

Brick Township Council
May 12, 2020
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 January 7, 2020. 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 Reports of Municipal Officers.
 - d. Approve Minutes of April 14th Meeting.

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. Combination/Form and Sale Authorizing Issuance of Bonds & Notes.
- ___2. Authorize Acceptance of Summer Shore Initiative 2020 Grant.
- ___3. Authorize Award of Bid – Operation of Brick Beach 1 Food Concession Stand.
- ___4. Authorize Award of Bid – Operation of Brick Beach 3 Food Concession Stand.
- ___5. Authorize Award of Bid – Mobile Ice Cream Truck.
- ___6. Authorize Award of Bid – Summerfest Food Truck Vendors.
- ___7. Authorize Award of Bid – Backup and Disaster Recovery System.
- ___8. Authorize Award of Bid – Purchase & Delivery of Sanitation & Recycling Containers.
- ___9. Authorize Award of Bid – Cedarwood Park East Roadway Improvements.
- ___10. Authorize Award of Contract through State of New Jersey Cooperative Purchasing Program for Large Town Enterprise License.
- ___11. Authorize Award of 2nd Year Contract – Public Safety Uniforms.
- ___12. Authorize Re-Bid – Beer & Wine Garden Concession.
- ___13. Authorize Re-Bid – Fireworks Exhibitions.
- ___14. Authorize Re-Bid – Fall Fest Food Vendor Concession.
- ___15. Authorize Close Out Change Order No. 1 – Roadway Improvements to Herbertsville.
- ___16. Authorize Termination of Contract and Authorize Receipt of Bids - Isolated Drainage & Roadway Improvements.
- ___17. Tax Collector:
 - a. Confirming Grace Period for 2nd Quarter Property Tax Payments.
 - b. 100% DAV Refund & Cancel Taxes – Block 324.19 Lot 6.
 - c. 100% DAV Refund & Cancel Taxes – Block 701.38 Lot 6.
 - d. Tax Overpayments – 2020.
 - e. Rescind Resolution #195-20 for Block 44.13 Lot 5 – 350 Bay Lane.

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

- ___18. Bill Resolution – Computer 2020.
- ___19. Bill Resolution – Manual 2020.

5. Ordinance on First Reading:

- ___1. Amend Chapter 211 - Outdoor Dining.

6. Public Comments.

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

7. Council Comments.

8. Motion to Adjourn.

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

****Next scheduled Caucus/Public Meeting will be held on Tuesday, May 26, 2020 at 7:00 p.m.**

**Brick Township is inviting you to a scheduled Zoom meeting
Tuesday, May 12, 2020 at 7pm**

Join Zoom Meeting

<https://zoom.us/j/929857835?pwd=QkJWYlZ2ZDRBYkxqZXN1a3NHskJrQT09>

Meeting ID: 929 857 835

Password: 017530

One tap mobile

+16468769923,,929857835#,,#017530# US (New York)

+13126266799,,929857835#,,#017530# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

Meeting ID: 929 857 835

Password: 017530

Find your local number: <https://zoom.us/u/aba3jrsIpL>

RESOLUTION

EXTRACT from the minutes of a regular meeting of the Township Council of the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"), held at the Municipal Building, in the Township of Brick on May 12, 2020 at 7:00 p.m.

PRESENT:

ABSENT:

_____ introduced and moved the adoption of the following resolution and _____ seconded the motion:

RESOLUTION (A) PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$9,260,000 GENERAL IMPROVEMENT BONDS, SERIES 2020, OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE "TOWNSHIP") AND PROVIDING FOR THEIR SALE, AND (B) AUTHORIZING THE SALE AND ISSUANCE OF \$11,110,650 BOND ANTICIPATION NOTES OF THE TOWNSHIP

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

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"), authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Improvement Bonds, Series 2020 in the aggregate principal amount of \$9,260,000 (the "General Improvement Bonds").

