

Brick Township Council
May 28, 2019
Caucus/Public Meeting
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 February 8, 2019. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net). At this time please silence or turn off your cell phone.
3.
 - a. Roll Call.
 - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.
 - c. Approve Minutes of April 30, 2019 Meeting.
 - d. Presentations:
 1. Police Promotions/Swearing In.
 2. Historic Preservation Award.
 3. Students of the Month – April.
 4. District Teacher of the Year – Kelly Cerbone.
 5. National Junior Honor Society Recipients:
 - a. Lake Riviera Middle School.
 - b. Veterans Memorial Middle School.
 - c. St. Dominic School.

Consent Agenda

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

4. Resolutions:
 - ___1. Recognize District Teacher of the Year – Kelly Cerbone.
 - ___2. Authorize 2019 Temporary Capital Budget.
 - ___3. Authorize Cancellation of Grant Appropriated Reserves & Receivables.
 - ___4. Authorize Cancellation of Stale Dated Checks.
 - ___5. Authorize Refund From Police Road Job Account.
 - ___6. Authorize Receipt of Bids – Bayside Park Improvements.
 - ___7. Authorize Receipt of Bids – Beverly Beach Area Roadway Improvements.
 - ___8. Authorize Receipt of Bids – Resurfacing & Drainage Improvements – Dennis Drive, Algonquian & Towhee Trails and Dennis Drive Water Main Replacement.
 - ___9. Authorize Award of Bid – Public Safety Uniforms.
 - ___10. Authorize Award of Bid – Fall Fest Food Vendor Concession.
 - ___11. Authorize Award of Bid – Summer Fest Food Truck Vendor – Remaining Categories.
 - ___12. Authorize Award of Contract – Concession Stand at Brick Beach I.
 - ___13. Authorization to Negotiate Contract – Fireworks Exhibitions.
 - ___14. Authorize Change Order No. 1 – Airport Tract Bikeway Expansion – NJDOT Project.
 - ___15. Authorize 2019-2020 Liquor License Renewals without Restrictions – Consumption, Distribution and Club Licenses.
 - ___16. Authorize 2019-2020 Plenary Retail Consumption Liquor License Renewals with Restrictions:
 - a. Applebee's
 - b. Bonefish Grill
 - c. Buffalo Wild Wings
 - d. Carrabba's Italian Grill
 - e. FRIT
 - f. Houlihan's
 - g. Jack & Mike's Bar & Grille
 - h. Mantoloking Road Alehouse
 - i. Outback Steakhouse
 - j. Quaker Steak & Lube
 - k. Red Robin
 - l. Tre/Rosalita's
 - m. Tuscany
 - n. Urban Coalhouse
 - o. Use to Be's
 - ___17. Authorize Special Events Permit – PC Richard & Son Tent Sale.
 - ___18. Tax Collector:
 - a. Redemption of Tax Sale Certificate – Block 236.25 Lot 39 – Mandalay.
 - ___19. Bill Resolution – Computer 2019.
 - ___20. Bill Resolution – Manual 2019.

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

5. Ordinances on First Reading:

- ___1. Amend Chapter 145 – Extension of the Waiver of Fees for Construction – Renovation of Existing Vacant Commercial Structures.
- ___2. Amend Chapter 288 – Designate a Portion of East View Drive – One Way Street.

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- _____3. Bond Ordinance – 5 Year Life.
- _____4. Bond Ordinance – 7 Year Life.
- _____5. Bond Ordinance – 10 Year Life.
- _____6. Bond Ordinance – 15 Year Life.

6. Ordinance on Second Reading:

- _____1. Vacating a Portion of the Right-of-Way – Iroquois Dr.

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 of the Township Council will be on Tuesday, June 11, 2019 at 7:00 p.m.**

RESOLUTION

WHEREAS, The Township of Brick is fortunate to have many outstanding individuals who are dedicated to the education of our young residents; and

WHEREAS, Kelly Cerbone, a 7th grade math and science teacher at Lake Riviera Middle School, was selected as Brick Township's 2019 Teacher of the Year; and

WHEREAS, Mrs. Cerbone, received her Bachelor of Science from Kutztown University where she majored in elementary education and minored in Psychology; and

WHEREAS, Mrs. Cerbone's has had a lifelong passion for teaching which has developed into an exceptional ability to establish cooperative, professional relationships with students, parents and colleagues; and

WHEREAS, Mrs. Cerbone is motivated by the belief that all children can be effective learners as she prioritizes students success as well as their holistic development; and

WHEREAS, during her career Mrs. Cerbone has developed and shared successful initiatives both school and district wide including growth mindset, productive struggle and mindfulness; and

WHEREAS, Mrs. Cerbone sums up her teaching philosophy to the acronym: TIME: Teach, Inspire, Motivate and Empower and tries to instill in her students a lifelong love of learning.

