



Brick Township Council
Caucus/Public Meeting
August 22, 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 July 25 and August 8, 2023 Meetings.
 - e. Presentations:
 1. 2021 Historic Preservation Award – The Osborn Family – 610 Herbertsville Road.
 2. 2022 Historic Preservation Award – The Dzugan Family – 520 Old Adamston Road.
 - f. Swearing-In of Police Officers.

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 Award of Contract – Vending Machine Services.
 2. Authorize Award of Contract through Ocean County Cooperative Pricing System – Purchase & Delivery of 2023 Ford F250 Pick-up Truck.
 3. Authorize Award of Contract through Ocean County Cooperative Pricing System – Purchase & Delivery of 2023 Ford F550 Service Utility Vehicle.
 4. Authorize Award of Contract through State of NJ Cooperative Purchasing Program – IT Equipment for Aurora & Special Operations Renovations.
 5. Authorize Close Out Change Order #1 – Roadway Improvements to Cherry Quay.
 6. Authorize Change Order #1 – Affordable Housing Counsel.
 7. Authorize Award of Contract – Lease Agreements for Communications Tower & Ground Space.
 8. Authorize Special Events Permit – Rally for Allie 5K – PBA #230.
 9. Bond Releases/Reductions:
 - a. Inspection Fund Release – Block 382.19, Lot 1.01.
 10. Tax Collector:
 - a. 100% DAV/Widow of Veteran Deduction – Block 1192.02, Lot 93.
 - b. 100% DAV/Widow of Veteran Deduction – Block 1401.26, Lot 31.
 - c. 100% DAV/Widow of Veteran Deduction - Block 1429, Lot 1.
 - d. Tax Overpayment 2023 – Block 842, Lot 27.

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

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

5. Ordinance on First Reading.
 1. Creating Chapter 286 – “Project Labor Agreement”.
6. Ordinance on Second Reading.
 1. Amending Chapter 437-7 – Update the Rates for Approved Towing Operators.
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, Sept. 12, 2023 at 7:00 p.m.****

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Vending Machine Services on Friday, June 9, 2023; and

WHEREAS, the bids have been reviewed by the Office of Purchasing & Contracting; and

WHEREAS, the Office of Purchasing & Contracting 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 Vending Machine Services is hereby awarded to Verde Vending NJ, LLC, 10 West Road, West Orange, NJ 07052 as per the following price schedule:
 - Department of Public Works
 - One (1) combination snack and liquid vending machine: \$100.00/year
 - Municipal Complex
 - Two (2) liquid vending machines: \$70.00/year/machine
 - Two (2) snack vending machines: \$70.00/year/machine
2. That a certified check in the total amount of \$380.00 has been submitted by the vendor.
3. That this award is for five (5) years and shall commence September 1, 2023.
4. That this award is conditional upon payment to the Township for the full amount of the annual installment by April 1st of each upcoming year.
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
6. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer and the 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 August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH
THE OCEAN COUNTY COOPERATIVE PRICING SYSTEM**

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 Ocean County Cooperative Purchasing System, organized pursuant to N.J.S.A. 40A:11-10; and

WHEREAS, the Township of Brick desires to purchase 2023 or newer Ford F250 4x4 Super Cab Pickup Truck through the Ocean County Cooperative Contract #B2023-112; 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. 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 Chas S. Winner, Inc. dba Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034 in an amount of \$80,755.00 for the purchase and delivery of a 2023 or newer Ford F250 4x4 Super Cab Pickup Truck.
3. 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 these contracts:
Ordinance #9-23 – account C-04-55-884-501 – \$80,755.00
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Superintendent of Public Works, Superintendent of Recreation 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 August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

Agenda #	Date
4-2	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

**RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH
THE OCEAN COUNTY COOPERATIVE PRICING SYSTEM**

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 Ocean County Cooperative Purchasing System, organized pursuant to N.J.S.A. 40A:11-10; and

