



**Brick Township Council**  
**Caucus/Public Meeting**  
**October 11, 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 September 27, 2022 Meeting.
  - d. Presentation:
    1. National Friends of Libraries Week – Taya Petino, Branch Manager, OC Library, Brick Branch.

**Consent Agenda**

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

4. Resolutions:

- \_\_\_1. Authorize Insertion of Chapter 159 – 2022 Clean Energy Community Energy Grant.
- \_\_\_2. Authorize Insertion of Chapter 159 – 2022 Clean Energy Electric Vehicle Tourism Grant.
- \_\_\_3. Authorize Insertion of Chapter 159 – 2022 MACADA Grant.
- \_\_\_4. Authorize NJ DCA Grant Application – Senior Citizen Dialysis Transportation.
- \_\_\_5. Authorize Shared Services Agreement – Ocean County Traffic Signals Upgrade.
- \_\_\_6. Authorize Receipt of Bids – Senior Services & EMS Building Renovation.
- \_\_\_7. Authorize Contract – Purchase & Delivery Rear Loading Refuse Collection Vehicle.
- \_\_\_8. Authorize Contract – Purchase & Delivery Automated Side Loading Refuse Collection Vehicles.
- \_\_\_9. Authorize Contract – Stepp Parts, Supplies & Repairs.
- \_\_\_10. Authorize Contract – Peterbilt Parts, Supplies & Repairs.
- \_\_\_11. Authorize Contract – State Vendor, Radio Upgrade – Public Works.
- \_\_\_12. Authorize Placement of Lien:
  - a. Removal of Debris & Clean-up – Block 1086.01/Lot 1 - \$155.95.
- \_\_\_13. Authorize Plenary Retail Distribution Liquor License – BRX NJ License LLC.
- \_\_\_14. Authorize Motor Vehicle Selling License – Joe’s Towing & Auto Truck Repair.
- \_\_\_15. Authorize Special Events Permit – St. Paul’s United Methodist Church Blessing of the Animals
- \_\_\_16. Bond Releases/Reductions:
  - a. Inspection Fund Release – Mr. Keys — Block 1351.36, Lot 20.
  - b. Performance Bond & Inspection Fund Release – Eastern Enterprises, LLC – Block 1170, Lot 24.
- \_\_\_17. Tax Collector:
  - a. 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 1422.19, Lot 2.
  - b. Tax Exemption – Block 907, Lot 1.
  - c. Tax Exemption – Block 380.26, Lot 1.

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

- \_\_\_18. Bill Resolution – Computer 2022.
- \_\_\_19. Bill Resolution – Manual 2022.

5. Ordinances on First Reading:

- \_\_\_1. Amend Chapter 245 – Authorize and Encourage Electric Vehicle Supply, Equipment & Parking Spaces.

6. Ordinances on Second Reading:

- \_\_\_1. Authorizing the Acceptance of Donation of Property – Block 210.31, Lots 4, 5, 6, & 7.
- \_\_\_2. Amend Chapter 288 – Prohibit Parking - One-Side of Davos Road.

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, October 25, 2022 at 7:00 p.m.\*\*\***

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE BE IT RESOLVED**, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2022 in the amount of \$10,000.00, which is now available from the State of New Jersey – Board of Public Utilities - 2022 Clean Energy Community Energy Grant.

**BE IT FURTHER RESOLVED**, that the like sum of \$ 10,000.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – 2022 Clean Energy Community Energy Grant.

**BE IT FURTHER RESOLVED**, that the above is the result of funds received from the State of New Jersey – Board of Public Utilities - 2022 Clean Energy Community Energy Grant.

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-1	10/11/22
Agenda #	Date

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE BE IT RESOLVED**, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2022 in the amount of \$14,000.00, which is now available from the State of New Jersey – Public Utilities - 2022 Clean Energy Electric Vehicle Tourism Grant.

**BE IT FURTHER RESOLVED**, that the like sum of \$ 14,000.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – 2022 Clean Energy Electric Vehicle Tourism Grant.

**BE IT FURTHER RESOLVED**, that the above is the result of funds received from the State of New Jersey – Public Utilities - 2022 Clean Energy Electric Vehicle Tourism Grant.