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

1. We join Mayor John G. Ducey in saluting Kelly Cerbone for being named the Brick Township Teacher of the Year.
2. We urge all residents to thank Mrs. Cerbone, and all Brick Township School Teachers, for all they do for the students and families in our community.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	5/28/19
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RESOLUTION

WHEREAS, the Township of Brick desires to constitute the 2019 temporary capital budget of said municipality by inserting therein various projects.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Brick as follows:

Section 1. The 2019 temporary capital budget of the Township of Brick is hereby constituted by the adoption of a schedule to read as follows:

Projects No. 1 - 11 Temporary Capital Budget of the Township of Brick County of Ocean, New Jersey Project(s) Scheduled for 2019 Various Projects Method of Financing

	Project	Estimated Cost	Budget Appropriation	Capital Improvement Fund	General Bonds
1	Motorized Equipment (DPW, Police, Admin., Assess., Engineer, Inspect. & Rec)	\$ 1,078,647.00	\$ -	\$ 53,932.00	\$ 1,024,715.00
2	Non-Motorized Equipment	\$ 277,667.00	\$ -	\$ 13,883.00	\$ 263,784.00
3	Required for borrowing of Notes & Bonds - Cost of Issuance	\$ 150,000.00	\$ -	\$ 7,500.00	\$ 142,500.00
4	Data Processing/Technology (all departments)	\$ 489,000.00	\$ -	\$ 24,450.00	\$ 464,550.00
5	Police Equipment (non-data processing)	\$ 129,385.00	\$ -	\$ 6,469.00	\$ 122,916.00
6	Marina - Electrical Maintenance	\$ 100,000.00	\$ -	\$ 5,000.00	\$ 95,000.00
7	DPW - Tree Plantings	\$ 10,250.00	\$ -	\$ 513.00	\$ 9,737.00
8	Road Improvements	\$ 3,250,000.00	\$ -	\$ 162,500.00	\$ 3,087,500.00
9	Class B Bldgs. & Grounds Improvements	\$ 1,841,554.00	\$ -	\$ 92,078.00	\$ 1,749,476.00
10	Drainage & Dredging	\$ 713,497.00	\$ -	\$ 35,675.00	\$ 677,822.00
11	Recreational Park Improvements (existing parks and beaches)	\$ 460,000.00	\$ -	\$ 23,000.00	\$ 437,000.00
	Totals	\$ 8,500,000.00	\$ -	\$ 425,000.00	\$ 8,075,000.00

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2019 temporary capital budget, to be included in the 2019 permanent capital budget as adopted.

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4-2	1/28/19
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CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

Authorization to Cancel Grant Appropriated Reserves and Receivables

WHEREAS, certain balance sheet items remain outstanding, uncollectable, and unspent; and

WHEREAS, it is necessary to formally cancel said Grants Receivable and Appropriated Reserve balances which will not be received and not be expended.

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

The Grants Receivable balances as reflected below are hereby canceled:

2016 Body Worn Camera (to appropriated Reserves)	\$43.75
2018 Highway Traffic Safety (to appropriated Reserves)	711.97
2017 NJDEP Recreational Trails Program (to Fund Balance)	165.00
2017 NJDEP Recreational Trails Program (to Appropriated Reserves)	10,915.38
	<u>\$11,836.10</u>

The Appropriated Reserve balances as reflected below are hereby canceled:

2016 Body Worn Camera	\$43.75
2018 Highway Traffic Safety	711.97
2017 NJDEP Recreational Trails Program	10,915.38
	<u>\$11,671.10</u>

A certified copy of this resolution is to be forwarded to the Chief Financial Officer.

CERTIFICATION

I, Lynnette Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the forgoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, a reconciliation of the list below reflects outstanding checks; and

WHEREAS, the check date on these checks are now stale dated; and

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

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

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

1. The list totaling \$106.43 is to be cancelled and funds are to be transmitted over to the Township's Chief Financial Officer and deposited into its respective Account.
2. A certified copy of this resolution to be forwarded to the Chief Financial Officer.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Check #	Amount	Date Issued	Payee	
Current				
4870	15.85	10/24/2018	Devincens & Assoc., LLC	
Inspection Under				
3582	90.58	06/13/2018	Coast Termite	

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4-4	
Agenda #	Date
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RESOLUTION

WHEREAS, various entities have deposited monies into the Township's Police Road Job Trust Account; and

WHEREAS, officers were assigned to the workplace and paid for their services; and

WHEREAS, monies still remain on deposit in the Township's Trust account; and

WHEREAS, it has been determined by the Township that no additional services will be required.

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

1. The Chief Financial Officer is authorized to disburse checks in accordance with Schedule A from the Police Road Job Account to the appropriate client.
2. A copy of this resolution be given to the Chief Financial Officer and the Chief of Police.

