police Vehicles & Equipment, account 2-01-25-244-267.
3. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer, Deputy Chief of Police, and Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	6/28/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

**AUTHORIZING AWARD OF CONTRACT THROUGH
STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM**

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

WHEREAS, the Township of Brick pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29(c), may by resolution of governing body and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the Township of Brick desires to purchase Panasonic ToughBooks through a State approved NASPO contract #89980; and

WHEREAS, the Chief Financial Officer has certified to the Township Clerk that funds are available.

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 contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-12(a) of the local public contracts law.
2. That the Purchasing Agent is hereby authorized to execute a purchase order to Wireless Communications & Electronics in an amount of \$61,410.00 for the purchase and delivery of Panasonic ToughBooks through State approved NASPO contract #89980.
3. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #9-22 – account C-04-55-881-501 – \$61,410.00
4. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer, Director of Information Technology and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	6/Date
4-5	6/28/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to R. Moslowski Excavating, Inc., 3 Meirs Road, Cream Ridge, NJ 08514 on March 8, 2022 for the project known as "Oregon Avenue Drainage Improvements – Pipe Reconstruction" for a total contract price in the amount of \$62,626.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.7 the Township Engineer has recommended the approval of Change Order #1 increasing the contract by \$9,183.60 from \$62,626.00 to \$71,809.60 due to change in scope of work for replacement of drainage pipe; and

WHEREAS, it is now the desire of this Township Council to act upon the Township Engineer's recommendation and to approve said Change Order #1.

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 above-mentioned Change Order #1 is hereby authorized to line the existing drainage pipe to seal any failing gaskets and lift holes in lieu of complete replacement.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #8-20 – account C-04-55-870-404 – \$9,183.60
3. That the Township Clerk shall forward a certified copy of the resolution to the contractor, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	6/ Date
4-6	6/28/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to Spectraserv, Inc., 75 Jacobus Avenue, Kearny, NJ 07032 on May 24, 2022 for the project known as "Nejecho Lagoon Dredge and Windward Beach Nourishment" for a total contract price in the amount of \$298,870.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.7 the consulting engineer has recommended the approval of Change Order #1 increasing the contract by \$57,367.04 from \$298,870.00 to \$356,237.04 due to an increase in the dredge volume by 445 CY, a change in placement volume at Windward Beach of (-43) CY, and increased trucking costs for up to 398 CY, if and where directed; and

WHEREAS, it is now the desire of this Township Council to act upon the consulting engineer's recommendation and to approve said Change Order #1.

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 above-mentioned Change Order #1 is hereby authorized to increase in the dredge volume by 445 CY, change the placement volume at Windward Beach of (-43) CY, and increase trucking costs for up to 398 CY, if and where directed.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #7-22 – account C-04-55-879-605 – \$1,130.00
Ordinance #26-11 – account C-04-55-826-401 – \$11,335.00
Ordinance #9-19 – account C-04-55-866-404 – \$44,902.04
3. That the Township Clerk shall forward a certified copy of the resolution to the contractor, ACT Engineers, Inc., Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	6/28/22
Agenda #	Date
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RESOLUTION

WHEREAS, Township of Brick received a proposal from HELPSY to provide clothing collection and recycling services to its residents; and

WHEREAS, HELPSY will collect clothes, footwear, and related goods as the official textile recycling partner for Brick; and

WHEREAS, the intent is to efficiently divert textile waste, to give residents, businesses, and visitors convenient textile recycling options, and to provide funds for Township's budget; and

WHEREAS, HELPSY agrees to pay the Township the proposal rate per pound per donation; and

WHEREAS, the proposal has been reviewed by the Business Administrator; and

WHEREAS, the Business Administrator has recommended to enter into agreement with HELPSY.

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

1. That the Mayor is hereby authorized to execute and the Municipal Clerk to attest to an agreement between the Township of Brick and HELPSY, which will collect clothes, footwear and related goods as the official textile recycling partner for Township of Brick, for a term commencing on July 1, 2022 and terminating on June 30, 2023.
2. That this agreement shall automatically renew for an additional one (1) year term on the same terms and conditions, unless either part provides the other party with written notice of termination no less thirty (30) days prior to June 30, 2023. Either party may terminate the agreement at any point during the agreement's term on 30 days' written notice to the other.
3. That the agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
4. That a copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, and Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Mo/Day/Year
4-9	6/28/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH BRIGHT HARBOR HEALTHCARE TO PROVIDE THE PROACTIVE OUTREACH IN NEEDS AND TREATMENT PROGRAM

