



Brick Township Council  
Caucus/Public Meeting  
April 11, 2023  
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 27, 2023. 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 from March 28, 2023 Meeting.
4. Budget Presentations:
  1. Elissa Commins – Engineering.
  2. Tara Paxton – Land Use & Chris Romano – Zoning.
  3. Dan Newman – Building.

**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.”***

5. Resolutions:
  1. Authorize Appointment of Municipal Utilities Authority Commissioner.
  2. Authorize Award of Bid – SummerFest Food Truck Vendors.
  3. Authorize Award of Bid – Firework Exhibitions.
  4. Authorize Award of Bid – Beer & Wine Garden Concession.
  5. Authorize Award of Contract – Cedar Bridge Manor Park Improvements.
  6. Authorize Purchase Over Bid Threshold – Microsurfacing of Various Township Roads.
  7. Authorize Purchase Over Bid Threshold – Installation of Bike & Scooter Park at Drum Point Sports Complex.
  8. Authorize Award of Contract through Stafford Township Cooperative Pricing System – Automotive Parts, Supplies & Repairs.
  9. Authorize Execution of Storm Drainage Easement with JCP&L – Block 1060.12, Lot 1.
  10. Authorize Special Event Permit – American Cancer Society Relay for Life Event.
  11. Bond Releases/Reductions:
    - a. Inspection Fund Release – Solid Gold Realty.

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

12. Bill Resolution – Computer 2023.
13. Bill Resolution – Manual 2023.

6. Ordinance on First Reading:
  1. Amending Chapter 110, "Beaches & Waterfront Areas" to Allow Dogs at the Farmer's Market.
7. Ordinance on Second Reading:
  1. Cap Rate Ordinance.
8. Public Comments.  
**Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.**
9. Council Comments.
10. Motion to Adjourn.  
**And any other matters which may come before Council.  
Formal Action may be taken at all meetings.**

**\*\*Next scheduled Caucus/Public Meeting will be held on Tuesday, April 25, 2023 at 7:00 p.m.\*\***

**RESOLUTION**

**WHEREAS**, the Township Council of the Township of Brick has been advised that there is a vacancy on the Brick Township Municipal Utilities Authority; and

**WHEREAS**, pursuant to N.J.S.A.40:14B-4, the Township Council is desirous of filling such positions.

**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 William Neafsey, 116 Albert Street, Brick, NJ be and is hereby appointed by the Township Council as a member of the Brick Township Municipal Utilities Authority for a five (5) year term effective April 11, 2023 and expiring on January 31, 2028.
2. That a certified copy of this resolution shall be forwarded to the following:
  - a. Secretary of State
  - b. Brick Township Municipal Utilities Authority
  - c. William Neafsey

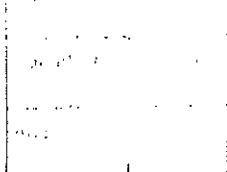
**CERTIFICATION**

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 April 11, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

5-1 4/11/23



**RESOLUTION**

**WHEREAS**, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Summerfest Food Truck Vendors on Wednesday, March 29, 2023; and

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

**WHEREAS**, the Superintendent of Recreation has recommended the award of said bid to the highest responsive and responsible bidders 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 Summerfest Food Truck Vendors is hereby awarded to the following vendors, as per the attached schedule:
  - Big Blue Wrap and Roll LLC, 410 Monmouth Avenue, Pine Beach, NJ 08741
  - Caldino’s Parties and Festivals LLC, 662 Harbor Road, Brick, NJ 08724
  - Dellano Food Service, 45 Long Hill Road, Long Valley, NJ 07853
  - Highway 2 Ohana, 65 Grand Central Avenue, Lavallette, NJ 08735
  - John & Debbie "O’s" Concessions, 69 Oak Glen Road, Toms River, NJ 08753
  - Piper’s Treats LLC, 18 Adamston Drive, Brick, NJ 08723
2. That money orders, certified checks and cashier’s checks in the total amount of \$11,880.00 have been submitted by the vendors.
3. That this award is for the 2023 summer season and concluding on October 8, 2023.
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 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 April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-2	4/11/23
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 Fireworks Exhibitions on Wednesday, March 29, 2023; and

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

**WHEREAS**, the Superintendent of Recreation and the Safety Inspector have recommended the award of said bid be made 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 Fireworks Exhibitions is hereby awarded to KS Productions dba Schaefer Fireworks, Inc., 370 Hartman Bridge Road, Ronks, PA 17572 for the total amount \$26,040.00 (\$5,208.00 per event).
2. That this is a unit price bid; therefore, funds shall be certified prior to each order. Sufficient funds are available under an appropriation entitled Recreation Rider, account T-03-56-862-299.
3. That this award is for the 2023 summer and fall season, concluding on October 15, 2023.
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 Recreation, Safety Inspector and 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 April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-3	4/11/23
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 Beer & Wine Garden Concession on Wednesday, March 29, 2023; and

