



Brick Township Council
Caucus/Public Meeting
March 25, 2024
7:00 PM
Agenda No. 1

1. Call to order.
2. Adequate notice of this meeting was provided and published in the Asbury Park Press and The Ocean Star on February 16, 2024. 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 the March 12, 2024 Meeting.
 - e. Presentations:
 1. National Library Week – April 7-13, 2024.
 2. Meals on Wheels of Ocean County Month – March 2024
 3. Budget Presentations:
 - a. Public Works – Steve Krakovsky.
 - b. Recreation – Dan Santaniello.
 - c. Parks – Rob Byrnes.
4. Ordinance on First Reading:
 - _____ 1. Cap Rate Ordinance.
5. Resolution:
 - _____ 1. Introduction of 2024 Municipal Budget.

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.”

6. Resolutions:
 - _____ 1. Authorize Certification of Compliance with US Equal Employment Opportunity Commission.
 - _____ 2. Authorize Budget Transfer.
 - _____ 3. Authorize Submission of Strategic Plan for the Brick Municipal Alliance Grant FY 2025.
 - _____ 4. Authorize Receipt of Bids – Operation of Food Truck at Brick Beach 3.
 - _____ 5. Authorize Receipt of Bids – Traders Cove Dredge Program.
 - _____ 6. Authorize Award of Contract & Rebid – SummerFest Food Truck Vendors.
 - _____ 7. Authorize Member Participation in the Monmouth-Ocean Educational Services Commission.
 - _____ 8. Authorize Close-Out Change Order #1 – Roadway Improvements to Laurelhurst, Phase III.
 - _____ 9. Authorize Award of Contract – Affordable Housing Counsel.
 - _____ 10. Authorize Waiver of Section 110-5 of the Township Code – Allowing Dogs at the Farmer's Market.
 - _____ 11. Authorize Amending Beach Rules and Regulations to Prohibit Canopies and Tents on Ocean Beaches – 2024 Summer Season.
 - _____ 12. Authorize Installation of Bus Shelter – Hwy. 88 Westbound, Between Jack Martin Blvd. and Laurel Brook Drive, Mid-Block 50 ft. West of the Walgreens.
 - _____ 13. Authorize Special Events Permit – Grand Opening Big Belly Bagel.
 - _____ 14. Bond Releases/Reductions:
 - a. Inspection Fund Release – Block 1149, Lot 5 – Livoti's Old World Market.
 - _____ 15. Tax Collector:
 - a. Tax Overpayment 2024 – Block 383.03, Lot 27.
 - b. Tax Overpayment 2023 – Block 889, Lot 4.

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

- _____ 16. Bill Resolution – Computer 2024.
- _____ 17. Bill Resolution – Manual 2024.



Brick Township Council
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7. Ordinance on Second Reading.

- _____ 1. Amending Chapter 288-52 to Authorize Police Department to Enforce Title 39 Motor Vehicle Regulations in Private Property Areas.
- _____ 2. Amending Chapter 86 to Authorize Issuance of a Non-Profit Theater Consumption License.

8. Public Comments.

Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.

9. Council Comments.

10. Motion to Adjourn.

And any other matters which may come before Council.
Formal Action may be taken at all meetings.

*****Next scheduled Caucus/Public Meeting will be held on Tuesday, April 9, 2024 at 7:00 p.m.*****

ORDINANCE

CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

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

WHEREAS, the Township Council of the Township of Brick in the County of Ocean finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$3,220,611.87 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Brick, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Brick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, bringing the percentage to 3.5% amounting to a \$920,174.82 increase, bringing the total to \$3,220,611.87 and that the CY 2024 municipal budget for the Township of Brick be approved and adopted in accordance with this ordinance; and,

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

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 12th day of March, 2024, 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 March, 2024 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

LISA CRATE
MAYOR

RESOLUTION

RESOLUTION introducing the Local Budget of the Township of Brick, County of Ocean for fiscal year 2024, with statements of Revenues and Appropriations which shall constitute the Local Budget for year 2024. Further, said budgets shall be published in the Ocean Star in the issue of March 29, 2024.