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-2	10-11-2022
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND  
APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount, and

**WHEREAS**, monies are available through the Ocean County Health Department in the amount of \$21,773.00 for the 2022 MACADA Grant;

**NOW, THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the additional revenue in the budget of 2022 in the amount of \$21,773.00, which is now available from the Ocean County Health Department – MACADA Grant – 2022.

**BE IT FURTHER RESOLVED** that the like sum of the \$21,773.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – MACADA Grant - 2022.

**BE IT FURTHER RESOLVED**, that the above is the result of funds received from the Ocean County Health Department – MACADA Grant in the amount of \$21,773.00.

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-3	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Township of Brick desires to apply for an obtain a grant from the New Jersey Department of Community Affairs for \$400,000 to carry out a project to provide dialysis transportation services for Brick Township seniors.

**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 and Township Council does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Brick and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

\_\_\_\_\_  
John G. Ducey, Mayor

\_\_\_\_\_  
Lynnette A. Iannarone, Township Clerk

**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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-4	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the County has traffic signals on 500 and 600 series roadways within Brick Township; and

**WHEREAS**, the traffic signals are inoperable without power such as during periods of power outages and Township police officers are necessary in order to manage traffic at these locations during such outages, when their efforts are in high demand and much needed elsewhere; and

**WHEREAS**, the County has proposed an upgrade to the existing County traffic signals with the installation of new battery backup systems and generator bypass switches which will allow the traffic signals to operate under alternative power sources during power outage periods; and

**WHEREAS**, the County has determined that there are twenty-six (26) traffic signals which will need to be upgraded with the new battery backup systems and generator bypass switches; and

**WHEREAS**, the Township agrees that these improvements are appropriate and should go forward and that it is their sole responsibility to purchase, supply and maintain the generators to be utilized; and

**WHEREAS**, the Township and County have agreed to share the cost of the traffic signal upgrades for generator by installation; and

**WHEREAS**, because of the particular complexities involved in the Project, the parties agree that it is in the best interest of the Township and the County for the County to undertake the traffic signal work and for the Township to reimburse their share to the County.

**WHEREAS**, pursuant to NJSA40A:65-1 et seq., municipalities and other local governmental units may enter into Agreements for shared services with other municipalities and local governmental units to provide or receive any service that the local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

**WHEREAS**, The Township and the County desire to enter into a Shared Services Agreement in accordance with the provisions of NJSA40A:65-1 et seq.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk of the said Township of Brick, be and are hereby authorized to enter into an Agreement with the County of Ocean for the purpose aforesaid, a copy of said Agreement shall be on file in the office of the Township Clerk.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk of the Township of Brick, be and herby are authorized to execute said Agreement.

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-5	10/11/22
Agenda #	Date
Agenda #	Date

**RESOLUTION**

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

**BRICK TOWNSHIP BUILDING RENOVATION SENIOR SERVICES & EMS**

**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. That the Township Engineer is hereby authorized to prepare formal 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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-6	10/11/22
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Division of Purchasing and Contracting received sealed bids for the Purchase and Delivery of One (1) 30 C.Y. Rear Loading Refuse Collection Vehicle on Tuesday, September 20, 2022; and

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

**WHEREAS**, the Superintendent of Public Works has recommended award of said bid to the sole 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 the Purchase and Delivery of One (1) 30 C.Y. Rear Loading Refuse Collection Vehicle – 2024 Peterbilt 548 is hereby awarded to Hunter Jersey Peterbilt, 524 Monmouth Road, P.O. Box 729, Clarksburg, NJ 08510 in the amount of \$275,995.00, including extended warranty.
2. That delivery shall be FOB Township of Brick Public Works within 180 days after receipt of order.
3. That the Chief Financial Officer has submitted a Certificate of Available Funds in the total amount of \$275,995.00 and is attached hereto. The following are the line item appropriations and ordinance which constitute the availability of funds for this contract:  
Ordinance #8-22 – account C-04-55-880-501 – \$275,995.00
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 copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Superintendent of Public Works 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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-7	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION**

**WHEREAS**, the Division of Purchasing and Contracting received sealed bids for the Purchase and Delivery of Two (2) 33 C.Y. Automated Side Loading Refuse Collection Vehicles on Tuesday, September 20, 2022; and