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 on May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

SCHEDULE A - REFUND OF BALANCES

Depositor Name & Address	Balance on Account
Midlantic Construction 371 North Main Street Barnegat, NJ 08005	695.00
Total	695.00

Agenda # 4-5	Date 5/28/19
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Agenda #	Date

RESOLUTION

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

BAYSIDE PARK IMPROVEMENTS

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

1. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the consulting engineer for the project, CME Associates, is hereby authorized to prepare formal bid specifications 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-6	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

BEVERLY BEACH AREA ROADWAY IMPROVEMENTS

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

1. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the consulting engineer for the project, Maser Consulting, is hereby authorized to prepare formal bid specifications 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

RESURFACING & DRAINAGE IMPROVEMENTS TO DENNIS DRIVE, ALGONQUIAN AND TOWHEE TRAILS, DENNIS DRIVE WATER MAIN REPLACEMENT

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

1. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the consulting engineer for the project, ARH Associates, is hereby authorized to prepare formal bid specifications 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8	5/28/19
Agenda #	Date
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RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Public Safety Uniforms on Thursday, May 23, 2019; and

WHEREAS, the bids have been reviewed by the Police Department; and

WHEREAS, the Police Department has recommended the award of said bid to the lowest responsive and responsible bidder being in full compliance of the bid specifications; and

WHEREAS, the Police Department has found Action Uniform Company, LLC, 3164 Fire Road, Egg Harbor Township, NJ 08234 as the lowest responsive and responsible bidder in full compliance with the bid specifications and is therefore recommended for award.

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 bid for Public Safety Uniforms is awarded to Action Uniform Company, LLC, 3164 Fire Road, Egg Harbor Township, NJ 08234 as per the attached Schedule of Prices.
2. That this is a unit price bid not to exceed \$90,000.00 per year with funds to be certified prior to each order. Sufficient funds are available in 2019 budget and pending adoption of the 2020 and 2021 budgets under appropriations entitled Police – Uniforms account 9-01-25-240-224; Special Police – Uniforms account 9-01-25-241-224; Crossing Guards – Uniforms account 9-01-25-242-224; Police Dispatch/911 – Uniforms account 9-01-25-250-224; EMT Services – Uniforms account 9-01-40-765-224.
3. That this will be one (1) year contract commencing on May 29, 2019 with option to award second year pending satisfactory performance and recommendation from Police Department.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a copy of this resolution shall be forwarded to successful bidder, Business Administrator, Chief Financial Officer, Chief of Police, 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

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4-9	28/19
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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Fall Fest Food Vendor Concession on Tuesday, May 21, 2019; and

WHEREAS, the bids have been reviewed by the Director of Recreation, and

WHEREAS, the Director of Recreation has recommended the award of the bid to the highest responsive and responsible bidder.

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 bid for Fall Fest Food Vendor Concession is hereby awarded to My Three Cobs Corn Roasting, LLC, 536 Amherst Drive, Brick, NJ 08723 for the total bid amount of \$3,040.00.
2. 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.
3. That a copy of this resolution shall be forwarded to the all successful bidder, Business Administrator, Chief Financial Officer, Director of Recreation 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-10	28/19
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 Summerfest Food Truck Vendors (Remaining Categories) on Tuesday, May 21, 2019; and

WHEREAS, the bids have been reviewed by the Director of Recreation, and

WHEREAS, the Director of Recreation has recommended the award of the bid to the highest responsive and responsible bidder.

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 bid for Summerfest Food Truck Vendors (Remaining Categories) is hereby awarded to My Three Cobs Corn Roasting, LLC, 536 Amherst Drive, Brick, NJ 08723 for the Category 6 – Specialty, for total bid amount of \$1,304.00.
2. 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.
3. That a copy of this resolution shall be forwarded to the all successful bidder, Business Administrator, Chief Financial Officer, Director of Recreation 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-11	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Fireworks Exhibitions on Tuesday, May 21, 2019; and

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

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(a) bids have been advertised on two (2) occasions and no responsive bids were received at either occasion; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(b) a contract may be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the governing body.

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 Business Administrator is hereby authorized negotiate a contract for Fireworks Exhibitions.

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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-13	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CHANGE ORDER #1

WHEREAS, it has come to the attention of the governing body of the Township of Brick that a Change Order representing as built quantity adjustment is needed to successfully continue the Airport Tract Bikeway Expansion, NJDOT Project; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.7, the consulting engineer has recommended that Change Order #1 is authorized for the contract awarded to Down to Earth Landscaping, Inc., 705 Wright-Debow Road, Jackson, NJ 08527.