The governing body of the Township of Brick hereby approves the following as the budget for the year 2024.

A hearing on the budget will be held at the Municipal Building on **April 23, 2024 at 7:00 PM** at which time and place objections to said budget and tax resolution for the year - 2024 may be presented by taxpayers or other interested persons.

Appropriations within "CAP", Municipal Purposes	\$ 94,673,290.05
Appropriations excluded from "CAPS" Municipal Purposes	\$ 19,684,824.40
Reserve for uncollected taxes, based on estimated 98.74 % tax collections	\$ 3,379,411.00
Total General Appropriations	\$117,737,525.45
Less: Anticipated Revenues Other Than Current Property Tax	\$ 32,875,118.87
Amount to be raised from taxes for support of Municipal Budget	\$ 84,862,406.58

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
51	3/25/24
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RESOLUTION
GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records
in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Council of the Township of Brick, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

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10-1	3/25/24
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RESOLUTION

WHEREAS, a review of the disbursements and commitments against the 2023 budget has disclosed the necessity for certain adjustments to the budget appropriations; and,

WHEREAS, N.J.S.A. 40A:4-59 authorizes transfers during the first three months of any fiscal year.

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

1. That the following transfers between certain 2023 Budget appropriations be and the same are hereby authorized:

GENERAL APPROPRIATIONS WITHIN/OUTSIDE CAP

Transferred To:

Salary and Wage - Current Fund

\$ _____ -

Subtotal

\$ _____ -

Transferred To:

Other Expenses - Current Fund

Health Insurance

\$ 45,000.00

Subtotal

\$ 45,000.00

Total Transferred To

\$ 45,000.00

Transferred From:

Salary and Wage - Current Fund

\$ _____ -

Subtotal

\$ _____ -

Transferred From:

Other Expenses - Current Fund

Human Resources

\$ 45,000.00

Subtotal

\$ 45,000.00

Total Transferred From

\$ 45,000.00

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-2	3/25/24
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Agenda #	Date
Agenda #	Date

RESOLUTION

**Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020-June 2025**

FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Council of the Township of Brick, County of Ocean, State of New Jersey recognizes that abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Ocean.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF BRICK, COUNTY OF OCEAN STATE OF NEW JERSEY hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Brick Municipal Alliance grant for fiscal year 2025 in the amount of:

DEDR \$21,773.00

Cash Match \$5,443.25

In-Kind \$16,329.75

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
LISA CRATE, MAYOR

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

6-3	3/25/24
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Operation of a Food Truck at Brick Beach 3 on Wednesday, March 13, 2024; and

WHEREAS, no bids were received at the indicated time and place; and

WHEREAS, the Superintendent of Recreation recommends that the Township Council authorize the Division of Purchasing and Contracting to bid said service second time.

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 bid specifications for the above-mentioned service.
2. The Division of Purchasing and Contracting is hereby authorized to advertise for bid for the Operation of a Food Truck at Brick Beach 3.

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 March 25, 2024.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-4	3/25/24

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 project:

TRADERS COVE DREDGE PROGRAM

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 consulting engineer for the project, ACT Engineers, is hereby authorized to prepare formal 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 March 25, 2024.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-5	3/25/24
	Date
	Date
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RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Summerfest Food Truck Vendors on Tuesday, March 19, 2024; and

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

WHEREAS, the Superintendent of Recreation has recommended the award of said bid to the highest responsive and responsible bidders being in full compliance of the bid specification; and

WHEREAS, the Superintendent of Recreation desires to solicit new bids for the categories in which no bids were received.