Section 2. The principal amount of bonds authorized by each bond ordinance to be combined into a single issue of General Improvement Bonds as provided above, and the bond ordinances authorizing the General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and period of usefulness determined in each of the bond ordinances are, respectively, as follows:

Ordinance Number	Description and Date of Final Adoption	Amount of Issue	Useful Life
9-13	Various Capital Improvements and Other Related Expenses, finally adopted 4/16/13	\$ 499,344.50	15 years
21-14	Various Capital Improvements and Other Related Expenses, finally adopted 7/22/14	209,600.00	10 years
22-14	Various Capital Improvements and Other Related Expenses, finally adopted 7/22/14	1,571,203.00	15 years
12-15	Various Capital Improvements and Acquisitions, and Other Related Expenses, finally adopted 5/19/15	1,359,482.75	15 years
09-16	Various Capital Improvements and Acquisitions, and Other Related Expenses, finally adopted 7/12/16	1,008,837.75	5 years

Agenda #	Date
4-1	5/12/20
Agenda #	Date

Ordinance Number	Description and Date of Final Adoption	Amount of Issue	Useful Life
08-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	3,374,174.00	5 years
09-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	400,001.00	7 years
10-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	237,357.00	10 years
11-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	<u>600,000.00</u>	15 years
		<u>\$9,260,000.00</u>	

Section 3. The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

(a) The average period of usefulness, computed on the basis of the respective principal amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the bond ordinances described in Section 2 and the respective periods or average periods of usefulness therein determined, is not more than 9.67 years.

(b) The General Improvement Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2020" and shall mature within the average period of usefulness determined in Section 3(a) above.

(c) The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), specifically N.J.S.A. 40A:2-26(f), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

(d) The General Improvement Bonds are being issued to refund, on a current basis, a \$9,260,000 portion of prior bond anticipation notes of the Township issued in the aggregate principal amount of \$14,850,000 on June 25, 2019 and maturing on June 24, 2020 (the "Prior Bond Anticipation Notes").

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are improvements and purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

(c) Any Bonds issued pursuant to this resolution and said bond ordinances described in Section 2 shall be general obligations of the Township, and the Township's full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Bonds and, unless paid from other sources, the Township is required by law to provide for the payment thereof by the levy of *ad valorem* taxes on all the taxable property located within the Township without limitation as to rate or amount.

Section 5. The General Improvement Bonds shall mature in the principal amounts on February 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u> ¹	<u>Year</u>	<u>Principal Amount</u> *
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¹ Preliminary, subject to change as described herein.

<u>Year</u>	<u>Principal Amount¹</u>	<u>Year</u>	<u>Principal Amount[*]</u>
2021	\$ 550,000	2026	\$1,015,000
2022	625,000	2027	1,045,000
2023	785,000	2028	1,070,000
2024	970,000	2029	1,100,000
2025	1,000,000	2030	1,100,000

The General Improvement Bonds are subject to redemption prior to their stated maturities in accordance with the terms provided in the Notice of Sale authorized herein and attached hereto as Exhibit B. The General Improvement Bonds shall be ten (10) in number, with one bond certificate being issued for each year of maturity, and shall be designated and numbered GI-1 to GI-10, inclusive.

Section 6. The General Improvement Bonds are hereinafter referred to as the "Bonds".

Section 7. The Bonds will be issued in fully registered book-entry only form, without coupons. One certificate shall be issued for the aggregate principal amount of the Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as Securities Depository (the "Securities Depository") for the Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its Participants ("Participants") or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, except that any Bonds in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its Participants. The Bonds will be dated their date of delivery and shall bear interest from such date, which interest shall be payable semiannually on the fifteenth (15th) day of February and August in each year (each an "Interest Payment Date"), commencing February 15, 2021, until maturity or prior redemption, at a rate or rates per annum as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Township, or some other paying agent as the Township may designate and appoint, on the maturity dates and due dates listed therein and will be credited on the maturity dates and due dates to the Participants of DTC as listed on the records of DTC as of each February 1 and August 1 (the "Record Dates") preceding an Interest Payment Date. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and Chief Financial Officer of the Township and the official seal of the Township (or facsimile thereof) shall be affixed, printed, engraved or reproduced thereon and attested to by the manual signature of the Clerk of the Township. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:	Date of Delivery;
Principal Payment Date:	February 15, 2021 and each February 15 thereafter until maturity or prior redemption;
Interest Payment Dates:	Semiannually on each February 15 and August 15, commencing February 15, 2021, until maturity or prior redemption;
Place of Payment:	Cede & Co., New York, New York.