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 Change Order #1 is hereby authorized to provide a modular block retaining wall and reduction of unused quantities of stone dust bikeway. Change Order #1 results in no change to the contract amount.
2. That the Township Clerk shall forward a certified copy of the resolution to the Down to Earth Landscaping, Inc., 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 the 28th day of May, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/28/19
4-14	
Agenda #	Date
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RESOLUTION

WHEREAS, the Township Council previously awarded for the period commencing July 1, 2018 to June 30, 2019 certain plenary retail consumption licenses and certain plenary retail distribution licenses and also certain club licenses; and

WHEREAS, the Township Council makes the following findings with respect to the 2019 to 2020 renewal applications submitted to them:

1. The submitted application forms are complete in all respects and the proper fees have been collected.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations.
3. The applicants have disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the licenses and the licensed premises and/or any additional financing obtained in the previous licensed term for the use in the licensed business.

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

That all plenary retail consumption licenses, plenary retail distribution licenses and club licenses named in the attached schedule be and are hereby renewed for the period commencing July 1, 2019 to June 30, 2020:

PLENARY RETAIL CONSUMPTION LICENSES:

- | | |
|--|-----------------|
| 1. MAYO4SAM, LLC
t/a P.J. Sweeney's
447 Brick Boulevard
Brick, NJ 08723 | 1506-33-001-009 |
| 2. Three Boys Corp.
t/a Windward Grille
292 Princeton Avenue
Brick, NJ 08724 | 1506-33-003-010 |
| 3. Josflo Corporation
t/a Arrowhead Inn
2071 Highway 88
Brick, NJ 08724 | 1506-33-006-004 |
| 4. Oicata, Inc.
t/a Villa Vitoria Restaurant
2700 Hooper Avenue
Brick, NJ 08723 | 1506-33-008-007 |
| 5. River Rock Sports Bar and Grill Corp.
1600 Highway 70
Brick, NJ 08724 | 1506-32-011-005 |
| 6. KB & RD, LLC
t/a Beacon 70
799 Route 70
Brick, NJ 08723 | 1506-33-012-012 |
| 7. Ligitup, Inc.
t/a Spirit Unlimited
30 Brick Boulevard
Brick, NJ 08723 | 1506-32-013-011 |

8. Brick Township Pubs Inc.
t/a TGI Fridays
701 Route 70
Brick, NJ 08723
1506-33-024-008

RETAIL PLENARY DISTRIBUTION LICENSES:

1. SP Holdings LLC
t/a Forbes Wine & Liquors
580 Brick Boulevard
Brick, NJ 08723
1506-44-004-005
2. B&M Associates, Inc.
t/a Lenape Buy-Rite
Winesanywhere.com
567 Mantoloking Road
Brick, NJ 08723
1506-44-009-008
3. Brick Town Liquors, Inc.
t/a Brick Town Liquors
111 Lanes Mill Road
Brick, NJ 08724
1506-44-010-008
4. Tinali Wines, Inc.
t/a Wine Shoppe
2746 Old Hooper Avenue
Brick, NJ 08723
1506-44-014-010
5. B.C. Rest. of Brick Town, Inc.
t/a NJ Wine Gallery
294-298 Brick Boulevard
Brick NJ 08723
1506-44-026-006
6. Brick Liquors, Inc.
t/a Brick Liquors
465 Highway 70
Brick, NJ 08723
1506-44-034-002
7. Manira, LLC
t/a Buy Rite of Brick
989 Burnt Tavern Road
Brick, NJ 08724
1506-44-041-005
8. Tinali Wines, Inc.
t/a Wine World
2085 Route 88
Brick, NJ 08724
1506-44-042-002
9. RJS Tech, Inc.
t/a Joe Canal's Discount Liquor Outlet
720 Route 70
Brick, NJ 08723
1506-44-043-003

CLUB LICENSES:

1. Brick Twp. Memorial Post #348 American Legion
822 Mantoloking Road
Brick, NJ 08723
1506-31-015-001

- | | | |
|----|--|-----------------|
| 2. | Columbus Club Incorporated
t/a Knights of Columbus Council
1065 Cedar Bridge Avenue
Brick, NJ 08724 | 1506-31-016-001 |
| 3. | Brick Elks 2151
2493 Hooper Avenue
Brick, NJ 08723 | 1506-31-017-003 |
| 4. | Metedeconk River Yacht Club
Tilton Road
Brick, NJ 08723 | 1506-31-018-001 |
| 5. | Riviera Beach Boat Club, Inc.
385 Herbertsville Road
Brick, NJ 08724 | 1506-31-020-001 |
| 6. | Shore Acres Yacht Club, Inc.
800 Drum Point Road
Brick, NJ 08723 | 1506-31-021-001 |
| 7. | Brick Township VFW Post #8867 and Auxiliary
373 Adamston Road
Brick, NJ 08723 | 1506-31-023-002 |