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

**WHEREAS**, the Superintendent of Public Works has recommended award of said bid to the sole 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 the Purchase and Delivery of Two (2) 33 C.Y. Automated Side Loading Refuse Collection Vehicles – 2024 Peterbilt 520 is hereby awarded to Hunter Jersey Peterbilt, 524 Monmouth Road, P.O. Box 729, Clarksburg, NJ 08510 in the total amount of \$777,830.00 (\$388,915.00 each), including extended warranty.
2. That delivery shall be FOB Township of Brick Public Works within 180 days after receipt of order.
3. That the Chief Financial Officer has submitted a Certificate of Available Funds in the total amount of \$777,830.00 and is attached hereto. The following are the line item appropriations and ordinances which constitute the availability of funds for this contract:  
 Ordinance #9-16 – account #C-04-55-850-504 – \$80,286.20  
 Ordinance #8-22 – account #C-04-55-880-501 – \$697,543.80
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 copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Superintendent of Public Works 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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

Agenda #	Date
4-8	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

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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 Stepp Parts, Supplies and Repairs on Tuesday, September 20, 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 being in full compliance of 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 Stepp Parts, Supplies and Repairs is hereby awarded to W.E. Timmerman Company, Inc., 3554 Route 22 West, P.O. Bix 71, Whitehouse, NJ 08888 at the following rates:
  - Labor Rate: \$175.00 per hour
  - Discount on Parts: 0% from MSRP
2. That this is an open-ended contract with not to exceed amount of \$60,000.00; therefore, funds shall be certified prior to each order. Sufficient funds are available in 2022 budget and pending adoption of the future budgets under appropriations entitled Vehicle Maintenance, accounts 2-01-26-315-206 and 2-01-26-315-262.
3. That this will be a two (2) year contract commencing on October 14, 2022 and ending on October 13, 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 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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-9	10/11/22
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 Peterbilt Parts, Supplies and Repairs on Tuesday, September 20, 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 being in full compliance of 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 Peterbilt Parts, Supplies and Repairs is hereby awarded to Hunter Jersey Peterbilt, 524 Monmouth Road, Clarksburg, NJ 08510 at the following rates:
  - Labor Rate: \$115.00 per hour
  - Discount on Parts: 25% from MSRP
2. That this is an open-ended contract with not to exceed amount of \$350,000.00; therefore, funds shall be certified prior to each order. Sufficient funds are available in 2022 budget and pending adoption of the future budgets under appropriations entitled Vehicle Maintenance, accounts 2-01-26-315-206 and 2-01-26-315-262.
3. That this will be a two (2) year contract commencing on October 19, 2022 and ending on October 18, 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 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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-10	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**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 Vendor 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 the approved New Jersey State Contract Vendor on the attached list, pursuant to all conditions of the individual State contract.
2. That pursuant to N.J.A.C. 5:30-5.1 et seq., the certification of available 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 #11-22 – account C-04-55-883-402 – \$201,649.90
3. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Deputy Chief of Police, Chief Financial Officer, 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 October 11, 2022.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-11	10/11/22
Agenda #	Date
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REFERENCED STATE CONTRACT VENDOR

<b>Commodity/Service:</b>	Radio Upgrade – Public Works
<b>Vendor:</b>	PMC Associates 8 Crown Plaza, Unit 106 Hazlet, NJ 07730
<b>State Contract:</b>	#83900
<b>Total Amount:</b>	\$201,649.90
<b>Quote:</b>	#463578

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE DIRECTOR OF PUBLIC WORKS CONCERNING ADDITIONAL COSTS INCURRED IN THE REMOVAL OF DEBRIS AND CLEANING UP OF THE PROPERTY LOCATED AT MULTIPLE BLOCKS/LOTS AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTIES FOR SAID COSTS.

WHEREAS, in accordance with the provisions of N.J.S.A. 40:65-12 and Chapter 331, specifically Section 331-5 through 331-9, of the Township Code of the Township of Brick, the Township of Brick removed debris and cleaned up the properties located at:

501 Azalea Dr.– Block 1086.01/Lot 1- \$155.95

after duly-giving notice to the property owner of said property pursuant to Chapter 56; and

WHEREAS, the Director of Public Works has certified the costs incurred by the Township in removing the debris and cleaning up the aforementioned properties; and

WHEREAS, the total additional costs incurred by the Township for the removal of the debris and cleaning up the properties as certified by the Director of Public Works, are:

501 Azalea Dr.– Block 1086.01/Lot 1- \$155.95

WHEREAS, Chapter 331 of the Township Code, in accordance with N.J.S.A. 40:65-12, et seq. authorizes the governing body to have a lien placed against the subject property for the costs incurred by the Township in the removal of the debris from the subject premises and cleaning up the property, together with interest at the same rate as other taxes as set forth in N.J.S.A. 40:48-2.14.