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

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

**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 Beer & Wine Garden Concession is hereby awarded to Three Boys Corp (Windward Tavern), 292 Princeton Avenue, Brick, NJ 08724.
2. That cashier's check in the amount of \$9,100.00 has been submitted by the vendor.
3. That this award is for the 2023 summer season and concluding on October 15, 2023.
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 Recreation and 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 April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-4	4/11/23
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 Cedar Bridge Manor Park Improvements on Wednesday, March 22, 2023; and

**WHEREAS**, the bids have been reviewed by CME Associates; and

**WHEREAS**, CME Associates 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 Cedar Bridge Manor Park Improvements is hereby awarded to Robbie Lane Enterprises, 38 Jacksonville Road, Towaco, NJ 07782 for a total bid amount of \$465,412.00.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
  - Ordinance #12-16 – account C-04-55-853-401 – \$151,196.00
  - Ordinance #12-16 – account C-04-55-853-402 – \$15,461.86
  - Ordinance #12-16 – account C-04-55-853-602 – \$150,861.81
  - Ordinance #11-17 – account C-04-55-858-404 – \$128,745.84
  - Ordinance #11-17 – account C-04-55-585-604 – \$19,146.49
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, CME Associates, Business Administrator, Chief Financial Officer, Township Engineer, Superintendent of Public Works and Office of Purchasing & Contracting.

**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 April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-5	4/11/23
Agenda #	Date

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

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

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

**WHEREAS**, the Township of Brick desires to utilize State Contract #17-GNSV2-00181 for micro-surfacing of various Township roads; and

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

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

1. The contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-12(a) of the Local Public Contracts Law.
2. That the Purchasing Agent is hereby authorized to execute a purchase order to Asphalt Paving Systems in an amount of \$129,576.70 for micro-surfacing of various Township roads through State Contract #17-GNSV2-00181.
3. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
    Ordinance #7-20 – account C-04-55-869-401 – \$81,971.66  
    Ordinance #11-20 – account C-04-55-877-401 – \$11,866.75  
    Ordinance #11-20 – account C-04-55-877-601 – \$35,738.29
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Township Engineer, and Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-6	4/11/23
Agenda #	Date
Agenda #	Date

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

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

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

**WHEREAS**, the Township of Brick desires to utilize State Contract #16-FLEET-00129 for the installation of a bike and scooter park at Drum Point Sports Complex where the current skate park is located; and

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

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

1. The contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-12(a) of the Local Public Contracts Law.
2. That the Purchasing Agent is hereby authorized to execute a purchase order to American Ramp Company in an amount of \$418,036.14 for the installation of a bike and scooter park at Drum Point Sports Complex through State Contract #16-FLEET-00129.
3. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
    Ordinance #11-22 – account C-04-55-883-407 – \$385,000.00  
    Ordinance #11-22 – account C-04-55-883-607 – \$33,036.14
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Township Engineer, and Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-7	4/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION**

**WHEREAS**, the Township of Brick is a participating agency under the Stafford Township Cooperative Pricing System known as ID #33-OCCPS organized pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, Stafford Township as the lead agency has awarded an open-ended contract #33-OCCPS-2023-003 to various vendors for Automotive Parts, Supplies and Repairs on March 21, 2023; and

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

**WHEREAS**, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids; and

**WHEREAS**, the Township of Brick desires to join the above said contract; and

**WHEREAS**, it is the recommendation of the Superintendent of Public Works, to utilize this contract on the grounds that it represents the best price available.

**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 a subsidiary contract for Automotive Parts, Supplies and Repairs is hereby awarded to following vendors:
  - Barlow Automotive, LLC (d/b/a Barlow Buick-GMC), 445 Route 72 East, Manahawkin, NJ 08050
  - Beach Haven Automotive, Inc., 816 Long Beach Boulevard, Ship Bottom, NJ 08008
  - Bergey's Trucks, Inc., (d/b/a Bergey's Truck Centers), 5 Crossroads Drive, Hamilton, NJ 08691
  - Blong, Jolene M. (d/b/a J-Bolts Industrial Supplies), P.O. Box 242 (143 N. Llanwellyne Avenue), Glenolden, PA 19056
  - Downs Ford, Inc., 360 Route 37 East, Toms River, NJ 08753
  - Freehold Ford, Inc., 3572 Route 9, Freehold, NJ 07728
  - Gabrielli Kenworth of New Jersey, LLC, 2306 Route 130 North, Dayton, NJ 08810
  - Gentilini Ford, Inc., 555 John S. Penn Boulevard, Woodbine, NJ 08270
  - GranTurk Equipment Co., Inc., One Schuylkill Parkway, Building B, Bridgeport, PA 19405-1078
  - GSAC Corporation (d/b/a Auto Parts Connection (NAPA)), 136 Washington Street, Mt. Holly, NJ 08060
  - Midwest Motor Supply Co., Inc., (d/b/a Kimball Midwest), 4800 Roberts Road, Columbus, OH 43228-9791
2. That this is an open-ended contract and shall not exceed \$100,000.00 per year with funds to be certified prior to each order. Sufficient funds are available in 2023 budget and pending adoption of the 2024 and 2025 budgets under appropriations entitled Vehicle Maintenance, Vehicle Equipment & Parts account 3-01-26-315-262.
3. That the term of the contract shall be from April 4, 2023 to April 3, 2025 as awarded by the lead agency.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement, which shall be available for public examination in the office of the Township Clerk during normal business hours.

