



Brick Township Council
Caucus/Public Meeting
June 27, 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. Accept Reports from Municipal Officers.
 - d. Approve Minutes from June 13, 2023 Meeting.
 - e. Presentation – Recognize Dystonia Awareness Month – June 2023.

Consent Agenda

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

4. Resolutions:
 1. Recognize Dystonia Awareness Month – June 2023.
 2. Authorize Grant Agreement with Division of Local Government Services (DLGS) – Lead Grant Assistance Program.
 3. Authorize Receipt of Bids - Ambulance Repairs.
 4. Authorize Receipt of Bids – Computer & Printer Supplies.
 5. Authorize Receipt of Bids – Purchase & Delivery of Liquid Deicing Agent.
 6. Authorize Receipt of Proposals – Professional Medical Services.
 7. Authorize Award of Contract – Roadway Improvements to Seaview Village.
 8. Authorize Award of Contract – Collision Repairs & Vehicle Painting.
 9. Authorize Purchase Through Cranford Police Cooperative Pricing System – 5 Ford Police Interceptor Vehicles.
 10. Authorize Memorandum of Understanding – Law Enforcement Assisted Diversion (LEAD) Program.
 11. Authorize Lease Agreement for Civic Plaza – Oscar’s Pizza.
 12. Tax Collector:
 - a. Tax Overpayments – 2019, 2020, 2021, 2022 – Block 1170, Lot 28.

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

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

5. Ordinance on First Reading.
 1. Authorize Sale of Township Land to Homes Now, Inc. – Block 842, Lot 14, 14.01 and 15.
6. Public Comments.
Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.
7. Council Comments.
8. Motion to Adjourn.
**And any other matters which may come before Council.
Formal Action may be taken at all meetings.**

****Next scheduled Caucus/Public Meeting will be held on Tuesday, July 11, 2023 at 7:00 p.m.****

RESOLUTION

WHEREAS, Dystonia Awareness Month is designed to help raise public awareness, understanding and support for the disorder of Dystonia, a neurological movement disorder similar to Parkinson's Disease; and

WHEREAS, Dystonia affects approximately one percent of the population, one third of which are children and recently, more and more veterans are being diagnosed with this disease; and

WHEREAS, Dystonia, has an array of symptoms such as painful, prolonged muscle contractions which are involuntary, abnormal and often repetitive movements; and

WHEREAS, these symptoms can significantly interfere with a person's daily life by impeding those affected from the ability to perform simple daily tasks such as the ability to walk, speak, get dressed or control the posture of their head; and

WHEREAS, Dystonia has limited treatments and currently has no cure and is often misdiagnosed, delaying access to the appropriate medical care and inspiring sufferers to live by the slogan, "Never Never Give Up!"; and

WHEREAS, Dystonia Awareness Month will help provide a better understanding and compassion for those affected with one or more of the various forms of Dystonia and the impact the disorder has on those individuals and their families.

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

1. We lend our support to the individuals and families affected by Dystonia.
2. We call on all residents to learn more about Dystonia and ways to provide support to all those affected.

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 June 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION
LEAD GRANT ASSISTANCE PROGRAM**

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program ("LGAP") for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Township of Brick does hereby authorize Mayor Lisa Crate to sign the grant agreement, and thus bind the Township of Brick to the grant agreement's terms in order to receive the \$50,400.00 grant from the DLGS;

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick in the County of Ocean, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Township Council at its meeting of June 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

Agenda #	Date
4-2	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

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

AMBULANCE REPAIRS

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

1. That the Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned project.
2. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above-mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

COMPUTER & PRINTER SUPPLIES

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

1. That the Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned project.
2. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above-mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

PURCHASE & DELIVERY OF LIQUID DEICING AGENT

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

1. That the Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned project.
2. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above-mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-5	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

PROFESSIONAL MEDICAL SERVICES

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

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

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 June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-6	6/27/23
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 Roadway Improvements to Seaview Village on Wednesday, June 21, 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 Roadway Improvements to Seaview Village is hereby awarded to Earle Asphalt Company, P.O. Box 556, Farmingdale, NJ 07727 for a total amount of \$536,813.13.
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 #11-23 – account C-04-55-886-401 – \$536,813.13
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 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 June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	6/27/23
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 Collision Repairs & Vehicle Painting on Wednesday, June 14, 2023; and

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

WHEREAS, the Superintendent of Public Works and Safety Inspector have recommended the award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specification.

