



Brick Township Council
Caucus/Public Meeting
July 12, 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.
c. Approve Minutes of June 14, 2022 Meeting.
d. Presentations:
1. Community Development Block Grant (CDBG) Awards.
2. Recognize National Park & Recreation Month

Consent Agenda

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

4. Resolutions:

- 1. Recognize National Park & Recreation Month – July.
2. Authorize Receipt of Bids – Purchase & Delivery of Construction Supplies.
3. Authorize Award of Contract – Roadway Resurfacing Point Pleasant Manor, Phase II.
4. Authorize Award of Contract – Purchase & Delivery of Flood Control Valves.
5. Authorize Award of Contract – Rental & Laundry of Public Works Uniforms, Floor Mats, Rags & Fender Covers.
6. Award of Contract – General Athletic Equipment & Supplies.
7. Award of Contract – Automated Chest Compression Devices.
8. Authorize Escrow Agreement with Brick Standard, LLC.
9. Bond Releases/Reductions:
a. Performance Bond & Inspection Fund Release – ZMRA, LLC – Mantoloking Rd.
b. Performance Bond Release – Block 322; Lots 16.08 & 29.01.
10. Tax Collector:
a. 100% Widow of DAV Refund & Cancel Taxes – Block 190.01, Lot 15.
b. Tax Overpayment – 2021 – Block 1386, Lot 10.
c. Tax Overpayment – 2022 – Block 211.02, Lot 1.

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

- 11. Bill Resolution – Computer 2022.
12. Bill Resolution – Manual 2022.

5. Ordinances on First Reading:

- 1. Amend Chapter 460 – "Vehicles, Operation Of."
2. Acceptance of Donation of Property – Block 380.26, Lot 1.
3. Acceptance of Donation of Property – Block 907, Lot 1.

6. Ordinances on Second Reading:

- 1. Amend Chapter 288-45 – To Add "No Left Turn" onto Beaverson Boulevard from Lions Head Office Park.

7. Public Comments.

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

8. Council Comments.

9. Motion to Adjourn.

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

**Next scheduled Caucus/Public Meeting will be held on Tuesday, July 26, 2022 at 7:00 p.m.

RESOLUTION

WHEREAS, since 1985, the month of July has been recognized as National Park and Recreation Month in the United States; and

WHEREAS, National Park and Recreation Month is a celebration of the important role parks and recreation play in our communities and the invaluable benefits that parks and recreation departments provide to citizens by giving access to nature, physical activities, life-enriching programs and much more; and

WHEREAS, the residents of the Township of Brick are fortunate to be served by the dedicated staff of the Brick Township Recreation Department; and

WHEREAS, the Brick Township Recreation Department provides the citizens of our community with exceptional programs, events and activities throughout the year; and

WHEREAS, the Brick Township Recreation Department, which is a proud member agency of the New Jersey Recreation and Parks Association, also oversees the Brick Farmers Market, the SummerFest Concert Series and our popular ocean beaches; and

WHEREAS, the Township is also ably served by our Parks Division which is responsible for maintaining our community's many parks and recreational facilities.

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 join Mayor John G. Ducey in designating July as National Park and Recreation Month in the Township of Brick.
2. We urge all residents to take some time this month to celebrate National Park and Recreation Month by participating in one of the many programs, activities and events offered by the Recreation Department or visiting one of our township's parks or recreational areas.
3. We thank and commend the staffs of the Brick Township Recreation Department and the Parks Division for their hard work and efforts to provide the residents of our community with opportunities to enjoy exceptional recreational programs, events, activities and facilities.

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 of the Township of Brick at a meeting of said Township Council on July 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
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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 bids for the following item:

PURCHASE AND DELIVERY OF CONSTRUCTION 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. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above-mentioned project.
2. That the Division of Purchasing and Contracting is hereby authorized to prepare 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 July 12, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-2	7-12-22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Roadway Resurfacing Contract – Point Pleasant Manor, Phase II on Tuesday, June 28, 2022; and

WHEREAS, the bids have been reviewed by ARH Associates; and

WHEREAS, the consulting engineer has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid 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. That the contract for the Roadway Resurfacing Contract – Point Pleasant Manor, Phase II is hereby awarded to Earle Asphalt Company, P.O. Box 556, Farmingdale, NJ 07727 for a total bid amount of \$713,913.13.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following are the line item appropriations and ordinances which constitute the availability of funds for this contract:

Ordinance #14-18 – account C-04-55-861-401 – \$29,198.58
Ordinance #11-21 – account C-04-55-877-401 – \$203,234.23
Ordinance #10-22 – account C-04-55-882-401 – \$481,480.32