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

1. That the contract for Summerfest Food Truck Vendors is hereby awarded to the following vendors, as per the attached schedule:
 - Big Blue Wrap and Roll, LLC, 410 Monmouth Avenue, Pine Beach, NJ 08741
 - Dellano Food Service, 45 Long Hill Road, Long Valley, NJ 07853
 - Highway 2 Ohana, 65 Grand Central Avenue, Lavallette, NJ 08735
 - John & Debbie "O's" Concessions, 69 Oak Glen Road, Toms River, NJ 08753
 - Vulcan Formations LLC, dba Little Caesars, 828 Somerset Drive, Toms River, NJ 08753
 - You Scream Ice Cream, 2791 Hooper Avenue, Brick, NJ 08723
2. That money orders, certified checks and cashier's checks in the total amount of \$9,861.73 have been submitted by the vendors.
3. That this award is for the 2024 summer season.
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 the Township Council authorizes and directs the Purchasing Agent to advertise and solicit new bids for the remaining categories.
6. That a certified copy of this resolution shall be forwarded to the vendors, Business Administrator, Chief Financial Officer, Superintendent of Recreation and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on March 25, 2024.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-6	3/25/24

**RESOLUTION FOR MEMBER PARTICIPATION
IN THE MONMOUTH-OCEAN EDUCATIONAL SERVICES COMMISSION
COOPERATIVE PRICING SYSTEM #289MOESC**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Monmouth-Ocean Educational Services Commission (MOESC), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, it is the desire of the Township of Brick to join the Monmouth-Ocean Educational Services Commission for the provision and performance of goods and services; and

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

1. That the Governing Body of the Township of Brick does hereby authorize the Mayor to enter into agreement and the Township to participate in the Monmouth-Ocean Educational Service Commission.
2. That the Township shall be responsible to ensure that the goods and services procured through the system comply with all applicable laws of the State of New Jersey, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
3. That this resolution shall take effect immediately upon passage.
4. That such membership shall be for the period ending December 31, 2024, and each renewal, thereafter of the system, unless the Township of Brick elects to formally withdraw from the system.

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 of said Council on March 25, 2024.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-7	3/25/24
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**RESOLUTION
CLOSE OUT CHANGE ORDER #1**

WHEREAS, the Township of Brick previously awarded a contract to Earle Asphalt Company, P.O. Box 556, Farmingdale, NJ 07727 on February 14, 2023 for the project known as "Roadway Improvements to Laurelhurst – Phase III" for a total contract price in the amount of \$557,613.13; and

WHEREAS, Earle Asphalt Company 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 decreasing the contract by \$364.67 from \$557,613.13 to \$557,248.46 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 Earle Asphalt Company for Roadway Improvements to Laurelhurst – Phase III to \$557,248.46, with \$364.67. being voided and returned to the Ordinance #10-22, account C-04-55-882-601;
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 #K41540436 in the amount of \$557,613.13 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 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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. provides for the procedure for soliciting proposals through a fair and open process; and

WHEREAS, there is a need to retain professional legal services for the position of Affordable Housing Counsel; and

WHEREAS, the Township of Brick has solicited proposals for said service through a fair and open process on March 13, 2024; and

WHEREAS, the Business Administrator has reviewed the proposals and is satisfied with the qualifications and experience of the firms which are the subject of such an award; and

WHEREAS, the Business Administrator recommends award to the firms below for the purpose of providing the required services on an hourly basis.

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

1. That the Mayor is authorized to execute and the Township Clerk to attest to the agreements for Affordable Housing Counsel with the following firms:
 - Marmero Law, LLC, 44 Euclid Street, Woodbury, NJ 08096
 - Pashman Stein Walder Hayden, P.C., 101 Crawfords Road, Suite 4202, Holmdel, NJ 07733
 - Scarinci Hollenbeck LLC, 150 Clove Road, 9th Floor, Little Falls, NJ 07424
 - The Law Office of Marco DiStefano, Esq., LLC, 2050 Emerson Avenue, Union, NJ 07083
2. That this contract is being awarded as a professional service in accordance with N.J.S.A. 40A:11-5 pursuant to a fair and open process.
3. That services for this contract shall be rendered to the Township at the rate of \$165.00 per hour with an annual not to exceed amount of \$35,000.00.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2024 operating budget under appropriation entitled Affordable Housing – Expert Services, account 4-01-21-190-207.
5. That this resolution shall take effect March 26, 2024 and end on December 31, 2024.
6. That such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
7. That a certified copy of this resolution shall be provided to the firms, Business Administrator, Chief Financial Officer, Township Planner 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 hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-9	3/25/24
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**RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING A WAIVER OF SECTION 110-5 OF THE
TOWNSHIP CODE TO ALLOW DOGS AT THE FARMER'S MARKET**

