



Brick Township Council
Caucus/Public Meeting
July 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.
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 27, 2023 Meeting.
e. Presentations:
1. Eagle Scouts - Jack Pristas & Henry L. Rogacki - Troop 39.
2. Girl Scouts Gold Awards - Arianna Gloss (& Anna Dlugosz) - Troop 60065.

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 - American Rescue Plan Act.
2. Authorize Insertion of Chapter 159 - Community Development Block Grant (CDBG).
3. Authorize Cancellation of Outstanding Checks - Municipal Court Bail Account.
4. Authorize Receipt of Bids - Snow Removal Services.
5. Authorize Award of Contract - Nixle360 Maintenance & Support Services.
6. Authorize Award of Contract - Dispatch Radio Console Equipment Upgrade.
7. Authorize Award of Contract through Hunterdon County Educational Services Commission Cooperative - Satellite Receiver at Route 35.
8. Authorize 2023-2024 Plenary Retail Consumption Liquor License Renewals - JSM at Brick IV, LLC.
9. Authorize Place-to-Place Transfer of Plenary Retail Distribution License - BRIX NJ License LLC.
10. Authorize Special Events Permit - Beach to Bay 5K.
11. Bond Releases/Reductions:
a. Cash Performance Bond Release - Block 382.31, Lots 6 & 7.

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

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

- 5. Ordinance on First Reading.
1. Amending Chapter 288-52 - "Vehicles and Traffic".
6. Ordinance on Second Reading.
1. Authorize Sale of Township Land to Homes Now, Inc. - Block 842, Lot 14, 14.01 and 15.
7. Public Comments.
Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.
8. Council Comments.
9. Motion to Adjourn.
And any other matters which may come before Council.
Formal Action may be taken at all meetings.

Next scheduled Caucus/Public Meeting will be held on Tuesday, July 25, 2023 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, and

WHEREAS, additional monies are available through the County Office of Senior Services in the amount of \$47,882.00 for the Title III C1 Caregiver Senior Outreach 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 insertion of an item of revenue in the budget of 2023 in the amount of \$47,882.00, which is now available from the Ocean County Office of Senior Services – Title III C1 Caregiver Grant – 2023.

BE IT FURTHER RESOLVED that the like sum of \$47,882.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Title III C1 Caregiver Grant – 2023.

BE IT FURTHER RESOLVED, that the above is the result of additional funds received from the Ocean County Office of Senior Services – Title III C1 Caregiver Grant in the amount of \$47,882.00.

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 July 11, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

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 2023 in the amount of \$309,179.00 which is now available from the U.S. Department of Housing and Urban Development – Office of Community Planning and Development for the 2023 Community Development Block Grant in the amount of \$309,179.00.

BE IT FURTHER RESOLVED that the like sum of \$ 309,179.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Community Development Block Grant 2023.

BE IT FURTHER RESOLVED, that the above is the result of funds received from the U.S. Department of Housing and Urban Development – Office of Community Planning and Development for the 2023 Community Development Block Grant in the amount of \$309,179.00.

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 July 11, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th of July, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-2	7/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, a reconciliation of the Municipal Court's Bail Account and General Account reflects a number of outstanding checks; and,

WHEREAS, the check dates on all of these checks are now stale dated; and,

WHEREAS, attempts have been made to find the whereabouts of the payees, but to no avail; and,

WHEREAS, it is the intent of the Council to cancel these outstanding checks.

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

1. The attached list of checks totaling \$105.00 in the Bail Account are to be cancelled and funds are to be transmitted over to the Township's Chief Financial Officer and deposited into the Current Fund Account.
2. The attached list of checks totaling \$175.00 in the General Account are to be cancelled and funds are to be transmitted over to the Township's Chief Financial Officer and deposited into the Current Fund Account.
3. A certified copy of this resolution be forwarded to the Chief Financial Officer and the Municipal Court Administrator.

CERTIFICATION

I, Lynnette 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 July 11, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

	Date
4-3	7/11/23
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:

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

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 July 11, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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

RESOLUTION

WHEREAS, the Township of Brick has a need to acquire maintenance and support services through a required disclosure process pursuant to the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26; and

WHEREAS, the Office of Purchasing & Contracting of the Township of Brick has determined and certified in writing that the value of the purchase will surpass \$17,500.00 in spending with the vendor; and

WHEREAS, the business entity has submitted a proposal indicating they will provide maintenance and support services for Nixle360 utilized by the Brick Police Department; and

WHEREAS, the business entity has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee in the Township of Brick in the previous one (1) year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to C.271, the business entity has completed and submitted a Political Contribution Disclosure Form.