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Apple Food Service of Brick, Inc. t/a Applebee's Neighborhood Grill & Bar, 7 Pearl Court, Allendale, NJ 07401, has applied for the renewal of Plenary Retail Consumption License No. 1506-33-028-001 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-028-001 held by Apple Food Service of Brick, Inc. t/a Applebee's Neighborhood Grill & Bar for premises located at 52 Brick Plaza is renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate as a family restaurant having at least one hundred (100) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	5/Date
4-16a	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Bonefish Grill LLC t/a Bonefish Grill, 2202 NW Shore Boulevard, Suite 500, Tampa, FL 33607 has applied for the renewal of Plenary Retail Consumption License 1506-33-036-003 for the 2019-2020 licensing period; and

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

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

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

1. That plenary retail consumption license No. 1506-33-036-003 held by Bonefish Grill LLC t/a Bonefish Grill for premises located at 179 Van Zile Road Unit #9104 is renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having a varied menu with at least one hundred twenty (125) seats and the total length of the bar to provide for no more than twenty five (25) seats.
 - b. That the licensee shall agree to conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to an annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. NJ Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-166	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Anstul- BWW III LLC t/a Buffalo Wild Wings Bar and Grill, 5 Kennedy Mall, Brick, NJ 08723 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-038-002 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License 1506-33-038-002 held by Anstul- BWW III LLC t/a Buffalo Wild Wings Bar and Grill, 5 Kennedy Mall, Brick, NJ 08723 is hereby renewed as for the period July 1, 2019 to June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having a varied menu and which premises shall contain at least one hundred (100) seats for the consumption of this food and the total length of the bar to provide for no more than twenty five (25) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. Licensee
 - b. New Jersey Division of Alcoholic Beverage Control

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

Agenda #	Date
4-16C	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Carrabba's Italian Grill LLC t/a Carrabba's Italian Grill, 2202 NW Shore Boulevard, 5th Floor, Tampa, FL 33607 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-031-003 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-031-003 held by Carrabba's Italian Grill LLC t/a Carrabba's Italian Grill for premises located at 990 Cedarbridge Avenue, Building B is renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having at least one hundred (100) seats.
 - b. That the licensee shall agree to conditions placed upon this license for a minimum of one (1) year from the initial date of issuance and subject to an annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16d	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, FRIT Leasing & Development Services Inc., 1626 East Jefferson Street, Rockville, MD 20852 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-035-004 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-035-004 held by FRIT Leasing & Development Services Inc. is renewed for the period July 1, 2019 through June 30, 2020 in the Inactive Status subject to the following restrictions:
 - a. Operate as a family restaurant with at least one hundred fifty (150) seats and the bar area to have no more than twenty (20) seats.
 - b. That the licensee shall agree to conditions placed upon this license for a minimum of one (1) year from the initial date of issuance and subject to an annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

Agenda #	Date
4-16e	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, HOP BRICK LLC t/a Houlihan's, 870 State Line Road, Leawood, KS 66206 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-039-004 for the 2019-2020 licensing period; and

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

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

1. That Plenary Retail Consumption License No. 1506-33-039-004 held by HOP BRICK LLC t/a Houlihan's, for premises located at 491 Route 70 Brick NJ 08723, is renewed for the period of July 1, 2019 to June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having a varied menu and which premises shall contain at least one hundred (100) seats for the consumption of this food and the total length of the bar to provide for no more than twenty five (25) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That a certified copy of this Resolution shall be forwarded to:
 - a. NJ Division of Alcoholic Beverage Control
 - b. Applicant

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4/16/19	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jack & Mike's Bar & Grille Inc., 979 Cedarbridge Avenue, Brick, NJ 08723 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-037-005 for the 2019-2020 period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-037-005 held by Jack & Mike's Bar & Grille, Inc. for premises located at 979 Cedarbridge Avenue is renewed for the period of July 1, 2019 to June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having a varied menu with at least one hundred twenty five (125) seats with a total length of the bar to provide for no more than twenty five (25) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this Resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16a	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, ZMRA, LLC, t/a Mantoloking Road Alehouse, 247 Mantoloking Road, Brick, NJ 08723 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-032-003 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-032-003 held by ZMRA, LLC t/a Mantoloking Road Alehouse, 247 Mantoloking Road, Brick, NJ 08723 is hereby renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate as a family restaurant with the bar area to have no more than twenty five (25) seats.
 - b. That the licensee shall agree to conditions placed upon this license for a minimum of one (1) year from the initial date of issuance and subject to an annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	5 Date
4-16h	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Outback Steakhouse of Florida LLC t/a Outback Steakhouse, 2202 NW Shore Boulevard, 5th Floor, Tampa, FL 33607, has applied for the renewal of Plenary Retail Consumption License No. 1506-33-029-002 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-029-002 held by Outback Steakhouse of Florida LLC t/a Outback Steakhouse for premises located at 2770 Hooper Avenue is renewed for the period of July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having at least one hundred fifty (150) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