Agenda #	Date
5-8	4/11/23
Agenda #	Date
Agenda #	Date

5. That copy of this resolution shall be forwarded to all vendors, Stafford Township (Co-op Lead Agency), Business Administrator, Superintendent of Public Works, Chief Financial Officer and the Purchasing Agent.

#### **CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on April 11, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF A STORM DRAINAGE  
EASEMENT WITH JERSEY CENTRAL POWER & LIGHT FOR BL. 1060.12, LOT 1**

**WHEREAS**, the Township desires to obtain an easement over property owned by Jersey Central Power & Lights, a First Energy Company, known as part of Block 1060.12, Lot 1, also known as 133 Harding Drive; and

**WHEREAS**, the purpose of the easement to is construct, maintain, repair, replace and otherwise service a storm drainage system over and across the property; and

**WHEREAS**, the Township has negotiated a form of easement with JCP&L that requires authorization for execution;

**NOW THEREFORE BE IT RESOLVED:**

1. That the Mayor or Township Business Administrator be and hereby is authorized to execute, and the Township Clerk to attest, the Indenture of Easement dated as of March 8, 2023, in the form attached hereto, and to take any and all necessary action to have such Easement made effective.
2. That a certified copy of this Resolution shall be sent to Jersey Central Power & Light, a First Energy Company, 76 South Main Street, Akron, OH 44308.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting held on April 11, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 11<sup>th</sup> day of April, 2023.

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

5-9	Date 4/11/23
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the American Cancer Society, PO Box 2438, Kennesaw, GA 30156 has applied for a special event permit to conduct a Relay for Life Event on Friday, May 19, 2023 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 the American Cancer Society's request for special event application to conduct a Relay for Life Event at Windward Beach Park on May 19, 2023 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 the American Cancer Society's request for special event application to conduct a Relay for Life Event from 1:00 pm to 5:00 pm on May 19, 2023 is approved with the conditions and restrictions as follows:

- 1) All fire lanes and fire access must remain open and accessible at all times.
- 2) A permit for the tent shall be obtained from the Bureau of Fire Safety for the tent at least ten (10) days prior to the event. A certificate of flame resistance should be included for tent with the application.
- 3) No open flames permitted in luminaria bags.
- 4) Any signage advertising this event (if applicable), and portable sanitation facilities shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
- 5) The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
- 6) 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.
- 7) 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 the American Cancer Society.

**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 April 11, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023.

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

Agenda #	Date
5-10	4/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Assistant Township Engineer has notified the Municipal Clerk by letter dated April 4, 2023 that there is \$1,705.56 remaining in the engineering inspection fund from Solid Gold Realty, LLC, 721 Brick Boulevard, Brick, NJ 08723 for Block 673 Lot 10; and

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

**WHEREAS**, the Assistant Township Engineer recommends that the \$1,705.56 remaining in the engineering inspection fund be returned to the applicant; and

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

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

1. That the \$1,705.56 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 April 11, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 11<sup>th</sup> day of April, 2023:

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

5-11a	4/11/23
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 OF THE TOWNSHIP OF BRICK IN CHAPTER 110, "BEACHES AND WATERFRONT AREAS" TO ALLOW DOGS AT THE FARMER'S MARKET

WHEREAS, Chapter 110 of the Township Code regulates the beaches and waterfront areas of the Township, which includes all portions of Windward Beach park; and

WHEREAS, Section 110-5 of the Township Code prohibits dogs on beaches and in waterfront areas of the Township; and

WHEREAS, the Mayor and Township Council desire to create an exemption to the prohibition to allow dogs on the grass bandshell area of Windward Beach park on days of the Farmer's Market;

NOW THEREFORE 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 110 of the Township Code of the Township of Brick entitled "Beaches and Waterfront Areas" is hereby amended in Section 110-5, "Dogs Prohibited," to read as follows (underlined portion to be added):

110-5. Dogs Prohibited.

No dogs shall be permitted on the beachfront of said Township.

Notwithstanding the foregoing, dogs shall be allowed on the grass bandshell area (not on the beach portion) of Windward Beach park during the Farmer's Market, generally held on Saturdays from May through September, and on the Saturday before Thanksgiving. Any person with a dog shall comply with the restrictions in Chapter 98 of the Township Code, including the requirement in Section 98-13 that dogs shall be leashed at all times.

SECTION 2. 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 3. 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 11th day of April 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 25th day of April 2023 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

LISA CRATE  
MAYOR

Agenda #	Date
6-1	4/11/23
Agenda #	Date
Agenda #	Date

ORDINANCE

CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Brick in the County of Ocean finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$3,080,201.32 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Brick, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Brick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, bringing the percentage to 3.5% amounting to a \$880,057.52 increase, bringing the total to \$3,080,201.32 and that the CY 2023 municipal budget for the Township of Brick be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 28<sup>th</sup> day of March 2023, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 11<sup>th</sup> day of April, 2023 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

LISA CRATE  
MAYOR

Agenda #	Date
7-1	4/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date