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 Council of the Township of Brick does hereby award contract to Everbridge, 155 North Lake Avenue, Suite 900, Pasadena, CA 91101 to provide maintenance and support of Nixle360 in accordance with the provisions of N.J.S.A. 40A:11-5(dd).
2. That the contract shall be in accordance with the proposal on file in the Office of Purchasing & Contracting in the amount of \$10,609.00.
3. That this contract is awarded as a required disclosure process contract in compliance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq.
4. That pursuant to N.J.S.A. 19:44A-20.26 the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Statement of Ownership Disclosure and the Determination of Value are on file with this resolution.
5. That funds will be certified by the Chief Financial Officer from the appropriation line item named Data Processing – Computer Software & Pr, account 3-01-20-140-290.
6. That the Purchasing Agent is authorized to issue a purchase order for the proposal, which shall be available for public examination during normal business hours.
7. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, IT Director and the Office of Purchasing & Contracting.

CERTIFICATION

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

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

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

**RESOLUTION AUTHORIZING CONTRACT WITH CERTAIN APPROVED
STATE CONTRACT VENDOR 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 a contract 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 contracts.
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 #9-23 – account C-04-55-884-502 – \$171,611.30
3. That the Township Clerk shall further forward a certified copy of this resolution to the 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 July 11, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

Agenda #	Date
4-6	7/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date



REFERENCED STATE CONTRACT VENDOR

Commodity/Service: Dispatch Radio Console Equipment Upgrade
Vendor: PMC Associates
8 Crown Plaza, Unit 106
Hazlet, NJ 07730
State Contracts: #83900, #83924
Total Amount: \$171,611.30
Quotes: #463665, #463666

**RESOLUTION AUTHORIZING CONTRACT WITH CERTAIN
APPROVED CONTRACT VENDORS**

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 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 Hunterdon County Educational Services Commission Cooperative Purchasing Program, organized pursuant to N.J.S.A. 40A:11-10; and

WHEREAS, the Township of Brick has the need on a timely basis to purchase goods or services utilizing State contracts and Hunterdon County Educational Services Commission Cooperative Purchasing Program contracts; and

WHEREAS, the Township of Brick intends to enter into a contract with the attached referenced vendor through this resolution, which shall be subject to all the conditions applicable to the current 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 contract vendor on the attached list, pursuant to all conditions of the individual referenced contracts.
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 #12-23 – account C-04-55-887-401 – \$70,000.00
 Ordinance #12-23 – account C-04-55-887-601 – \$70,000.00
 Ordinance #12-21 – account C-04-55-878-607 – \$5,099.11
3. That the Township Clerk shall further forward a certified copy of this resolution to the 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 July 11, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

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

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

REFERENCED STATE CONTRACT VENDOR

Commodity/Service: Satellite Receiver at Route 35
Vendor: PMC Associates
8 Crown Plaza, Unit 106
Hazlet, NJ 07730
Contracts: #83900, #83920, HCESC-CAT-2209, HCESC-CAT-20-12
Total Amount: \$145,099.11
Quotes: #463711, #463712, #466713

RESOLUTION

WHEREAS, JSM at Brick IV, LLC, 1260 Stelton Road, Piscataway, NJ 08854 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-037-006 for the 2023-2024 licensing period in the inactive status; and

WHEREAS, this application has been found to be in proper form and the proper fees have been paid; and

WHEREAS, the applicant applied for and received a Special Ruling to permit renewal of inactive license pursuant to NJSA 33:1-12.39 for the 2023-2024 and 2024-2025 licensing terms; and

WHEREAS, the Township Council is desirous of renewing the aforesaid license with certain restrictions.

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 Plenary Retail Consumption License No. 1506-33-037-006 held by JSM at Brick IV, LLC no sited location is renewed for the period July 1, 2023 through June 30, 2024 in the inactive status subject to the following restrictions:
 - a. Operate a family style restaurant having a varied menu and which premises shall contain at least one hundred twenty-five (125) seats for the consumption of this food.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.

2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

48	7/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, an application has been filed for a place-to-place transfer of plenary retail distribution license number 1506-44-047-001 heretofore issued to BRIX NJ LICENSE LLC, 1980 Route 88, Store #06, Brick, NJ 08724 (in the Inactive Status) to delicense a portion of the premises; and

WHEREAS, the Municipal Clerk has advised that the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, no objections have been filed to the proposed place-to-place transfer; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, and the regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the Municipal Clerk has advised that the application for a place-to-place transfer has been submitted in accordance with requirements of the Division of Alcoholic Beverage Control; and

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

1. The application for the place-to-place transfer of plenary retail distribution license number 1506-44-047-001 issued to BRX NJ LICENSE LLC, 1980 Route 88, 5,000 SF portion of Store #06, Brick, NJ 08724 (in the Inactive Status) is hereby approved in accordance with the application submitted.
2. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the applicant.

CERTIFICATION

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

4-9	7/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jersey Shore Animal Center, 185 Brick Boulevard, Brick, NJ 08723 has applied for a special event permit to conduct a Beach to Bay 5K Run for the Animals on October 14, 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 Jersey Shore Animal Center's request for a special event application to conduct a Beach to Bay 5K on October 14, 2023.