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

- 1. That the Mayor and Township Council do hereby formally accept and approve the certification submitted by the Director of Public Works for the removal of debris and cleaning up the properties located at:

501 Azalea Dr.– Block 1086.01/Lot 1- \$155.95

- 2. That the Mayor and Township Council do hereby direct the Tax Collector to place an assessment against the subject property in accordance with this resolution.
- 3. That a copy of the certified costs incurred by the Township in removing the debris and cleaning up the property, together with a copy of the resolution, shall be forwarded to the owner of the property by certified mail.
- 4. That a certified copy of this resolution be forwarded to the Tax Collector and to the Code Enforcement Officer.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on October 11, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-12	10/11/22
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Township did, by Resolution 322-22, authorize by sealed bid the sale of one new plenary retail distribution liquor license in accordance with the resolution thereby adopted; and

**WHEREAS**, the bidding was conducted in accordance with law; and

**WHEREAS**, as a result of such bidding, BRX NJ LICENSE LLC, 200 Ridge Pike, Suite 100, Conshohocken, PA 19428 was the sole bidder; and

**WHEREAS**, it has been determined that this bidder is qualified in accordance with this resolution.

**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 plenary retail distribution liquor license be awarded to BRX NJ LICENSE LLC, 200 Ridge Pike, Suite 100, Conshohocken, PA 19428 for premises located at 1980 Route 88, Store #06, Brick, NJ 08724 in the Inactive Status. The ultimate issuance of this license will be subject to the payment of the balance of the bid price, satisfactory outcome of further municipal background investigations regarding the source of funds used to purchase this license, the receipt of favorable State and/or Federal criminal background checks and compliance with the publication, hearing and Resolution requirements under N.J.A.C.13:2-2.1 et. Seq.
2. The funds derived from the conduct of this license, being \$575,000.00 shall be remitted to the Municipal Treasurer for the general use of the municipality.
3. Certified copies of this resolution shall be sent to the following:
  - a. BRX NJ LICENSE LLC
  - b. Division of Alcoholic Beverage Control
  - c. Finance

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-13	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Joe's Towing & Auto Truck Repair, LLC, has applied for a motor vehicle selling license to be located at 100 Midstreams Road, Brick, NJ 08724, and

**WHEREAS**, the aforesaid application has been found to be in proper form and the proper fee has been collected; and

**WHEREAS**, Code Enforcement, Zoning Department and Fire Bureau have inspected the aforesaid and have found it to be in compliance; and

**WHEREAS**, the Township Clerk recommends that this application 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. Joe's Towing & Auto Truck Repair, LLC, 100 Midstreams Road, Brick, NJ 08724 be granted a motor vehicle selling license for the year 2022 and is subject to the following restriction:
  - a. The applicant shall be limited to three (3) parking spaces to display cars for sale and located in the approved location.
  - b. The spaces must be striped and that striping must be maintained.
  - c. Fire Lane striping must also be located on site as per the Fire Marshall's recommendation and must be maintained and clear from cars and other objects at all times
  - d. Cars for sale must have a for sale sign visibly displayed on the vehicle.
  
1. That a certified copy of this resolution shall be forwarded to Joe's Towing & Auto Truck Repair, LLC.

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-14	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION**

**WHEREAS**, St. Paul's United Methodist Church has applied for a special event permit to conduct a Pet Blessing Event on October 22, 2022 in accordance with Chapter 393 of the Code of the Township of Brick; and

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

**WHEREAS**, the Mayor and Council desire to approve St. Paul's request for special event application to conduct a Pet Blessing Event at 714 Herbertsville Road on October 22, 2022 with the conditions and restrictions detailed below.