WHEREAS, Bright Harbor Healthcare, a New Jersey Non-Profit Corporation, with a principal place of business located at 687 Atlantic City Boulevard, Bayville, New Jersey has established the Proactive Outreach In Needs and Treatment (“On P.O.I.N.T.”) program which is intended to assist municipalities in providing access to social work referrals and improved access for residents to behavioral health and integrated care programming to ensure that the most vulnerable population has the ability to get the care they need and deserve; and

WHEREAS, the Township Council of the Township of Brick would like to enter into a collaborative agreement with Bright Harbor Healthcare to provide the On P.O.I.N.T. program to the residents of Brick in collaboration with the Township and the Brick Township Police Department; and

WHEREAS, Bright Harbor Healthcare has reached an agreement with Brick Township to collaboratively provide the On P.O.I.N.T. program to Brick residents for a period of one year; and

WHEREAS, Bright Harbor Healthcare desires to assist Brick Township, and specifically the Brick Township Police Department (“BTPD”) in building a strong community and helping to educate citizens to understand that the role of the police officer includes referring at risk people/families for intervention; and

WHEREAS, the Memorandum of Understanding provides for Bright Harbor Healthcare to provide the Township of Brick On P.O.I.N.T. program effective July 1, 2022 and to end on June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY that the Mayor is authorized to execute and the Township Clerk to attest to the Memorandum of Understanding Between Bright Harbor Healthcare and the Township of Brick to be effective July 1, 2022 and to end on June 30, 2023.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby Certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on June 28, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township on this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	6/Date
4-8	6/28/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

Opposing A-1294/S-2103 and Urging That Such Legislation Not Advance Further

WHEREAS, local officials, because of their peculiar knowledge of local conditions, are in the best position to determine land use and zoning regulations; and

WHEREAS, this peculiar knowledge is used to develop a Municipal Master Plan, which is adopted with the goal of promoting the health, safety, and welfare of the public, and only after careful and thoughtful consideration by local officials for its compatibility and consistency with other state, county and regional plans, such as the State Development and Redevelopment Plan, the Coastal Area Facility Review Act, the Highlands Water Protection and Planning Act, the Pinelands Protection Act, the County Solid Waste Management Plan and Water Quality Management Plan; and

WHEREAS, the Municipal Master Plan guides the determination to designate land use and zoning districts, which help effectuate the careful development plans and goals outlined within the Master Plan; and

WHEREAS, the Municipal Land Use Law lays out a comprehensive system allowing for and detailing the process in which applicants for development may seek to deviate from these careful and deliberate land use and zoning regulations through the municipal planning board's review of a variance; and

WHEREAS, consideration of a land use variance is done by local officials, taking into account the variety of circumstances including the proposed deviation's impacts on the goals of the Master Plan; and

WHEREAS, the Local Redevelopment and Housing Law provides municipalities with substantial tools to support the redevelopment of blighted sites, including the creation of site specific redevelopment plans and numerous financial incentives; and

WHEREAS, legislation, A-1294/S-2103, has been introduced that would preempt local control over land use and zoning regulations, allowing certain qualifying office park and retail center properties to be permitted, as of right, to redevelop as a mixed-use development, not requiring a use variance; and

WHEREAS, A-1294/S-2103 requires a planning board approve an application for development to convert and eligible property to a mixed-used development unless the application causes "substantial detriment to the public good" and "substantially impair[s] the intent and purposes of the zone plan and zoning ordinance", a vague standard that may be difficult if not impossible to overcome; and

WHEREAS, A-1294/S-2103 may interfere with municipalities implementing alternative visions for the redevelopment of office park and retail center properties, including as industrial sites, parkland, or sites for needed infrastructure; and

WHEREAS, A-1294/S-2103 would interfere with existing and potential Redevelopment Plans that were specifically developed to address office park and retail center properties; and

WHEREAS, A-1294/S-2103 does not take into account conditions such as flooding and future climate risk that may impact the suitability of a site for mixed-use development; and

WHEREAS, this top-down approach, eliminating local land use planning regulations undermines the recognized benefits of municipal land use regulation, without providing the appropriate review for deviation as outlined within the Municipal Land Use Law.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Brick, County of Ocean and State of New Jersey opposes this legislation, and urges our representatives to not advance further A-1294/S-2103; and

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BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Senator James W. Holzapfel, Assemblyman John Catalano and Assemblyman Gregory P. McGuckin, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

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 held on the 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated June 21, 2022 that there is \$1,431.37 remaining in the engineering inspection fund from Michael Thomas Brown, 71 Princeton Avenue, Brick, NJ (Block 862.01 Lot 1 PB-2837) and

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

WHEREAS, the Assistant Township Engineer recommends that the \$1,431.67 remaining in the engineering inspection fund be returned to the applicant; and

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

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

1. That the \$1,431.67 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

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 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12a	6/28/22
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RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated June 21, 2022 that there is \$502.76 remaining in the engineering inspection fund from GMP Construction Co., Inc., Block 923 Lot 12 (Off Princeton Avenue PB-2635); 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 \$502.76 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 \$502.76 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

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 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	6/ Date
4-12b	28/22
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RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV deduction has been granted on Block 380.21, Lot 1 Qual C1032 Account # 209090 as of 8-5-2021.