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

SECTION 1. That Jersey Shore Animal Center's request for special event application to conduct a Beach to Bay 5K on October 14, 2023 starting and finishing at Brick Beach III between the hours of 7:00 am and 11:30 am, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas must remain open and accessible at all times.
- 2) NJDOT Permit needs to be submitted prior to the event for any portion of Rt. 35 impacted.
- 3) The hiring of Special Law Enforcement Officers should be considered to assist with the number of projected attendees/runners.
- 4) Runners shall not impede the normal flow of traffic on Rt. 35 and no pavement markings are to be made on any travel lanes of Rt. 35. It is recommended that the race take place in the bike lanes on Rt. 35 and not the vehicle travel lanes.
- 5) Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present and will be responsible for the cleanup of such.
- 6) The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
- 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 Jersey Shore Animal Center.

CERTIFICATION

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

Agenda #	Date
4-10	7/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Daniel F. Newman (deceased) had posted a cash performance bond in the amount of \$4,680.00 for 216 Essex Drive (Block 382.31 Lots 6&7, PB-2582) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated June 21, 2023 has advised that the property has been sold to Damian J. Ayers; and

WHEREAS, Damian J. Ayers has submitted a check as replacement of the existing performance cash guarantee and replacement of the inspection fund originally posted by Daniel F. Newman (deceased); and

WHEREAS, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$4,680.00 (plus interest if applicable) and the engineering inspection fees in the amount of \$119.56 be returned to the applicant's surviving spouse, Barbara (Gunther) Newman; and

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

1. That the cash performance bond in the amount of \$4,680.00 (plus interest if applicable) and the engineering inspection fees in the amount of \$119.56 be returned to the applicant's surviving spouse, Barbara (Gunther) Newman; and
2. That the Municipal Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of July, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-11	7/11/23
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
IN SECTION 288-52 TO ADD LOCATIONS FOR THE POLICE DEPARTMENT TO
ENFORCE MOTOR VEHICLE REGULATIONS ON PRIVATE PROPERTY**

WHEREAS, when the owner of property located outside of a public right-of-way desires to authorize the Police Department to enforce the provisions of Title 39 of the New Jersey Statutes, which pertain to motor vehicle laws, on such property, the owner must request authorization; and

WHEREAS, the sites set forth below have applied to the Township for authorization of Title 39 enforcement in private property areas; and

WHEREAS, the sites have all been inspected by the Division of Engineering to ensure that traffic signs and markings are properly installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD); and

WHEREAS, this ordinance will authorize the police to enforce motor vehicle regulations, but the Township will have no liability or obligation for site maintenance;

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 288 of the Township Code of the Township of Brick entitled "Vehicles and Traffic" is hereby amended in Section 288-52 entitled "Private Areas," to add the following locations, in an appropriate alphabetical location:

§288-52. Schedule XXII: Private Areas.

In accordance with the provisions of § 288-27, regulations are hereby established for the following areas. Plot plans of the area are on file at the office of the Municipal Clerk and are hereby made a part of these regulations:

<u>Area</u>	<u>Location</u>
Auto Repair Facility	55 Brick Boulevard Block 379.01, Lot 5
Briar Mills Village	300 Briar Mills Drive Block 1427, Lot 5
Cedar Gardens Apartments	571 Plaza Terrace East (a/k/a 1030 Cedar Bridge Avenue) Block 463, Lot 32
Crystal Point	4000 River Road Block 1321, Lot 1
Dunkin Donuts	2026 Route 88 Block 1029, Lot 20
Farro's Tees	354 Herbertsville Road Block 1308.102, Lot 11
Ground Hog Demolition	128 Mantoloking Road Block 68, Lot 16
Harbor Yacht Club	501 Route 35 South Block 23, Lot 1.06
Kennedy Mall & White Castle	2770 & 2778 Hooper Avenue Block 670, Lots 3 & 4
Lanes Mill Plaza	9-15 Lanes Mill Road Block 1446.03, Lot 5

Agenda #	Date
5-1	7/11/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

Merri-Makers	511 Herbertsville Road Block 1383, Lot 2
National Church Residences	105 Chambers Bridge Road Block 702, Lot 7
Nobility Crest	Ovation Way, Celebration Boulevard, Discovery Road, Spirit Way, Renaissance Way, Revival Road and Prestige Road Block 701, Lots 9.04 & 9.05
Orthodox Christian Church of the Annunciation	360 Van Zile Road Block 1116, Lot 1
Our Family Practice	1899 Route 88 Block 869.01, Lot 1
Pioneer Hose Fire Co. #1	321 Route 35 Block 43.01, Lot 9
Professional Offices	1696 Route 88 Block 1170, Lot 10.01
Royal Farms	900 Route 70 Block 1170.09, Lots 3.01-3.05
Scallywags	272 Mantoloking Road Block 91, Lot 1
Wawa-Panera	535 Route 70 Block 446, Lot 3.01

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 Committee on first reading at a meeting of the Township Council of the Township of Brick held on the 11th day of July, 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 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

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
5-1	6/27/23
Agenda #	Date
6-1	7/14/23
Agenda #	Date

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