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

**SECTION 1.** That St. Paul's request for special event application to conduct a Pet Blessing Event on October 22, 2022 between the hours of 10:00 am and 2:00 pm, at 714 Herbertsville Road with the conditions and restrictions as follows:

1. All fire lanes and fire access must remain open and accessible at all times.
2. The intentional and/or accidental release of balloons and helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
3. Any signage advertising this event (if applicable) shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
4. Vehicles shall not be parked on the shoulder of Herbertsville Rd. for any period of time.
5. Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
6. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

**SECTION 2.** That a copy of this Resolution shall be provided to the Chief of Police and St. Paul's.

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-15	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Municipal Clerk by letter dated September 21, 2022 that there is \$481.02 remaining in the engineering inspection fund from Mr. Keys, Inc, 353 Herbertsville Road, Brick, NJ 08724 for Block 1351.36 Lot 20; 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 \$481.02 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 \$481.02 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, 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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-16a	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Eastern Enterprises, LLC, 952 Route 166, Toms River, NJ 08753 had posted Selective Insurance Company of America Performance Bond #B164123 in the amount of \$124,874.42 to guarantee improvements to Jack Martin Boulevard (Block 1170 Lot 24, PB-2121) in the Township of Brick; and

**WHEREAS**, the Township Engineer, by letter dated October 4, 2022 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Township Engineer recommends that the Selective Insurance Company of America Performance Bond #B164123 in the amount of \$124,874.42 along with the \$8,571.08 (plus interest if applicable) in the engineering inspection fund be returned to the applicant; and

**WHEREAS**, the Township Council is satisfied with the recommendations of the 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 Selective Insurance Company of America Performance Bond #B164123 in the amount of \$124,874.42 along with the \$8,571.08 (plus interest if applicable) 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. 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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-1105	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV/ Widow of Veteran deductions has been granted on Block 1422.19, Lot 2 Account #727158 as of 10-3-2021.

**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 10-3-2021 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1422.19/2/727158 752 Bluff View Dr.	Bailey, George H. Jr & Helen	\$2,035.32- 2021 <u>\$6,078.81- 2022</u> \$8,114.13

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-17a	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick, is advising the Township Council that account # 517169 Block 907 Lot 1 is exempt from paying taxes due to the fact it has been acquired by The Township of Brick.

**WHEREAS**, the Tax Collector is requesting to cancel taxes going forward.

**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 as stated above.

<u>Block/Lot/Account#</u>	<u>Name</u>	<u>Amount</u>
907/1/517169 Harding Manor	Mummolo, Paul & Kathy	Exempt

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-17b	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick, is advising the Township Council that account # 207925 Block 380.26 Lot 1 is exempt from paying taxes due to the fact it has been acquired by The Township of Brick.

**WHEREAS**, the Tax Collector is requesting to cancel taxes going forward.

**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 as stated above.

<u>Block/Lot/Account#</u>	<u>Name</u>	<u>Amount</u>
380.26/1/207925 00 Brick Boulevard	Schwartz, Elve E & Hauck, Elna M	Exempt

**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 October 11, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of October, 2022.

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

Agenda #	Date
4-17c	10/11/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF  
NEW JERSEY AMENDING CHAPTER 245 TO AUTHORIZE AND ENCOURAGE  
ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY  
PARKING SPACES**

**WHEREAS**, the Mayor and Council have strived to provide leadership in supporting the transition to electric vehicles contributes to Township of Brick's commitment to sustainability and is in the best interest of public welfare; and

**WHEREAS** installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

**WHEREAS** the Township of Brick encourages increased installation of EVSE and Make Ready parking spaces; and

**WHEREAS**, creating an EVSE and make ready parking spaces can improve the quality of life in the Township, attract businesses to the Township, and encourage the purchase of electric vehicles; and

**WHEREAS**, creating and EVSE and make ready parking spaces addresses potential zoning conflicts and offers consistent standards; and

**WHEREAS** adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

**WHEREAS** P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

**WHEREAS** adoption of this ordinance will support the Master Plan of Township of Brick adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals and objectives as outlined in the last Reexamination report dated August 22, 2018; specifically, on page 9 under #3. Environment – (4) To encourage energy and water conservation policies through techniques as applied in Site Plan and Subdivision Review and other governmental action. Additionally, adoption of this ordinance will (1) Implement the Green Building and Sustainability Element adopted on March30, 2016 to guide local policies to increase sustainability within the Township of Brick by encouraging efforts to increase coastal resiliency, promote energy efficiency and the use of renewable energy, and create a sustainable, healthy community with high quality of life for residents and visitors through Energy Conservation and Renewable Energy Production; Land Use, Green Building Design and more: and

**WHEREAS**, the Township of Brick encourages greater ownership and use of electric vehicles, thus the Township of Brick is amending the Land Use Development Ordinance to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of Township of Brick, County of Ocean, State of New Jersey that Chapter 245 is hereby amended to establish regulations applicable to Electric Vehicle Supply/Service Equipment.