WHEREAS, the Township of Brick desires to purchase 2023 or newer Ford F550 Regular Cab Enclosed Service Utility Body Vehicle through the Ocean County Cooperative Contract #B2023-134; 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. 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 Chas S. Winner, Inc. dba Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034 in an amount of \$129,352.00 for the purchase and delivery of a 2023 or newer Ford F550 Regular Cab Enclosed Service Utility Body Vehicle.
3. 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 these contracts:
Ordinance #9-23 – account C-04-55-884-501 – \$129,352.00
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Superintendent of Public Works 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 August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	8/22/23
Agenda #	Date
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 #21-TELE-01518 for the purchase of Extreme Networks IT equipment for the Special Operations and Aurora buildings renovations; 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 purchase orders to Hunter Technologies, 1709 Route 34, Suite 3, Wall, NJ 07727 in an amount of \$56,147.16 for the purchase of Extreme Networks IT equipment for the Special Operations and Aurora buildings renovations through State Contract #21-TELE-01518.
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 #12-21 – account C-04-55-878-402 – \$46,427.16
Ordinance #12-21 – account C-04-55-878-602 – \$9,720.00
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Director of Information Technology, 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 August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

Agenda #	Date
4-4	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

**RESOLUTION
CLOSE OUT CHANGE ORDER #1**

WHEREAS, the Township of Brick previously awarded a contract to Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510 on February 14, 2023 for the project known as "Roadway Improvements to Cherry Quay" for a total contract price in the amount of \$357,573.50; and

WHEREAS, Meco, Inc. has completed the project; and

WHEREAS, the Consulting Engineer, CME Associates, has inspected the work and deemed the work to be complete; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.3 the Consulting Engineer has recommended the approval of Close-Out Change Order #1 increasing the contract by \$5,343.15 from \$357,573.50 to \$362,916.65 as a result of final as-built quantities; and

WHEREAS, the approval of this Close-Out Change Order #1 will result in the return of the performance bond posted for this project. Contractor has provided maintenance bond, which will run for a period of two (2) years; and

WHEREAS, the Township Attorney has reviewed the maintenance bond and deemed same to be acceptable; and

WHEREAS, it is now the desire of this Township Council to act upon the Consulting Engineer's recommendation and to approve said Close-Out Change Order #1.

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 above-mentioned Change Order #1 is hereby approved increasing the contract amount previously awarded to Meco, Inc. for Roadway Improvements to Cherry Quay to \$362,916.65, with the additional funds of \$5,343.15 from Ordinance #10-22, account C-04-55-882-401.
2. That final payment to the contractor is hereby authorized to be made based upon the recommendation of the Consulting Engineer.
3. That the work performed the contractor for the project is hereby accepted by the Township of Brick.
4. That return of Performance and Payment Bond #HICNE-25-187-0022 in the amount of \$357,573.50 to the contractor is authorized.
5. That the Township Clerk shall forward a certified copy of the resolution to the contractor, CME Associates, Business Administrator, Township Engineer, Chief Financial Officer and the Office of Purchasing & Contracting.

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 August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

Agenda #	Date
4-5	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

**RESOLUTION
CHANGE ORDER #1**

WHEREAS, on February 14, 2023 the Township Council awarded contract for professional legal services for the position of Affordable Housing Counsel to a pool of vendors; and

WHEREAS, the contract was awarded at authorized rates with an aggregate amount not to exceed \$15,000.00 per year; and

WHEREAS, the Township Planner has recommended that Change Order #1 be authorized and that the aggregate amount be increased not to exceed \$35,000.00 due to additional costs expected to be incurred throughout the end of the year in compliance with the Township's Affordable Housing Plan and Spending Plan.

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 awarded for professional legal services for the position of Affordable Housing Counsel shall have an aggregate amount not to exceed \$35,000.00.
- 2. That funds shall continue to be expended from the Affordable Housing Trust Fund, account T-03-56-860-302.
- 3. That all other terms and conditions of the original contract remain as awarded.
- 4. That a certified copy of this resolution shall be forwarded to the vendors, Township Planner, Business Administrator, Chief Financial Officer and the Office of Purchasing & Contracting.