3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, ARH Associates, Business Administrator, Chief Financial Officer, Township Engineer, Superintendent of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on July 12, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	7-12-22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Purchase and Delivery of Flood Control Valves on Thursday, June 30, 2022; and

WHEREAS, the bids have been reviewed by the Township Engineer; and

WHEREAS, the Township Engineer has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

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 contract for Purchase and Delivery of Flood Control Valves is hereby awarded to Wapro, Inc., 150 North Michigan Avenue #1959, Chicago, IL 60601 as per the attached schedule of prices.
2. That this will be a two (2) year contract commencing on July 15, 2022 and ending on July 14, 2024.
3. That this is a unit price bid not to exceed \$200,000.00 for the contract period with funds to be certified prior to each purchase. Sufficient funds are available under ordinance #6-19, account C-04-55-863-502, ordinance #8-20, account C-04-55-870-404, ordinance #12-21, account C-04-55-878-405, and ordinance #11-22, account C-04-55-883-405.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Township Engineer, Superintendent of Public Works, and Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township 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 July 12, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this the 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-11	7-12-22
Agenda #	Date
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RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Rental and Laundry of Public Works Uniforms; Rental of Floor Mats, Rags and Fender Covers on Thursday, June 30, 2022; and

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

WHEREAS, the Superintendent of Public Works has recommended the award of said bid to the lowest responsive and responsible bidder.

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 contract for Rental and Laundry of Public Works Uniforms; Rental of Floor Mats, Rags and Fender Covers is hereby awarded to American Wear, Inc., 261 North 18th Street, East Orange, NJ 07017 as per the attached schedule of prices.
2. That this is a unit price bid not to exceed \$40,000.00 per year with funds to be certified prior to each purchase. Sufficient funds are available in 2022 budget and pending adoption of the 2023, 2024 and 2025 budgets under appropriations entitled Buildings & Grounds – Uniforms, account 2-01-26-310-224.
3. That the awarded rates shall be fixed for the duration of the contract.
4. That term of this contract will be three (3) years commencing on July 24, 2022 and concluding on July 23, 2025.
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
6. That a copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Superintendent of Public Works, 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 July 12, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-5	7-12-22
Agenda #	Date
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RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for General Athletic Equipment & Supplies on Wednesday, June 29, 2022; and

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

WHEREAS, the Superintendent of Recreation has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

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 contract for General Athletic Equipment & Supplies for the catalog percentage discount is hereby awarded to the following vendors as per Attachment A:
 - BSN Sports, LLC, 14460 Varsity Brands Way, Famers Branch, TX 75244
 - MFAC, LLC, 1600 Division Road, West Warwick, RI 02893
 - S&S Worldwide, 75 Mill Street, Colchester, CT 06415
2. That this is a unit price bid, therefore, funds shall be certified prior to each order, with a total not to exceed amount of \$50,000.00 per year. Sufficient funds are available in 2022 budget and pending adoption of the 2023 and 2024 budgets under appropriation entitled Recreation Rider account T-03-56-862-267.
3. That this will be a two (2) year contract commencing on July 15, 2022 and ending on July 14, 2024.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendors, Business Administrator, Chief Financial Officer, Superintendent of Recreation 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 July 12, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Automated Chest Compression Devices on Tuesday, June 7, 2022; and

WHEREAS, the bids have been reviewed by the Chief Emergency Medical Technician; and

WHEREAS, the Chief Emergency Medical Technician has recommended the award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specification.

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 contract for Automated Chest Compression Devices is hereby awarded to ZOLL Medical Corporation, 269 Mill Road, Chelmsford, MA 01824-4105 as per the attached schedule of prices.
2. That this will be an open-ended contract not to exceed \$240,000.00 per year with funds to be certified prior to each service. Sufficient funds are available in 2022 budget and pending adoption of the 2023 and 2024 budgets under appropriations entitled EMT Services – First Aid Supplies, account 2-01-40-765-251, EMT Services – Equipment, account 2-01-40-765-267, EMT Services – Batteries, account 2-01-40-765-226, ordinance #9-21, account C-04-55-875-601.
3. That this will be a two (2) year contract commencing on July 13, 2022 and ending on July 12, 2024.
4. That all pricing shall remain firm fixed for the duration of the contract.
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
6. That a copy of this resolution shall be forwarded to the vendor, the Business Administrator, Chief Financial Officer, Chief Emergency Medical Technician 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 July 12, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	7-12-22
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RESOLUTION

AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH BRICK STANDARD, LLC

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") provides municipalities with broad powers to ameliorate blighted areas, including the powers to investigate whether a property constitutes an "area in need of redevelopment", to prepare and adopt a redevelopment plan for such area, to contract with redevelopers for the planning, replanning, construction or undertaking of any project or redevelopment work, and arrange by contract for the provision of professional services for the carrying out of redevelopment projects; and