**SECTION 1.** The Township Council of the Township of Brick does hereby amend Chapter 245-3 captioned "Definitions" to adopt definitions which shall read as follows:

Agenda #	Date
5-1	10/11/22
Agenda #	Date

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric Vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make- Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single, and two-family homes, executive parking fleet parking with no access to the general public). An electric vehicle charging station that is (1) privately owned and restricted access (e.g single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g, fleet parking with no access to the general public). An EV charging station that is not available for use by the general public. Examples include electric vehicle charging stations that serve residential homeowners or renters, executive parking areas, designated employee parking areas and fleet parking areas.

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Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).An electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park & ride parking , public library parking lot , on-street parking) or (2) privately owned and available to visitors of the use (e., commercial parking).An EV charging station that is accessible to and available for use by the public.

**SECTION 2.** The Township Council of the Township of Brick does hereby amend Chapter 245-250 to adopt an EV checklist applicable to Electric Vehicle Supply/ Service Equipment. The checklist shall read as follows:



ELECTRIC VEHICLE CHARGING STATION CHECKLIST  
COMMERCIAL/ MULTI – FAMILY DRAFT  
REVISED 9/15/22

1. Must meet all Uniform Construction Code - N.J.A.C. 5:23 requirements	Yes ___	No ___
2. Signage for EVSE and Make Ready spaces must be shown on the plan in detail including dimensions.	Yes ___	No ___
3. Wayfinding signs should also be shown on the plan in detail	Yes ___	No ___
4. Four true size Surveys/Site Plans to scale showing all dimensions of proposed structures, conduits, and electrical power source (s) (adequate site lighting and landscaping shall be provided).	Yes ___	No ___
5. Plans must show EVSE & Make Ready spaces, dimensions of spaces and equipment locations on the plan clearly with details.	Yes ___	No ___
6. Impact protection (concrete-filled steel bollards) need to be installed for accessible EVSE. Non-mountable curbing may be used if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE	Yes ___	No ___
7. Site lighting and landscaping must be shown on the plans, if applicable.	Yes ___	No ___
8. Handicapped parking spaces for EV must be shown on the plans in detail in accordance with the NJ regulation.	Yes ___	No ___
9. Two (2) copies of brochure OR Manufacture specifications for Charging Station	Yes ___	No ___
10. Pavement, Curbing and Sidewalk restoration details; as applicable	Yes ___	No ___
11. EV Charging Station shall not be located within any existing sight triangle	Yes ___	No ___
12. EV Charging Station shall not be located within any ADA Pathway	Yes ___	No ___

**PLEASE NOTE: THIS IS A GUIDE ONLY. IT IS NOT A SUBSTITUTE FOR A KNOWLEDGE OF THE STATE AND LOCAL REGULATIONS. THE UNIQUE NATURE OF SOME CONSTRUCTION PROJECTS CAN REQUIRE ADDITIONAL INFORMATION OR APPROVALS.**

**SECTION 3.** The Township Council of the Township of Brick does hereby amend Chapter 245 Article XXXV captioned "Parking, Loading and Vehicular Access." The amendments to Chapter 245 Article XXXV shall read as follows:

**245-311.1. ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT**

**Purpose**

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation

sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants.

The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public;
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence;
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees;
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

#### **245-311.2. APPROVALS AND PERMITS.**

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The administrative official/zoning officer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of Township of Brick's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
  - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
  - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
  - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:

- a. the application, including the permit fee and all necessary documentation, is determined to be complete;
  - b. a notice of incompleteness is not provided within 20 days after the filing of the application; or
  - c. a one-time written correction notice is not issued by the administrative official/zoning officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

**245-311.2. REQUIREMENTS FOR NEW INSTALLATION OF EVSE AND MAKE-READY PARKING SPACES.**

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
- a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces.
  - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
  - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
  - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
  - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
- a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces;
  - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces;
  - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces;
  - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces;
  - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces;

- f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection;
- g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above;
- h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

### **245-311.3 MINIMUM PARKING REQUIREMENTS**

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to section number for Parking Requirements § 306-2 and parking space standards and requirements.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged but shall not be required in development projects.