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

1. That the contract for Collision Repairs & Vehicle Painting for the Township of Brick is hereby awarded to Maaco Collision & Auto Painting, 1299 Route 88, Lakewood, NJ 08701 with a labor rate of \$32.00 per hour and a 10% discount off list price on parts.
2. That this will be an open-ended contract not to exceed \$35,000.00 per year with funds to be certified prior to each service. Sufficient funds are available in 2023 budget and pending adoption of the 2024 and 2025 budgets under appropriations entitled Vehicle Maintenance, account 3-01-26-315-206 and Liability Insurance, account 3-01-23-210-279.
3. That this is a two (2) year contract commencing on July 15, 2023 and ending on July 14, 2025 with prices that shall remain firm fixed.
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, Safety Inspector, 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 June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH
THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM (ID #47-CPCPS)**

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 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 is a party to a cooperative purchasing agreement with the Cranford Police Cooperative Pricing System, organized pursuant to N.J.S.A. 40A:11-10; and

WHEREAS, the Township of Brick desires to contract services for the purchase and delivery of five (5) 2023 Ford Police Interceptors through the Cranford Police Cooperative Pricing System contract #22-01.

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 is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-10 of the Local Public Contracts Law.
2. That the Purchasing Agent is hereby authorized to execute a purchase order to Gentilini Motors, 2703 Fire Road, Egg Harbor Township, NJ 08234 in the total amount of \$209,605.00 for the purchase and delivery of five (5) 2023 Ford Police Interceptor Vehicles through contract #22-01.
3. Sufficient funds are available in the 2023 budget under an appropriation entitled Police Vehicles & Equipment – Equipment, account 3-01-25-244-267.
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Chief of Police 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 June 27, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Brick Township residents and business owners in the community want to improve public safety and public order in their neighborhoods; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:8A-1 et seq., authorizes local units as defined in the Act to enter joint agreements for the provision of governmental services; and

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

WHEREAS, the Township and community members want to reduce future criminal behavior related to mental illness, drug involvement, homelessness, poverty, and other health and wellness issues in the Township's communities; and

WHEREAS, arresting, booking, processing, and jailing individuals committing offenses related to mental illness, drug involvement, chronic homelessness, poverty, and other health and wellness issues in the Township has had limited effectiveness in improving either public safety or public order in the neighborhoods; and

WHEREAS, interventions that connect individuals that have been charged with low level offenses with services may cost less and be more successful at reducing criminal behavior than processing these individuals through the criminal justice system; and

WHEREAS, a program grounded in harm reduction and housing first philosophies, such as the Law Enforcement Assisted Diversion Program (LEAD), may provide better results than traditional abstinence only programs; and

WHEREAS, numerous cities across the nation have launched their LEAD programs, and have shown that its collaborative, harm reduction approach to addressing and reducing crime and disorder has been successful.

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

1. Brick Township agrees to participate in the LEAD Pilot Program, primarily through the involvement of the Brick Police Department and the County Prosecutor's Office. The Township shall also contribute representatives to the Policy Control Group and OWG as it deems necessary. The Township's participation shall be conducted in accordance with its LEAD Policy Document.
2. This MOU shall commence on the final date of signature by all parties and shall last for an initial term of one (1) year. This MOU shall automatically renew for one, one-year period at the expiration of the current term unless either party indicates its desire not to renew, so long as such written notification is provided to the other party at least ten (10) days prior to the expiration of the current term. Any Party may terminate this MOU for any reason and without cause upon five (5) calendar days notice to the other party.
3. The Business Administrator is hereby authorized to execute and the Township Clerk to attest to a Memorandum of Understanding a copy of which is on file for public inspection in the Office of the Municipal Clerk.
4. A certified copy of this Resolution shall be provided by the Office of the Township Clerk to Chief of Police, Purchasing Agent, Business Administrator, Ocean County Sheriff's Office and the Ocean County Board of Commissioners.