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 August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-6	8/22/23
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 Lease Agreements – Wireless Telecommunications Facility at 401 Chambers Bridge Road on Wednesday, August 2, 2023; and

WHEREAS, the bid solicitation has been duly advertised by the Township in accordance with the provisions of the New Jersey Lands and Building Law, N.J.S.A. 40A:13-1 et seq.; and

WHEREAS, the bids have been reviewed by FSD Enterprises, the Township's cellular tower consultant; and

WHEREAS, FSD Enterprises, LLC recommends rejection of the bid submitted by CCTMO LLC, 8020 Katy Freeway, Houston, TX 77024 as non-responsive; and

WHEREAS, the FSD Enterprises, LLC has recommended the award of said bid to the highest responsive and responsible bidders being in full compliance with the bid specification;

WHEREAS, FSD Enterprises, LLC has recommended rebidding said services for additional lease agreements.

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, pending mutually satisfactory resolution of submitted exceptions and mutually acceptable final lease language, the contract for the right to lease tower and ground space for the installation of communications equipment at 401 Chamber Bridge Road is hereby awarded as follows:
 - Cello Partnership dba Verizon Wireless, 1 Verizon Way, Basking Ridge, NJ 07920 for the initial term annual rent of \$44,024.00
 - T-Mobile Northeast LLC, 12920 SE 38th Street, Bellevue, WA 98006 for the initial term annual rent of \$44,000.00
2. That the initial term of the lease agreement is for five (5) years, commencing on August 22, 2023. Upon expiration of the initial five (5) year term, the agreement shall automatically be extended for four (4) additional five (5) year terms unless the vendor(s) terminate it at the end of the then current term by giving the Township written notice of the intent to terminate at least six (6) months prior to the end of the then current term.
3. That rent for each term shall increase by 2.75% or personal consumption expenditures price index per year, whichever is higher on the anniversary of the Rent Commencement Date.
4. That rental payments shall commence on the first day of the month after vendor(s) are in receipt of all necessary approvals to begin construction or one-hundred and twenty (120) days after date of bid award (August 22, 2023) whichever occurs first (the "Rent Commencement Date").
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
6. That the Township Council authorizes and directs the Office of Purchasing & Contracting to advertise and solicit new bids for additional lease agreements.

Agenda #	Date
4-7	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

7. That a certified copy of this resolution shall be forwarded to the vendors, FSD Enterprises, LLC, Business Administrator, Chief Financial Officer and the 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 August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Brick PBA 230, has applied for a special event permit to conduct a Rally for Allie 5K on October 29, 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 Brick PBA 230's request for special event application to conduct a Rally for Allie Event on October 29, 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 Brick PBA 230's request for special event application to conduct a Rally for Allie 5K Event on October 29, 2023 at the Drum Point Sports Complex between the hours of 9:00 am and 6:00 pm is approved 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. Any outside food vendors or cooking (outside the existing kitchen) will require a fire permit.
3. Applicant will need to reimburse the Township for Parks workers for the day of the event.
4. The application fee will be waived for this event.
5. 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.
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. 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.
8. 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 Brick PBA 230.

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 August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

Agenda #	Date
4-8	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated August 7, 2023 that there is \$620.84 remaining in the engineering inspection fund from 310 Brick Blvd., LLC, 3605 Merrick Road, Seaford, NY 11783 for 310 Brick Boulevard, Block 382.19 Lot 1.01; 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 \$620.84 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 \$620.84 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 August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV/ Widow of Veteran deductions has been granted on Block 1192.02, Lot 93 Account # 520912 as of 9/21/2022.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 9/21/2022 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1192.02/93/520912	Epp, William H.	\$950.91 - 2022
7 Markham Rd.		<u>\$2,389.66 - 2023</u>
		\$3,340.57

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10a	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV/ Widow of Veteran deductions has been granted on Block 1401.26, Lot 31 Account # 726514 as of 7/31/2022.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 7/31/2022 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1401.26/31/726514	Myklebust, Erik J.	\$3,043.83 - 2022
519 Oregon Ave.		<u>\$3,607.14 - 2023</u>
		\$6,650.97

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-106	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV/ Widow of Veteran deductions has been granted on Block 1429, Lot 1 C0011 Account # 727992 as of 9/8/2022.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 9/8/2022 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1429/1/C0011/727992	Magann, William & Merie	\$1,206.44 - 2022
519 Oregon Ave.		<u>\$1,789.57 - 2023</u>
		\$2,996.01

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10C	8/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2023.