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 8-5-2021 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
380.21/1/C1032/209090 63 Riva Blvd	DiCarlucci, Thomas & Mary	\$1,550.24- 2021 <u>\$1,773.79- 2022</u> \$3,324.03

CERTIFICATION

I, Lynnette A. Iannarone, 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 June 28, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	6/Date
4-13a	6/28/22
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RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2022.

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>
211.02/1/103859 33 Rochester Dr.	CoreLogic Refunds Dept.	\$1,618.36
701/9.05/C0313/417582 113 Spirit Way	CoreLogic Refunds Dept.	\$1,530.89

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on 28th day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of June, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 245, ENTITLED "LAND USE" TO PERMIT CRAFT CIDERY AND MEADERY, CRAFT DISTILLERIES, WINERY TASTING ROOMS AND INSTRUCTIONAL WINEMAKING FACILITY LICENSE HOLDERS AS PERMITTED USES IN THE VILLAGE ZONE, THE B-2 GENERAL BUSINESS ZONE, THE B-3 HIGHWAY DEVELOPMENT ZONE, AND THE M-1 LIGHT INDUSTRIAL ZONE

WHEREAS, holders of a craft cidery and meadery license, craft distillery license, a winery tasting room or an instructional winemaking facility holding a license issued by the State of New Jersey pursuant to N. J. S. A. 33:1-10 are presently not a permitted use within the Township of Brick; and

WHEREAS, the State of New Jersey has previously amended N. J. S. A. 33:1-10 to permit the Division of Alcoholic Beverage Control (ABC) to issue a cidery and meadery license which permits a cidery and/or meadery to manufacture, sell and distribute hard cider and mead within and outside New Jersey, and to sell their produce directly to retail consumers on the licensed premises in connection with a tour and for consumption off premises; and

WHEREAS, the State of New Jersey has previously amended N. J. S. A. 33:1-10 to permit the Division of Alcoholic Beverage Control (ABC) to issue a craft distillery license which permits craft distilleries to distill up to 20,000 gallons of distilled alcoholic beverages for sale and distribution without and outside New Jersey, and to sell their product directly to retail consumers on the licensed premises in connection with a tour and for consumption off-premises in a quantity not to exceed 5 quarts per person; and

WHEREAS, the State of New Jersey has previously amended N. J. S. A. 33:1-10 to permit holders of a Plenary Winery License, a Farm Winery License and an Out-of-State Winery License to operate a winery salesroom apart from the winery premises for retail sale of wine for consumption on or off the premises and for sampling on the premises; and

WHEREAS, the State of New Jersey has previously amended N. J. S. A. 33:1-10 to permit the holders of an Instructional Winemaking Facility to operate a facility for the purpose of instructing individuals in the process of winemaking and production of wine on the premises and to permit the consumption on or off premises by individuals directly involved in the winemaking process for the person's personal use or consumption; and

WHEREAS, the Township Code of the Township of Brick currently does not designate the holder of a craft distillery license, a winery tasting room or an instructional winemaking facility as a permitted use with the Township of Brick; and

WHEREAS, the Township Council believes it would be appropriate to permit craft distilleries, winery tasting room and instructional winemaking facilities as permitted uses in the Village, B-2, B-3 and M-1 zones within the Township of Brick.

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

SECTION 1. Chapter 245-3 of the Township Code captioned "Land Use" is hereby amended and supplemented to designate the holders of a craft cidery and meadery license, craft distillery license, a winery salesroom for a licensed winery or an instructional winemaking facility license issued by the State of New Jersey as a permitted use in the Village, B-2, B-3 and M-1 zones. The amendments to Chapter 245 shall read as follows:

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§ 245-3.

CRAFT CIDERY AND MEADERY. A manufacturer of hard cider and/or mead holding a cidery and meadery license issued by the State of New Jersey as defined by N. J. S. A. 33:1-20.2f producing less than 20,000 gallons of distilled hard cider and/or mead. The holder of this license shall be entitled to sell this product to wholesalers and retailers licensed to sell this product and direct retail to consumers on the licensed premises for consumption on the licensed premises but only in connection with a tour of the premises, or for consumption off the premises in a quantity not to exceed more than five liters per person. In addition, the holder of this license may offer any person not more than three samples per calendar day for sampling purposes.