Agenda #	Date
4-161	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, QSL of Brick, LLC t/a Quaker Steak & Lube, 7 Pearl Court, Allendale, NJ 07401 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-033-003 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-033-003 held by QSL of Brick, LLC t/a Quaker Steak & Lube for premises located at 1036 Cedarbridge Avenue is renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having at least two hundred fifty (250) seats.
 - b. Upon written direction of the Chief of Police or his designee, the Licensee will provide uniformed off-duty police officers to be stationed in front of the premises at the owner's expense.
 - c. All entertainment and serving of alcohol must cease at least 30 minutes prior to closing time.
 - d. At the discretion of the Chief of Police or his designee, the Licensee shall implement additional security measures including, but not limited to, the use of a license scanner, the installation of infrared security cameras inside the licensed premises and the installation of no less than two security cameras on the exterior of the licensed premises.
 - e. At the discretion of the Chief of Police or his designee, the Licensee shall provide certified security personnel on the premises on Friday and Saturday evenings. Such certified security personnel shall be present in the parking lot adjacent to the licensed premises at closing time, and shall patrol the parking lot periodically throughout the evening.
 - f. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

Agenda #	Date
4-16j	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Red Robin International Inc., t/a Red Robin Gourmet Burgers & Brews, 6312 S. Fiddler's Green Circle, Suite 200 North, Greenwood Village, CO 80111 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-045-001 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License 1506-33-045-001 held by Red Robin International Inc. t/a Red Robin Gourmet Burgers & Brews, for premises located at 56 Chambers Bridge Road is hereby renewed as for the period July 1, 2019 to June 30, 2020 subject to the following restrictions:
 - a. Each license issued must be used as part of a restaurant operation, which is defined by the Alcoholic Beverage Law, N.J.S.A. 33:1-1(t) as, "(a)n establishment regularly and principally used for the purpose of providing meals to the public, having an adequate kitchen and dining room equipped for the preparing, cooking and serving of food for its customers and in which no other business, except such as is incidental to such establishment, is conducted."
 - b. Operate a family style restaurant having a varied menu and which premises shall contain at least one hundred (100) seats for the consumption of this food and the total length of the bar to provide for no more than twenty five (25) seats.
 - c. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Township Clerk shall forward a certified copy of this resolution to the following:
 - a. Licensee
 - b. New Jersey Division of Alcoholic Beverage Control

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

Agenda #	Date
4-16K	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, GR Brick, LLC, t/a Tre Pizza, Pasta, Beer Garden and Rosalita's Roadside Cantina, 1048 Cedar Bridge Avenue, Brick, NJ 08723 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-005-012 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-005-011 held by GR Brick, LLC, t/a Tre Pizza, Pasta, Beer Garden and Rosalita's Roadside Cantina, 1048 Cedar Bridge Avenue, Brick, NJ 08723 is renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate as a family restaurant having at least one hundred fifty (150) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	5/28/19
4-16 L	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, 3 Cypriots, LLC t/a Tuscan Restaurant and Bar, 1490 Route 88 West, Brick, NJ 08724 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-030-002 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-030-002 held by 3 Cypriots, LLC t/a Tuscan Restaurant & Bar is renewed for the period July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. Operate as a family restaurant having at least forty (40) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16m	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, JSM @ Brick II, LLC, t/a Urban Coalhouse, 2 Bridge Avenue, Red Bank, NJ 07701 has applied for the renewal of Plenary Retail Consumption License No. 1506-33-040-004 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License 1506-33-040-004 held by JSM @ Brick II, LLC, t/a Urban Coalhouse for premises located at 515 Route 70, Brick, NJ 08723 is hereby renewed for the period July 1, 2019 to June 30, 2020 subject to the following restrictions:
 - a. Operate a family style restaurant having a varied menu and which premises shall contain at least one hundred (100) seats for the consumption of this food and the total length of the bar to provide for no more than twenty five (25) seats.
 - b. That the licensee shall agree to the conditions placed upon this license for a minimum of one (1) year from date of issuance and subject to annual review.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. Licensee
 - b. New Jersey Division of Alcoholic Beverage Control

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-16n	5/28/19
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Med Marion, Inc. t/a Use To Be's, 34-39 Ocean Boulevard, Mantoloking, NJ 08738, has applied for the renewal of Plenary Retail Consumption License No. 1506-33-007-007 for the 2019-2020 licensing period; and