NOW, THEREFORE BE IT RESOLVED by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
842/27/414908 1710 W. Princeton Ave.	CoreLogic Refunds Dept.	\$1,720.15

CERTIFICATION

I, Lynnette A. Iannarone, Township 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 August 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF
NEW JERSEY TO CREATE A NEW CHAPTER IN THE TOWNSHIP CODE TO BE
ENTITLED "PROJECT LABOR AGREEMENT"**

BE IT ORDAINED, by the Township Council of Township of Brick, County of Ocean, State of New Jersey that a new Chapter 286 of the Township Code is hereby created and shall be entitled "Project Labor Agreement."

SECTION 1. The Township Council of the Township of Brick does hereby create a new Chapter 286 to be entitled "Project Labor Agreement," and which shall read as follows:

**CHAPTER 286
PROJECT LABOR AGREEMENT**

§ 286-1 Purpose

This chapter shall ensure that certain public construction contracts with total project costs that exceed \$5,000,000 which the municipality directly undertakes are performed promptly, at a reasonable cost, and with the highest degree of quality. This chapter also creates opportunities to employ a substantial number of apprentices, thus ensuring that these projects will expand access to living-wage careers in the construction trades for a new generation of workers in the Township. Projects which exceed the \$5,000,000 threshold during the pendency of the project shall also be subject to this chapter.

§ 286-2 Definitions

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

APPRENTICE

A worker who participates in a federal apprenticeship program or as an apprentice-equivalent participates in a federally approved training program, takes a construction apprenticeship test and receives benefits and pay not less than those received by an apprentice.

APPRENTICE PROGRAM

An apprenticeship program operated by an entity registered by the Bureau of Apprenticeship and Training of the United States Department of Labor or registered by a federal apprenticeship agency recognized by the Bureau.

CONTRACTOR

A person or entity awarded a public works contract contemplated by this chapter.

CRAFT REQUEST FORM

A form which delineates the job or craft titles and descriptions (for example, but not by way of limitation, plumbers, glazers, carpenters, etc.) which are needed for a particular project, which form may be the one customarily used by the relevant trade or craft unions at that time and place.

LABOR ORGANIZATION

An organization which represents, for purposes of collective bargaining, employees involved in the performance of construction contracts and eligible to be paid prevailing wages under the New Jersey Prevailing Wage Act, P.L. 1963, c. 150 (N.J.S.A. 34:11-56.25 et seq.), and has the present ability to refer, provide or represent sufficient numbers of qualified employees to perform the contracted work and which has an apprenticeship program registered by the Bureau of Apprenticeship and Training of the United States Department of Labor.

PROJECT LABOR AGREEMENT

A contract between a contractor/labor organization and Brick Township that contains, at a minimum, the requirements set forth in this chapter.

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PUBLIC WORKS PROJECTS

Building, altering, repairing, improving or demolishing any public structure or facility constructed, acquired or otherwise owned by Brick Township to house local government functions or provide water, waste disposal, power, transportation, and other public infrastructure.

SUBCONTRACTOR

A person or entity that is engaged in or performs work or provides materials for a contractor, as defined herein, which person or entity may not be in privity of contract with Brick Township.

TOTAL PROJECT COSTS

Shall be inclusive of environmental work, demolition, preconstruction, and construction costs.

§ 286-3 Applicability

The terms of this chapter are applicable to covered projects. Covered projects include public works projects.

§ 286-4 Conflicts with other provisions

To the extent any of the provisions of this chapter are deemed to conflict with N.J.S.A. 52:38-1, *et seq.* (P.L. 2002, c. 44), the statute shall control. To the extent this chapter conflicts with any other local ordinances, this chapter shall control.