CRAFT DISTILLERY. A distillery holding a craft distillery license issued by the State of New Jersey as defined by N. J. S. A. 33:1-10.3.d producing less than 20,000 gallons of distilled alcoholic beverages. The holder of this license shall be entitled to sell this product to wholesalers and retailers licensed to sell this product and direct retail to consumers on the licensed premises of the distillery for consumption on the premises but only in connection with a tour of the premises, or for consumption off the premises in a quantity not to exceed more than five liters per person. In addition, the holder of this license may offer any person not more than three samples per calendar day for sampling purposes.

WINERY SALESROOM. A wine salesroom apart for a winery holding a license issued by the State of New Jersey for a Plenary Winery license as defined by N. J. S. A. 33:1-10.2a, a Farm winery license as defined by N. J. S. A. 33:1-10.2b, or any Out-of-State winery license issued as defined by N. J. S. A. 33:1-10.2e. The holder of this license may sell wine at retail in original packages for consumption on or off the premises.

INSTRUCTIONAL WINEMAKING FACILITY LICENSE. A winemaking instructional facility holding a license issued by the State of New Jersey as defined by N. J. S. A. 33:1-10.2d. The holder of this license shall be entitled to instruct persons and provide them with the opportunity to participate directly in the process of winemaking and to assist such persons in the process of winemaking on the premises of the facility. Wine produced on the premises shall be used, consumed or disposed of on the premises or distributed from the premises to a person that has directly participated in the process for the purpose of the person's personal or household use of consumption.

SECTION 2. § 245-212.4 of the Township Code of the Township of Brick captioned "Permitted Uses" for the Village Zone is hereby amended and supplemented to designate Craft Cidery and Meadery, Craft Distillery, Wine Salesroom and Instructional Winemaking Facility as permitted uses. The amendment to § 245-212.4 shall read as follows:

- § 245-212.4.A. Permitted Uses.
- A.(12). Craft Cidery and Meadery.
- A.(13). Craft Distillery.
- A.(14). Winery Salesroom.
- A.(15). Instructional Winemaking Facility.

SECTION 3. § 245-214 of the Township Code of the Township of Brick captioned "Permitted Uses" for the B-2 General Business Zone is hereby amended and supplemented to designate Craft Cidery and Meadery, Craft Distillery, Wine Salesroom and Instructional Winemaking Facility as permitted uses. The amendment to § 245-214 shall read as follows:

- § 245-214. Permitted Uses.
- A.(1)(p). Craft Cidery and Meadery.
- A.(1)(q). Craft Distillery.
- A.(1)(r). Winery Salesroom.
- A.(1)(s). Instructional Winemaking Facility.

SECTION 4. § 245-224 of the Township Code of the Township of Brick captioned "Permitted Uses" for the B-3 Highway Development Zone is hereby amended and supplemented to designate Craft Cidery and Meadery, Craft Distillery, Wine Salesroom

and Instructional Winemaking Facility as permitted uses. The amendment to § 245-224 shall read as follows:

- § 245-224. Permitted Uses.
- A.(13). Craft Cidery and Meadery.
- A.(14). Craft Distillery.
- A.(15). Winery Salesroom.
- A.(16). Instructional Winemaking Facility.

SECTION 5. § 245-242 of the Township Code of the Township of Brick captioned "Permitted Uses" for the M-1 Light Industrial Zone is hereby amended and supplemented to designate Craft Cidery and Meadery, Craft Distillery, Wine Salesroom and Instructional Winemaking Facility as permitted uses. The amendment to § 245-242 shall read as follows:

- § 245-242. Permitted Uses.
- A.(23). Craft Cidery and Meadery.
- A.(24). Craft Distillery.
- A.(25). Winery Salesroom.
- A.(26). Instructional Winemaking Facility

SECTION 6. 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 28th day of June, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 26th day of July, 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE IN SECTION 288-45 TO ADD A "NO LEFT TURN" ONTO BEAVERSON BOULEVARD FROM LIONS HEAD OFFICE PARK

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. Chapter 288 of the Township Code of the Township of Brick entitled "Vehicles and Traffic" is hereby amended in Section 288-45 entitled "Schedule XV: Left Turns," to add the following location, in an appropriate alphabetical location:

§288-41. Schedule XV: Left Turns.

In accordance with the provisions of §288-20, no person shall make a left turn at any of the following locations:

Location	Prohibited Left Turn Onto
Lion Heads Office Park	County Road # 60/ Beaverson Blvd. (westbound)

SECTION 2. Upon the effective date of this Ordinance, the Department of Public Works is authorized and directed to install "No Left Turn" signs as appropriate to give effect to this Ordinance.

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 28th day of June, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 12th day of July, 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

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