WHEREAS, on April 6, 2010, the Township Council (the "Township Council") of the Township of Brick, in the County of Ocean, New Jersey (the "Township") by resolution designated Block 1427, Lot 4 on the official tax maps of the Township as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, on May 4, 2010, the Township Council adopted an ordinance approving and adopting a redevelopment plan for the Redevelopment Area (the "Redevelopment Plan"); and

WHEREAS, the Township and Brick Standard, LLC (the "Redeveloper") entered into a Redevelopment Agreement on December 20, 2011 (as amended and supplemented, the "Redevelopment Agreement") pursuant to which the Redeveloper agreed to, among other things, construct a Photovoltaic System on the Redevelopment Area and to provide Infrastructure Improvements necessary to complete the Photovoltaic System (together, the "Solar Project"); and

WHEREAS, the Redeveloper now seeks to, among other things, sell the Solar Project to Altus Power, LLC ("Altus"), resulting in a change in ownership and control of the Solar Project (the "Transaction"); and

WHEREAS, as an inducement to the Township to facilitate the Transaction, and as a precondition thereto, Redeveloper has agreed to deposit with the Township the initial amount of Five Thousand and 00/100 (\$5,000.00) Dollars (the "Escrow Deposit"), to be deposited in an escrow account and disbursed in accordance with the provisions of an Escrow Agreement in the form attached hereto as Exhibit A (the "Escrow Agreement") to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the Transaction; and

WHEREAS, the Township desires to authorize the execution of the Escrow Agreement to memorialize the terms of the Escrow Deposit.

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 foregoing recitals are incorporated herein as if set forth in full.
2. The Mayor of the Township is hereby authorized and directed to execute the Escrow Agreement, in the form attached hereto as Exhibit A, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Township's redevelopment counsel, planning consultant and other professionals. The Clerk of the Township is hereby authorized and directed to attest to the Mayor's signature and affix the seal of the Township to the Escrow Agreement. Upon execution and attestation of same, the Mayor is hereby authorized to deliver the Escrow Agreement to the other party thereto.

This Resolution shall take effect immediately.

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CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of July, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, ZMRA, LLC, 247 Mantoloking Road, Brick, NJ 08723 had posted a cash bond in the amount of \$17,500.00 to guarantee site restoration to Block 109.11 Lot 2 (247 Mantoloking Road) in the Township of Brick; and

WHEREAS, the Township Engineer by letter dated June 27, 2022 has advised that a Performance Guarantee Bond has replaced the Site Restoration Bond for the above referenced project; and

WHEREAS, the Township Engineer recommends that the cash performance bond in the amount of \$17,500.00 along with the \$335.00 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 the cash performance bond in the amount of \$17,500.00 along with the \$335.00 in the engineering inspection fund be returned to the applicant; and
2. That the Municipal 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 July 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9a	7-12-22
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RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% Widow of Disabled Veteran has been granted on Block 190.01, Lot 15 and Account # 102939 as of 4-21-2021.

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 4-21-2021 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
190.01/15/102939 561 Michelle Pl.	Dillon, Mary C.	\$4,182.95 - 2021 <u>\$2,940.81 - 2022</u> \$7,123.76

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 July 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10a	7-12-22
Agenda #	Date
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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 2021.

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>
1386/10/C041/725398 353A Sawmill Road	CoreLogic Refunds Dept.	\$490.80

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 July 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-106	7-12-22
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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 of 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.	\$198.00

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 July 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12^h day of July, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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4-10c	7-12-22
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ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING CHAPTER 460
OF THE TOWNSHIP CODE ENTITLED "VEHICLES, OPERATION OF," TO

WHEREAS, the Township has received comments from the U.S. Fish & Wildlife Service on the required "*Township of Brick Beach Management Plan for the Protection of Federally & State-Listed Species*"; and

WHEREAS, Fish & Wildlife recommends that the Township amend Chapter 460 of the Township Code, entitled "Vehicles, Operation Of," in order to restrict beach buggy driving from October 1 through March 15, and also to assure that no beach buggy driving will occur in plant-protected areas until November 30; and

WHEREAS, Fish & Wildlife requires that Chapter 460 be amended to indicate specifically the procedures for the Township to ensure that beach buggy vehicles are kept out of plant-protection areas either through notification as part of the permit process or through enforcement; and

WHEREAS, the Township desires to undertake both efforts, to make notification through the permit process and through signage and enforcement.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Brick that Chapter 460 of the Township Code is hereby amended as indicated below (deletions indicated by ~~strikethrough~~ and additions indicated by underline):

SECTION 1. Chapter 460 of the Township Code is hereby amended as set forth below:

Chapter 460 Vehicles, Operation of

§ 460-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

MOTOR VEHICLE

Includes any vehicle included within the definition of "motor vehicle," "motor-drawn vehicle," "motorcycle" and "motorized bicycle" as provided for in N.J.S.A. 39:1-1.