§ 286-4 Requirements for covered contracts

- A. Project labor agreement required. Certain public works projects shall require the execution of a project labor agreement that complies with the requirements of this chapter. The agreement shall either be directly entered into with a labor organization or the award of the contract shall be made on the condition that the construction manager for the contract shall negotiate a project labor agreement in good faith with one or more labor organizations.
- B. Project labor agreement requirements. Each project labor agreement executed pursuant to this chapter shall be in conformity with N.J.S.A. 52:38-1 *et seq.* (P.L. 2002, c. 44), and:
 - (1) Advance the interests of Brick Township, including the interests in Brick Township in cost, efficiency, quality, timeliness, skilled labor force, and safety;
 - (2) Contain guarantees against strikes, lockouts, or other similar actions;
 - (3) Set forth effective, immediate and mutually binding procedures for resolving jurisdictional and labor disputes arising before the completion of the work;
 - (4) Be made binding on all contractors and subcontractors on the project in all relevant documents, including bid specifications;
 - (5) Require that each contractor and subcontractor working on the project have an apprenticeship program as defined herein;
 - (6) Fully conform to all statutes, regulations, and Brick Township ordinances regarding the implementation of goals for women- and minority-owned businesses, the obligation to comply with which shall be expressly provided for in the project labor agreement;
 - (7) Include a publicly available plan which is in full conformance with the requirements of all applicable statutes, regulations and executive orders regarding the share of employment and apprenticeship positions in the project for minority group members and women and is mutually agreed upon by the participating labor organizations and the public entity which will own the facilities which are built, altered or repaired under the

project, provided that any shares mutually agreed upon pursuant to this subsection shall equal or exceed the requirements of other statutes, regulations, executive orders or local ordinances;

- (8) State that contractors and subcontractors need not be a party to a Brick Township labor agreement with the applicable labor organization other than for the project covered by the project labor agreement;
- (9) Require the Township to monitor, or arrange to have a state agency monitor, the amount and share of work done on the project by minority group members and women and the progression of minority group members and women into apprentice and journeyworker positions and require the Township to make public, or have the state agency make public, all records of monitoring conducted pursuant to N.J.S.A. 52:38-1 et seq. (P.L. 2002, c. 44), this chapter and the project labor agreement;
- (10) State that any and all residents who are already in any signatory union or an apprenticeship program shall be referred to contractors or subcontractors who request them, even if those residents were not in line for referral under normal hiring hall procedures;
- (11) Require the contract for the public works project to provide whatever resources may be needed to prepare for apprenticeship a number of women and minority group members sufficient to enable compliance with the plan agreed upon pursuant to this chapter and provide that the use of those resources be administered jointly by the participating labor organizations and the public entity;
- (12) State that the terms of the project labor agreement shall prevail over conflicting terms of any collective bargaining agreements;
- (13) Require that the labor organization utilize members who are Brick residents as its first choice for staffing without regard to any other preferential status; and
- (14) Require that 20% of the labor hours required shall be performed by the Brick residents who are participating in the apprenticeship program and that 100% of the apprentices shall be Brick residents.

C. Advertisement. Not less than 60 days prior to the commencement of construction, the labor organization will advertise in two newspapers regularly published and distributed in the Township and outreach via other media, such as cable television, the Internet or radio. The advertisement shall solicit apprenticeship applications for the labor organization's apprenticeship program, describe the basic requirements for admission, describe the job training and set forth the range of salaries.

D. Preconstruction meeting. Not less than 30 days prior to the commencement of construction, the contractor shall meet with the appropriate Township official, as the context makes relevant, or his or her designee to present workforce needs, which will include the job description of the positions to be filled and duration of the project. In addition, the contractor will provide the construction schedule to the respective Director or his or her designee and to the Township Engineer. The labor organization will present the contractor and the respective Director or his or her designee with the names, addresses, and trades of eligible apprentices who are available to work on the project.

E. Job fairs. The contractor and the labor organization will jointly participate in a job fair to be held in the Township to explain the apprenticeship program and solicit applications from attendees.