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

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

WHEREAS, the Mayor and Township Council desire to waive the prohibition against dogs in Section 110-5 to allow dogs at the Farmer's Market at Windward Beach park;

NOW THEREFORE BE IT RESOLVED:

1. Section 110-5 of the Township Code is hereby waived to allow dogs at the Farmer's Market, which is between the hours of 8:30 a.m. and 1:30 p.m. on Saturdays from May 4th – September 28th, and on Saturday, November 23rd, 2024.
2. Dogs shall be allowed on such days only on the grass area near the band shell but not on the beach area.
3. Any person with a dog shall comply with the restrictions in Chapter 98 of the Township Code, including the requirement in Section 98013 that dogs be leashed at all times.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting held on March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township this 25th of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

6-10	3/25/24
Agenda #	Date
Agenda #	Date

RESOLUTION

**RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING BEACH RULES AND REGULATIONS
TO PROHIBIT CANOPIES AND TENTS ON THE OCEAN BEACHES
FOR THE 2024 SUMMER SEASON**

WHEREAS, the Township's ocean beaches have lost a significant amount of sand due to erosion through the storm season; and

WHEREAS, there is not any beach replenishment planned before the 2024 summer season, which means that there will be significantly less space available on the beaches; and

WHEREAS, the Mayor and Township Council desire to provide space on the beaches for the maximum number of beachgoers to enjoy the beach this summer; and

WHEREAS, canopies and tents will take up too much of the limited space available; and

WHEREAS, the Township desires to amend its beach rules and regulations to prohibit canopies and tents for the 2024 summer season.

NOW, THEREFORE, BE IT RESOLVED that the rules and regulations for the Ocean Beaches in Brick are hereby modified for the 2024 summer season (Memorial Day to Labor Day) to prohibit canopies and tents on the beaches, with the sole exception for devices designed and used to shade infants and small children, also known as "baby tents," no larger than forty inches high by forty inches wide by forty inches deep.

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-11	3/25/24
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RESOLUTION REQUESTING A BUS SHELTER

WHEREAS, NJ Transit has funds for the purchase of bus shelters throughout the State of New Jersey

WHEREAS, the governing body of a municipality in new Jersey or the Board of Chosen Freeholders of a County may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the Township of Brick, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

NOW THEREFORE BE IT RESOLVED, that the application is hereby made by the Township of Brick, to the New Jersey Transit Corporation for the purchase and installation of one bus shelter to be located on State Highway 88 westbound, between Jack Martin Boulevard and Laurel Brook Drive, mid-block 50 feet west of the Walgreens.

FURTHER, BE IT RESOLVED, that the Mayor and the Municipal Clerk be authorized to execute an agreement or agreements with NJ Transit to arrange for the purchase and installation of the shelter.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting held on March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township this 25th of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
10-12	3/25/24

RESOLUTION

WHEREAS, the Big Belly Bagels, 325 Drum Point Road, Brick has applied for a special event permit to conduct a Grand Opening Event on Tuesday, April 2, 2024 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 Big Belly Bagel's request for special event application to conduct a Grand Opening Event at 325 Drum Point Road on April 2, 2024 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 Big Belly Bagel's request for special event application to conduct a Grand Opening Event from 9:00 am to 12:00 noon on April 2, 2024 is approved with the conditions and restrictions as follows:

- 1) All fire lanes and fire access must remain open and accessible at all times.
- 2) All other stores in that shopping center are closed at that time. Notification will be made by the applicant to the other businesses that the parking area will be limited.
- 3) Adequate barriers are in place to close the parking area where the event will take place (barricades, barrels, etc.).
- 4) All portable generators should be covered with a generator tent or some other type of barrier system.
- 5) The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
- 6) Any signage advertising this event (if applicable) shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
- 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 Big Belly Bagel.