§ 460-2 Operation restricted to improved and designated roadways.

Except as otherwise provided in this article, no person, except a governmental employee or agent acting within the scope of his governmental employment or agency, shall operate any motor vehicle or all-terrain vehicle upon any park, beach, or open space recreation area or upon any pedestrian or bicycle path owned by the Township of Brick or the Brick Township Board of Education except upon improved public roadways or parking lots located upon such public property and designated for such use.

§ 460-3 Permit required; application; fee.

A. Section **460-2** of this article shall not apply to a person who has obtained and is in possession of a permit from the Township to operate a motor vehicle upon a municipally owned beach bordering the Atlantic Ocean during the period from October 1 through ~~April 30~~ March 15; however no motor vehicle or all-terrain vehicle shall be permitted to operate on or near plant-protected areas before November 30, which restriction shall specifically be included in any permit. Such permit shall be obtained by filing an application with the Township Clerk, who shall require from the applicant the applicant's name, age, driver's license number, and the make, model, year, motor vehicle registration number, if any, and type and description of the vehicle to be operated by the applicant. The applicant shall furthermore be required to pay a fee in the amount of \$35 in connection with such application. Notwithstanding the foregoing, any individual

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exempt from fees pursuant to Chapter 110, § 110-19 shall be exempt from the fees established by this section.

B. Prior to the issuing of the aforesaid permit by the Township Clerk, the Brick Township Police Department shall inspect the motor vehicle in order to ensure that said vehicle is properly equipped for beach use. The vehicle shall be equipped with a twenty-five-foot towing chain, shovel, spare tire and jack, fire extinguisher, flashlight and first aid kit. Should the Brick Township Police Department be satisfied that the vehicle is properly equipped and the applicant has demonstrated his ability to safely operate a motor vehicle upon any such beach area without endangering the health and safety of himself or others, the Township Clerk may issue a permit for the operation of a motor vehicle under this article.

C. The requirements of Subsection **B** shall not apply to the renewal by the Township of permits issued for operation of all-terrain vehicles (ATV's) prior to the adoption of this article. Such permits shall be renewed in accordance with Subsection **A**.

D. The Township Clerk shall limit the total number of permits issued pursuant to this article to 125.

§ 460-4 Rules and regulations.

Any person who has been issued a permit under this article shall operate his motor vehicle subject to the following rules and regulations:

A. No motor vehicle shall be operated on the strand or beachfront at a speed in excess of 15 miles per hour.

B. No such motor vehicle shall be operated on the sand dunes, and all such motor vehicles shall obtain access to the beachfront from the public streets only at places specifically designated by the municipality.

C. All such vehicles shall be required to maintain a reasonable distance from congested bathing beaches or other areas where bathers, surf fishermen or others using the beach are present.

D. No rubbish, debris or litter of any sort shall be discarded from any motor vehicle while being operated on the beachfront.

E. No motor vehicle shall be operated on the beachfront after sunset without adequate lights.

F. Every motor vehicle being operated on the beach shall be operated in a safe, reasonable and careful manner at all times so as not to endanger the lives and safety of other persons using the beachfront.

G. No motor vehicle or all-terrain vehicle shall be permitted to operate on or near plant-protected areas before November 30. Said plant-protected areas shall be designated by signage installed by the Township.

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 3. This Ordinance shall take effect upon adoption and publication in an official newspaper of the Township, as required by and in conformance with 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 12th day of July, 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

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 380.26, LOT 1 FOR NO CONSIDERATION

WHEREAS, the owner of property known as Block 380.26, Lot 1 (the "Property"), have proposed to donate the Property to the Township for no consideration; 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 380.26, Lot 1 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 12th day of July, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Committee 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.

Agenda #	Date
5-2	7-12-22
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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 907, LOT 1 FOR NO CONSIDERATION

WHEREAS, the owner of property known as Block 907, Lot 1 (the "Property"), have proposed to donate the Property to the Township for no consideration; 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 907, Lot 1 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 12th day of July, 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

Agenda #	Date
5-3	7-12-22
Agenda #	Date
Agenda #	Date
Agenda #	Date

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

Agenda #	Date
5-2	6/28/22
Agenda #	Date
6-1	7-12-22
Agenda #	Date
Agenda #	Date