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

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

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

1. That Plenary Retail Consumption License No. 1506-33-007-006 held by Med Marion, Inc., t/a Use To Be's is hereby renewed for the period of July 1, 2019 through June 30, 2020 subject to the following restrictions:
 - a. There shall be no live music or entertainment on the licensed premises which is audible to the outside.
 - b. That the licensee shall post two uniformed security guards in the parking area of the licensed premises during the hours of 10:00 p.m. to 3:30 a.m. continuously from Memorial Day through Labor Day and on Thursday, Friday and Saturday nights during the rest of the year to keep and maintain order.
 - c. No empty bottles shall be deposited outside of the building on the licensed premises from 10:00 p.m. through 8:00 a.m.
 - d. That the licensee shall agree to conditions placed upon this license for a minimum of one (1) year from the initial date of issuance and subject to an annual review.
 - e. That the Municipal Clerk shall forward a certified copy of this resolution to the following:
 - a. N.J. Division of Alcoholic Beverage Control
 - b. Licensee

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

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4-160	
Agenda #	Date
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LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, PC Richard and Son has applied for a special event permit to conduct a Tent Sale on June 6-17, 2019 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 PC Richard and Son's request for special event application to conduct a Tent Sale at 550 Route 70 from June 6-17, 2019 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 PC Richard and Son's request for special event application to conduct a Tent Sale on June 6-17, 2019 between the hours of 10:00 am and 9:00 pm, is approved with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas and store exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A tent permit must be obtained from the Brick Township Bureau of Fire Safety.
- 3) 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.
- 4) 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 PC Richard and Son.

CERTIFICATION

I, Lynnette A. Iannarone, Municipal 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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

Agenda #	Date
4-17	5/28/19
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LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there have been redemptions of tax sale certificates on the properties listed below.

WHEREAS, monies have been received and deposited in the current account for the Township of Brick.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Mayor and Clerk be and are hereby authorized to sign and seal the aforementioned tax sale certificate.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Cert. #</u>
236.25/39/204604 Mandalay	Mills, Lucie L. Etals %V. Sampson	2018-0046

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 May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 28th day of May, 2019.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-18a	5/28/19
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ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 145-6 OF THE TOWNSHIP CODE TO EXTEND THE TIME FOR THE WAIVER OF FEES FOR CONSTRUCTION TO PROMOTE THE RENOVATION OF EXISTING VACANT COMMERCIAL STRUCTURES

WHEREAS, as part of its ongoing efforts to rehabilitate existing commercial structures and storefronts in the Township of Brick, the Township Council, in September 2015, created Chapter 145-6 of the Township Code entitled "Waiver of Fees for Construction to Promote the Renovation of Existing Vacant Commercial Structures"; and

WHEREAS, by providing for the waiver of fees for construction projects undertaken to renovate existing vacant commercial properties, the Township Council sought to encourage private property owners and their tenants, to undertake such projects to promote business and development within the Township of Brick; and

WHEREAS, the Mayor and Township Council have determined that the waiver of fees has encouraged property owners and prospective business owners to rehabilitate empty storefront locations and is an effective tool in the effort to rehabilitate vacant commercial structures, including empty storefronts; and

WHEREAS, the Township Council subsequently, by duly adopted Ordinance, extended the waiver of fees in Chapter 145-6 for an additional two years, to December 31, 2018; and

WHEREAS, the Township Council now desires to extend the deadline for the waiver of fees from its current end date of December 31, 2018 for an additional two years, to December 31, 2020.

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

SECTION 1. The Township Code of the Township of Brick is hereby amended and supplemented in Chapter 145-6, entitled "Waiver of Fees for Construction to Promote Renovation of Existing Vacant Commercial Structures," which amended Chapter 145-6 shall now read in relevant part as follows:

§ 145-6. Waiver of fees for construction to promote renovation of existing vacant commercial structures.

D. This ordinance shall expire on December 31, 2020 unless extended by the Township Council of the Township of Brick.

SECTION 2. Any provision of Chapter 145-6 not specifically amended herein shall remain the same.

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 28th day of May, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of June, 2019 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

JOHN G. DUCEY
MAYOR

Agenda #	Date
5-1	5/28/19
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING CHAPTER 288 OF THE TOWNSHIP CODE
OF THE TOWNSHIP OF BRICK, TO DESIGNATE A
PORTION OF EAST VIEW DRIVE AS A ONE-WAY
STREET

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 288-41, entitled "Schedule XI: One-
Way Streets," to add the following street, in an appropriate alphabetical location, to the
schedule of one-way streets:

§288-41. Schedule XI: One-Way Streets.

In accordance with the provisions of §288-16, the following described streets or
parts of streets are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction	Limits
East View Drive	Eastbound	Between Tall Timber Dr and Reservation Row

SECTION 2. Upon the effective date of this Ordinance, the Department of Public
Works is authorized and directed to install one-way signs as appropriate to give effect to
this Ordinance and to install a "Do Not Enter" sign on East View Drive at the intersection
with Reservation Row.