Agenda #	Date
4-10	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

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 June 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Township of Brick ("Landlord") and Oscar's Pizza ("Tennant") do hereby enter into a Lease Agreement for the premises located at: Civic Plaza, 270 Chambers Bridge Road, Unit #3, Brick, New Jersey (the "Premises") for a term of five (5) years commencing on January 1, 2023 and ending on December 31, 2027, to be used and occupied only and for no other purpose than operating an Italian restaurant and pizzeria with activities related thereto; and

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

1. The term of the Lease Agreement shall be five (5) years, commencing on January 1, 2023 and terminating on December 31, 2027. The annual rent shall increase three percent (3.0%) as of January 1st of each year of the term.
2. No change or modification to the Lease Agreement shall be valid unless the same be in writing and signed by all of the parties hereto.
3. A copy of the agreement is on file in the Township Clerk's Office.
4. That a copy of this resolution shall be provided to Oscar's Pizza.

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 June 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-11	6/27/23
Agenda #	Date
Agenda #	Date
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RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2019, 2020, 2021 & 2022 on Block 1170, Lot 28, Account # 520450, due to State Appeals being granted; and as the State Appeals reduce the assessment from 9,000,000 to 7,250,000 over the course of 2019 to 2022.

WHEREAS, refunds are to be issued pursuant to the listing below.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund the amounts listed below.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1170/28/520450	Archer + Greiner, PC	\$11,595.00 - 2019
475 Jack Martin Blvd.	as Trustee for Laurelton Property LLC	\$23,590.00 - 2020
		\$35,850.00 - 2021
		\$42,717.50 - 2022

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on June 27th, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of June, 2023.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

Agenda #	Date
4-12a	6/27/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF TOWNSHIP LAND KNOWN AS BLOCK 842, Lot 14, 14.01 and 15, LOCATED AT 1707 ROUTE 88

WHEREAS, the Township of Brick is the owner of real property known as Block 842, Lot 14, 14.01 and 15, located at 1701 Route 88, (the "Property"); and

WHEREAS the Property is currently a vacant parcel of property; and

WHEREAS the Township of Brick proposes to convey the property to Homes Now, Inc., or an entity to be formed by Homes Now Inc. for the purpose of developing the property for affordable rental housing for low or moderate income individuals; and

WHEREAS the property will remain subject to a deed restriction limiting the use of the property under the Uniform Housing Affordability Controls found in the New Jersey Administrative Code at Title 5 chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, et seq., the "Uniform Controls") for affordable housing for a period of fifty (50) years; and

WHEREAS the property will remain subject to a deed restriction providing the Township of Brick with a right of first-refusal on any sale during the control period and the option to purchase the property at the expiration of the control period at the maximum allowed restricted sale price at the time;

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. The Township is the owner of real property known as Block 842, Lots 14, 14.01 and 15, located at 1701 Route 88.

SECTION 2. The Mayor and Township Council declare the Property to be surplus and not needed for public use.

SECTION 3. The Mayor and Township Council have determined it to be in the public interest to sell the Property by private sale pursuant to N.J.S.A. 40A:12-21 to Home Now Inc., or an entity to be formed by Homes Now Inc., for the development of the property for rental housing of individuals with low or moderate income.

SECTION 4. The sale of the Property is subject to the terms, conditions, restrictions, and limitations which shall specifically include a condition to record a deed restriction. The deed restriction shall restrict the use of the property to the development or rental housing for low- or moderate-income individuals for a period of fifty (50) years from the date of sale under the Uniform Housing Affordability Controls found in the New Jersey Administrative Code at Title 5 chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, et seq., the "Uniform Controls"). The property shall be further restricted to provide the Township of Brick with a right of first refusal on any sale during the control period and an option to purchase the property at the expiration of the control period at the maximum allowed restricted sale price at that time.

SECTION 5. The closing on the sale of the property shall occur upon Homes Now, Inc., obtaining all necessary approvals to develop the property in accordance with the terms of this Ordinance. Homes Now Inc. shall have a period of two years from adoption of this Ordinance to close on the sale of the property.

SECTION 6. 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.

Agenda #	Date
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SECTION 7. 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 27th day of July, 2023, 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 July, 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