§ 286-4 Apprenticeship utilization goals

On all covered projects, the minority and women employment goals for each contractor and subcontractor for each trade shall be established by the New Jersey Department of Labor in a manner that is consistent with N.J.A.C. 17:27-7.2; however, a contractor shall not be subject to enforcement actions for violations of this provision if that contractor can demonstrate that it made good faith efforts to comply with this section. For the purposes

of this section, good faith efforts for a developer shall at a minimum include compliance with the following:

- A. Entry into a project labor agreement and obtaining letters of assent from each contractor/subcontractor.
- B. Convening prebid and preconstruction meetings to educate construction managers and subcontractors about the apprenticeship utilization goals.
- C. Cooperating with representative. The contractor shall cooperate with the representative appointed by the Mayor to ensure compliance with this section. The representative shall provide services in support of the contractor's apprentice hiring goals.
- D. Establish a point of contact to provide information about pre-apprenticeship or apprenticeship opportunities.
- E. Develop and maintain an up-to-date list of persons who have been offered opportunities and those who are working on the project.
- F. Facilitate relationships among approved apprenticeship programs and contractors to enable prompt referrals.
- G. Assist contractors with reporting by working with contractors and their subcontractors where appropriate.
- H. Regularly contacting and documenting of contact with the representative and providing certified payroll and other records on a regular basis to the representative.
- I. Use and documenting use of Township-approved craft request forms sent to both unions and the Township representative. "Craft request form," as defined herein, means a document through which contractors shall request workers from unions.
- J. Requesting apprentices that are Township residents from union hiring halls.
- K. Documenting reasons for not hiring referred candidates from target populations, if applicable.
- L. Allowing the Township representative prompt and willing access to documentation of all the above activities and to the work site if requested.

§ 286-7 Local minority hiring goals

For each contractor and subcontractor performing work on a covered project, the project labor agreement shall contain female and minority employment goals that are consistent with the guidelines set forth by the Division of Public Contracts Equal Employment Opportunity Compliance established in the State Department of the Treasury, pursuant to N.J.A.C. 17:27-7.2.

§ 286-8 Enforcement

- A. Monitoring and enforcement. Each contractor and subcontractor subject to the provisions of this chapter shall submit the completed certified declaration of compliance form prior to commencing work on the covered project.
- B. Contractors and subcontractors. All contractors on covered projects shall require that their subcontractors comply with the provisions of this chapter. Language indicating the subcontractor's agreement to comply shall be

included in the contract between the contractor and subcontractor and shall contain a provision making such terms enforceable by the Township. Copies of such agreements shall be submitted to the Township.

C. Reports. All contractors and subcontractors shall report to the Township Business Administrator or his or her designee on a quarterly basis according to the following schedule (by March 31, June 30, September 30 and December 31 of each year) and shall provide the following information, certified and notarized, for each covered contract for which work was performed during the previous quarter:

- (1) Manning report. The contractor's report will accurately reflect the total hours in each construction trade or craft and the number of hours worked by Township residents, including a list of minority resident and women resident workers in each trade or craft, and will list separately the work hours performed by such employees of the contractor and each of its subcontractors during the previous quarter.
- (2) Certified payroll report. The contractor's report will specify the residence, gender and ethnic/racial origin of each worker, work hours, and the rate of pay and benefits provided.
- (3) Equal employment opportunity reports. A copy of the labor organization's Local Union Report (EEO-3) and Apprenticeship Information Report (EEO-2), which are required to be filed with the United States Equal Employment Opportunity Commission by the labor organization.
- (4) Apprenticeship report. The report of the labor organization which shall list the names, addresses, and contact information of all persons who were accepted into the apprenticeship program from the target population. The report shall also list the names, addresses and contact information of all persons from the target population who were rejected for admission, with the reasons for rejection, and for those from the target population who failed to finish the program, and the reasons why they failed to complete the program.
- (5) Other reports. The developer or the labor organization shall furnish to the Township such further information, documents, or reports as shall be requested.