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 28th day of May, 2019, and will be considered for
second reading and final passage at a regular meeting of the Township Council to be
held on the 11th day of June, 2019 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

JOHN G. DUCEY
MAYOR

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Agenda #	Date
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TOWNSHIP OF BRICK
OCEAN COUNTY, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$1,506,314 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,430,999 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$1,506,314, said sum being inclusive of a down payment in the amount of \$75,315 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,506,314 appropriation not provided for by application hereunder of said \$75,315 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,430,999 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$1,430,999 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various items of motorized and non-motorized equipment for various Township Departments, including, but not limited to, the Department of Public Works, the Police Department, the Department of Information and Technology, Department of Inspections, the Department of Administration and Department of Recreation.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$1,430,999.

(d) The estimated cost of said improvements and purposes is \$1,506,314, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$75,315 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be

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received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,430,999, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$353,447 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond 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 28th day of May, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of June, 2019 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

JOHN G. DUCEY
MAYOR

TOWNSHIP OF BRICK
OCEAN COUNTY, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$489,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$464,550 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$489,000, said sum being inclusive of a down payment in the amount of \$24,450 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$489,000 appropriation not provided for by application hereunder of said \$24,450 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$464,550 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$464,550 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various items of data processing and technology equipment for various departments within the Township, including, but not limited to, the Department of Information and Technology.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$464,550.

(d) The estimated cost of said improvements and purposes is \$489,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$24,450 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2

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hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is seven (7) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$464,550, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid

prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond 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 28th day of May, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of June, 2019 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

JOHN G. DUCEY
MAYOR

**TOWNSHIP OF BRICK
OCEAN COUNTY, STATE OF NEW JERSEY**

ORDINANCE NUMBER _____

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE
TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN,
STATE OF NEW JERSEY; APPROPRIATING \$3,489,635
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$3,315,153 BONDS OR NOTES TO FINANCE PART OF
THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not
less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$3,489,635, said sum being inclusive of a down payment in the amount of \$174,482 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,489,635 appropriation not provided for by application hereunder of said \$174,482 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$3,315,153 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$3,315,153 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for (i) various Class B roadway improvements at various locations throughout the Township, including, but not limited to, milling, paving, striping, curbs, aprons, ADA walkways, and driveways, (ii) the acquisition and installation, as applicable, of various items of equipment, including non-data processing equipment for the Police Department, (iii) electrical upgrades and repairs at the Marina, and (iv) tree replacements for the Department of Public Works.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$3,315,153.

(d) The estimated cost of said improvements and purposes is \$3,489,635, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$174,482 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the

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amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,315,153, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,010,945 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property

within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond 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 28th day of May, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of June, 2019 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

JOHN G. DUCEY
MAYOR

TOWNSHIP OF BRICK
OCEAN COUNTY, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$3,015,051 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,864,298 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$3,015,051, said sum being inclusive of a down payment in the amount of \$150,753 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,015,051 appropriation not provided for by application hereunder of said \$150,753 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,864,298 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$2,864,298 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for (i) various improvements to Class B buildings and grounds, (ii) drainage and dredging improvements, and (iii) recreational park improvements to existing parks and beaches at various locations throughout the Township.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$2,864,298.

(d) The estimated cost of said improvements and purposes is \$3,015,051, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$150,753 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the

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United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,864,298, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$797,490 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond 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 28th day of May, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of June, 2019 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

JOHN G. DUCEY
MAYOR

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY VACATING A PORTION OF THE RIGHT-OF-WAY KNOWN AS IROQUOIS DRIVE

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. Pursuant to N.J.S.A. 40:67-1(b), the Township hereby abandons, vacates, releases and extinguishes any and all public rights which the Township may have in and to the portion of the roadway known as Iroquois Drive, which includes the easterly end of the roadway located between Lot 8, Block 891 and Lots 9.01 & 10.01, Block 892, as more specifically described on Schedule A (metes and bounds description), except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13.

SECTION 2. The Township Council has determined that said portion of the right-of-way as described on Schedule A attached hereto lends itself to a higher and better use than for public road purposes and that it is in the best interest of the general public and the Township of Brick that the rights and interests in and to the same shall as public rights-of-way be vacated, released and extinguished, on the terms set forth herein.

SECTION 3. In accordance with N.J.S.A. 40:67-1(b), the Township is required to preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right of way to be vacated, pursuant to which the utility easement as described on Schedule B hereto (metes and bounds description) is not otherwise subject to the terms of the vacation effected by the adoption of this Ordinance.

SECTION 4. The Township Clerk shall publish this ordinance, after being introduced and having passed at first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6.

SECTION 5. The Township Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.

SECTION 6. The Township Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to N.J.S.A. 40:67-21.

SECTION 7. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 8. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 9. This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed 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 14th day of May, 2019, and will be considered for second reading and final passage at a regular meeting of the Township Council to be

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held on the 28th day of May, 2019 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

JOHN G. DUCEY
MAYOR