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

Agenda #	Township
6-13	3/25/24
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

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 2024.

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>
383.03/27/309163 328 HERITAGE DRIVE	CORELOGIC CENTRALIZED REFUNDS	\$1,841.87

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Account #	Date
6-150	3/25/24

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments for the years 2023 on Block 889, Lot 4, Account # 415966, due to State Appeals being granted; and as the State Appeal reduces the assessment from 799,200 to 525,000 for 2023.

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>
889/4/415966 361 CEDARCROFT DR.	ARCURI, NICHOLAS P & KATHLEEN	\$6,791.93

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 March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 25th day of March, 2024.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
6-15b	3/25/24
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 inspection 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>
Brick Gardens	2747 Hooper Avenue Block 673, Lot 3
Car Lot	949 Burnt Tavern Road Block 1108, Lot 6
Church	236-242 Brick Boulevard Block 382.20, Lots 66 and 72
Coffeehouse	91 Brick Boulevard Block 379.01, Lot 5
Contractor's Office	670 Mantoloking Road Block 311.01, Lot 34
Convenience Store	1900 Route 88 Block 868.01, Lot 16.03
Cummins Street	Entire Length
Gas Station & Convenience	1 Lanes Mill Road Block 1446.03, Lot 4
Marina	501 Route 35 South Block 23, Lot 1.06
Office Complex	74-80 Brick Boulevard

Agenda #	Date
5-1	3/12/24
Agenda #	Date
7-1	3/25/24
Agenda #	Date
Agenda #	Date

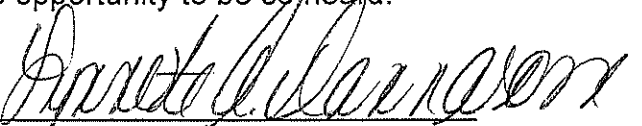
	Block 380.19, Lot 1.02
Office Space	635 Duquesne Boulevard Block 446.19, Lot 7
Supermarket	778 Route 70 Block 702, Lot 30.01

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 record 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 the first reading at a meeting of the Township Council of the Township of Brick held on the 12th day of March, 2024, 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 March, 2024 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. TANNARONE
TOWNSHIP CLERK

LISA CRATE
MAYOR

ORDINANCE

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP
OF BRICK IN CHAPTER 86 ENTITLED "ALCOHOLIC
BEVERAGES" TO AUTHORIZE THE ISSUANCE OF A
NONPROFIT THEATER CONSUMPTION LICENSE**

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 86 of the Township Code of the Township of Brick entitled "Alcoholic Beverages" is hereby amended in Section 86-1 to add a new subsection D, which shall read as follows:

§ 86-1 Number and Types of Licenses.

D. Nonprofit theater consumption license pursuant to and meeting the conditions of N.J.S.A. 33:1-19.8 for a nonprofit corporation with a premises with a seating capacity of 50 persons or more but less than 1,000 persons that is primarily used to conduct musical or theatrical performances or concerts.

SECTION 2. Chapter 86 of the Township Code of the Township of Brick entitled "Alcoholic Beverages" is hereby amended in Section 86-6 to add a new subsection I, which shall read as follows:

§ 86-6 Fees.

I. The annual license fee for a Nonprofit Theater Consumption License shall be \$250.

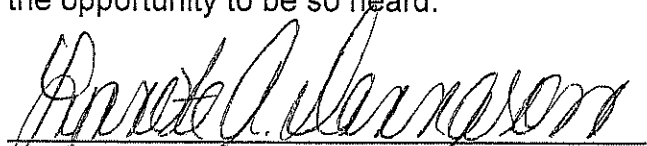
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 12th day of March, 2024, 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 March, 2024 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.

Agenda #	Date
5-2	3/12/24
Agenda #	Date
7-2	3/25/24
Agenda #	Date
Agenda #	Date



 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

LISA CRATE
MAYOR