D. Records. Contractors and subcontractors performing work on covered contracts shall maintain certified payroll records for all employees and shall preserve them for a period of three (3) years after completion of the covered contract, making such records available within three (3) days of a written request by the Township or its designee and upon inspection without notice.

E. Site and records access.

- (1) All contractors and subcontractors performing work on covered contracts shall permit access for representatives of the Township or its designees to all work sites and to all applicable records in order to monitor compliance with the provisions of this chapter.
- (2) In the event the Township has good cause to believe that any contractor or subcontractor has failed to comply with the provisions of this chapter, the contractor or subcontractor shall be given written notice and afforded an opportunity for a hearing before the appropriate Township official prior to the imposition of the sanctions set forth in this section. The decision of the Township Business Administrator shall be final.
- (3) Township remedies. In the event the Township has good cause to believe that any contractor or subcontractor on a public works project has failed to comply with the provisions of this chapter, a contractor or subcontractor shall be given written notice of his alleged noncompliance and afforded an opportunity to submit a written response to the Township. In the event the Township determines any contractor or subcontractor on a public works project has failed to comply with the provisions of this chapter, it shall have

available all remedies available at law or equity, which shall include, but not be limited to, the following:

- a. Suspending or terminating the contract in question.
- b. Completing the public works project with a different contractor or subcontractor and require the original contractor or subcontractor to pay all damages and costs in utilizing a substitute contractor or subcontractor and/or make claim on its performance bond.
- c. Debarring the developer, contractor or subcontractor from eligibility for future Township contracts.
- d. Assessing liquidated damages in the amount of 5% of the value of the contract in question.
- e. For late filing of any report or record or the prohibition of any access required for same under Subsection C, D or E hereof, a payment of \$1,000 per day for each day that the report is late for up to 15 days shall apply. After 15 days, the failure to provide same shall constitute a material breach and the above remedies shall apply.
- f. Such other remedies available at law or in equity.

§ 286-9 Implementation

- A. Any advertisement for a public works project published 60 days or more following the effective date of this chapter shall contain provisions conditioning the award of any contract to be in compliance with this chapter.
- B. The Mayor or his designees may promulgate regulations or policies implementing this chapter.

SECTION 2. All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

SECTION 3. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of Brick held on the 22nd day of August, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 12th day of September, 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, AMENDING THE TOWNSHIP CODE IN SECTION 437-7 TO UPDATE THE RATES FOR APPROVED TOWING OPERATORS

WHEREAS, all towing companies that provide emergency towing, road and storage services to the owners of motor vehicles utilizing Township roadways must be licensed and approved by the Township; and

WHEREAS, such licensed towing operators may only charge rates up to the maximum set by the Township by ordinance, as set forth in Township Code Section 437-7; and

WHEREAS, the Township Council desires to update the rates to be charged to owners of motor vehicles by licensed towing operators;

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 437 of the Township Code of the Township of Brick entitled "Towers and Wreckers" is hereby amended in Section 437-7 entitled "Rates and Charges," as indicated below (deletions indicated by ~~strikethroughs~~; additions indicated by underline):

§ 437-7 Rates and Charges.

- A. Every operator of a towing service shall give the owner a written itemized bill for the towing cost and a written receipt when paid. A schedule of the towing regulation and fees shall be posted for viewing by the public at each towing business on the police duty list and in the Traffic Safety Office in the Police Department. Towing charges and fees shall be as follows:

(1) Towing.

- a. Motorcycles and motor scooters: \$150
- b. Class I vehicles. Automobiles and trucks with a gross vehicle weight rating (GVWR) of 8,600 pounds or under: ~~\$125~~ \$150.
- c. Class II vehicles. Automobiles and trucks with a gross vehicle weight rating (GVWR) from 8,601 to 15,000 pounds: ~~\$185~~ \$200.
- d. Class III vehicles. Automobiles and trucks with a gross vehicle weight rating (GVWR) of 15,001 pounds or greater: ~~\$350~~ \$400.
- e. No additional fee will be charged for flatbed services.

(2) Beach or water recovery.

- a. Definition. The recovery of a vehicle from the beach or an existing body of water.
- b. Rate: \$450 per hour billed in thirty-minute increments once vehicle is on scene.