### **245-311.4. REASONABLE STANDARDS FOR ALL NEW EVSE AND MAKE-READY PARKING SPACES**

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Maintenance: Charging station equipment shall be maintained in all respects. Contact information, such as a phone number, shall be provided on the charging station equipment for reporting purposes when the equipment is not functioning correctly, or other equipment problems are encountered.
3. Lighting: Where charging station equipment is installed, adequate site lighting be provided in accordance with Township code. Chapter Adopted by the Township Council of the Township of Brick 6-20-1972 by Ord. No. 136-72 (Ch. 213 of the 1989 Code).
4. Installation:
  - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
  - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 10 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
  - c. All new development and redevelopment parking stall must meet dimensions of 10' x 18' to provide adequate space for equipment.
  - d. If development exceeds ten (10) or more required EVSE and Make Ready Parking Spaces drive island areas may be utilized and/or encroached upon for installation of equipment.

- e. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- f. High and Low limit of EVSE and Make Ready equipment shall be no more than 6ft in height and no less than 5ft height.
- g. Coloration of handicap accessible parking spaces for people with disabilities shall be represented by combined Green & Blue Striping, in order to designate handicap assessable EVSE and Make Ready parking.
- h. EVSE and Make Ready Parking equipment must not be installed or impede into the designated 10'x18 parking area.
- i. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

5. EVSE Parking:

- a. Publicly accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. The use of time limits is optional and shall be determined by the owner.
- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

6. Public Parking. Public Parking. Pursuant to NJSA 40:48-2, publicly accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non- electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in an EVSE parking space, or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Municipal Code or Section § 306-3 Violations and penalties.

- a. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.

7. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

8. Safety

- a. Each publicly accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with Township of Brick's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand- alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other

devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.

- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, Township of Brick shall require the owners/designee of publicly accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

#### **245-311.5 SIGNS.**

1. Publicly accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
2. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
3. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
4. Directional signage must be limited to no more than two (2) signs per location of installation.
5. Sign requirements shall be as per Article XXXVI, § 245-312 et seq., of this chapter. Rolling and/or illuminated signage is not permitted.
6. Each individual parking must adhere to the sign requirements of one (1) 18"x 12" sign per parking stall. Each parking stall sign must be incorporated on existing/installed equipment.
7. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly accessible EVSE parking spaces:
  - a. Hours of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
  - b. Usage fees and parking fees, if applicable; and
  - c. Contact information (telephone number) for reporting when the equipment is not operating or other problems.

**245:311.5. USAGE FEES.** Private EVSE: Nothing in this Ordinance shall be deemed to preclude a private owner /designee of an EVSE from collecting a fee for the use of the

EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

**SECTION 4.** All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

**SECTION 5.** In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

**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 Committee on first reading at a meeting of the Township Committee of the Township of Brick held on the 11<sup>th</sup> day of October 2022, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 9<sup>th</sup> day of November, 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.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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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 210.31, LOTS 4, 5, 6 AND 7 FOR NO CONSIDERATION

WHEREAS the owner of property known as Block 210.31, Lots 4,5,6 and 7 (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 210.31, Lots 4,5,6 and 7 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 Committee on first reading at a meeting of the Township Committee of the Township of Brick held on the 27th day of September 2022, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 11th day of October 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 opportunity to be so heard.

Revised

Table with 2 columns: Agenda #, Date. Rows include 5-1 (9-27-22), 6-1 (10/11/22), and empty rows.

Signature of Lynnette A. Tannarone, Township Clerk.



**ORDINANCE**

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP  
OF BRICK IN CHAPTER 288-31, TO PROHIBIT PARKING  
ON ONE-SIDE OF DAVOS ROAD**

**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 288-31, to add the following street, in an appropriate alphabetical location, to the schedule of streets where parking is prohibited at all times:

**§288-31. Schedule I: Parking Prohibited at All Times.**

In accordance with the provisions of §288-6, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Davos Road	East	Entire Length

**SECTION 2.** Upon the effective date of this Ordinance, the Department of Public Works is authorized and directed to install appropriate signage on both sides of Davos Road, 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 27<sup>th</sup> day of September, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11<sup>th</sup> day of October, 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.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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JOHN G. DUCEY  
MAYOR

*Revised*

Agenda #	Date
5-2	9/27/22
6-2	10/11/22
Agenda #	Date
Agenda #	Date