(3) Mileage. Loaded mileage charges from the scene to final destination shall be charged as follows:

- a. Class I vehicles: \$4 \$5 per mile.
- b. Class II vehicles: \$8 \$10 per mile.
- c. Class III vehicles: \$10 \$12 per mile.

(4) Storage.

- a. Class I vehicles: ~~\$35~~ \$40 per day for outside storage; ~~\$45~~ \$50 per day for inside storage, only by written request from the Police Department or vehicle owner.
- b. Class II vehicles: ~~\$45~~ \$50 per day for outside storage; ~~\$55~~ \$60 per day for inside storage, only by written request from the Police Department or vehicle owner.
- c. Class III vehicles: ~~\$75~~ \$80 per day.
- d. Pursuant to N.J.S.A. 40:48-2.50, all fees to be paid to an operator by a municipality for the storage of removed motor vehicles shall not exceed

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the following:

- i. A limit of \$3 per day for the first 30 days of storage per vehicle; and
- ii. A limit of \$2 per day for the 31st day of storage and any day thereafter; and
- iii. A limit of \$400 per vehicle stored regardless of the duration of the storage, except that a waiver may be granted for good cause upon the request of a municipality by the Division of Local Government Services in the Department of Community Affairs.

(5) Miscellaneous.

- a. Administration fee. An administration fee in the amount of actual costs incurred may be charged. The administrative fee shall not exceed ~~\$25~~ \$30. All administrative fees charged must be supported by full documentation and subject to review by the Traffic Safety Unit.
- b. Debris cleanup is mandatory. For ordinary cleanup, a one-time fee of ~~\$35~~ \$40 is permitted; if debris is excessive and requires more than 20 minutes to remove, a one-time fee of ~~\$50~~ \$55 is permitted.
- c. Recovery/winching, as defined in this chapter; to be billed in fifteen-minute increments:
 - i. Class I: ~~\$400~~ \$125 per hour.
 - ii. Class II: ~~\$475~~ \$200 per hour.
 - iii. Class III: ~~\$350~~ \$400 per hour, billed in thirty-minute increments.
- d. Additional truck/personnel: \$100 per hour per truck, billed in fifteen-minute increments once vehicle is on scene.
- e. Other charges, including but not limited to: dolly use, airline disconnect, release linkage, cage brakes, drive shaft removal: ~~\$25~~ \$30 each.
- f. Standby/wait time on scene: \$100 per hour, billed in fifteen-minute increments after 20 minutes on scene has elapsed. Tow operators must notify an officer on the scene upon their arrival and departure.
- g. Catastrophic crash: Prevailing wage will apply for winching and recovery for catastrophic crashes.
- h. Unloading of dump trucks and box trucks: Prevailing wage will apply.
- i. The protection of vehicles in storage from further damage due to the weather (e.g., broken windows, doors, hoods, trunk missing or damaged, which allow weather intrusion):
 - i. Tarp vehicles: \$50 if needed;
 - ii. Cover windows: \$25 if needed.
- j. Holiday rates: 1 1/2 times the regular towing rate for towing on the following holidays: New Year's Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day.
- k. Yard fee for retrieval of items from stored vehicle: \$50 (after third visit)
- l. After-hours release of stored vehicle: \$50 per hour
- m. Spill absorbent: \$25

B. The tower shall not charge any fee not defined in this section unless previously authorized by the owner of the vehicle being towed/recovered.

C. Road repair services.

- (1) The tow operator shall be responsible to answer road repair service calls for the following types of disabled vehicles:
 - a. Flat tire repair or tire change.
 - b. Motor vehicle lock outs.
 - c. Vehicles requiring a jump start.
 - d. Vehicles that have run out of fuel.
 - e. Any additional circumstances that do not require a tow.
- (2) The tow operator shall charge a fee that is half the tow fee for that vehicle class which is disabled plus the costs of parts or fuel.
- (3) The tow operator will be returned to the top of the tow rotation list upon completion of the above services.

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 8th day of August, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 22nd day of August, 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