Section 8. The Bonds shall be substantially in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to market and sell the Bonds, upon the advice of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, in its capacity as Bond Counsel to the Township ("Bond Counsel"), and NW Financial Group, LLC, Hoboken, New Jersey, in its capacity as Municipal Advisor to the Township (the "Municipal Advisor").

Section 9. The Bonds shall be sold upon receipt of electronic bids on Tuesday, June 9, 2020 at 11:00 a.m. by the Chief Financial Officer of the Township on i-Deal's Bidcomp®/PARITY® electronic competitive bidding system ("PARITY"), in accordance with the Notice of Sale authorized and set forth in Exhibit B attached hereto. The use of the services provided by PARITY and the fees associated therewith are hereby approved. Bond Counsel, on behalf of the Clerk of the Township, is hereby authorized and directed to arrange for the publication of a summary of such Notice of Sale to be published not less than seven (7) days prior to the date of sale in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York, and the full text of such Notice of Sale in The Ocean Star, such Notice of Sale to be published not less than seven (7) days prior to the date of sale. Pursuant to N.J.S.A. 40A:2-34, the Township hereby designates the Chief Financial Officer of the Township as the financial officer authorized to sell and award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to the Township Council at its next regularly scheduled meeting thereafter. The Chief Financial Officer is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Bonds.

The Notes (as defined in Section 13 hereof) shall be sold upon receipt of electronic bids on Tuesday, June 9, 2020 at 11:15 a.m. by the Chief Financial Officer of the Township on PARITY, in accordance with the Notice of Sale authorized herein. Bids for the Notes may also be submitted, in accordance with the Notice of Sale set forth in Exhibit C attached hereto, via facsimile or electronic mail.

Section 10. The Notice of Sale for the Bonds shall be substantially in the form set forth in Exhibit B attached hereto with such additions, deletions and omissions as may be necessary for the Township to market and sell the Bonds, upon the advice of Bond Counsel and the Municipal Advisor.

The Notice of Sale for the Notes shall be substantially in the form set forth in Exhibit C attached hereto with such additions, deletions and omissions as may be necessary for the Township to market and sell the Notes, upon the advice of Bond Counsel and the Municipal Advisor.

Section 11. The Bonds and the Notes shall, respectively, have attached a copy thereto of the written opinions with respect to such Bonds and Notes that are to be rendered by Bond Counsel. The Clerk of the Township is hereby authorized and directed to file a signed duplicate of such written opinions in the office of the Clerk of the Township.

Section 12. Bond Counsel is hereby authorized and directed to arrange for the printing of the Bonds and the Notes and for the printing and electronic posting of the Preliminary Official Statement (as hereinafter defined) and the Final Official Statement (as hereinafter defined), which Preliminary Official Statement and Final Official Statement are each hereby authorized and directed to be prepared by Bond Counsel, the Municipal Advisor, Fallon & Company LLP, Hazlet, New Jersey, auditor to the Township (the "Auditor"), and other Township officials. Bond Counsel, the Municipal Advisor and the Auditor are also authorized and directed to arrange for the distribution of the Preliminary Official Statement on behalf of the Township to those financial institutions that customarily submit bids for such Bonds and Notes. The Mayor, Chief Financial Officer and Clerk of the Township are each authorized and directed to execute and deliver any certificates necessary in connection with the distribution of the Preliminary Official Statement and the Final Official Statement. Bond Counsel, the Municipal Advisor and the Auditor are hereby further authorized and directed to obtain ratings on the Bonds and Notes and to prequalify the Bonds for municipal bond insurance and to prepare and submit financial and other information on the Township to rating agencies and municipal bond insurers.

Section 13. Bond Anticipation Notes in the principal amount of \$11,110,650 (the "Notes") are hereby authorized by, and shall be issued pursuant to, and within the limitations prescribed by, the Local Bond Law, this resolution and various bond ordinances duly adopted by the Township Council of the Township to (i) refund, on a current basis, a \$5,590,000 portion of the remaining Prior Bond Anticipation Notes, and (ii) temporarily finance the cost of various capital improvements and purposes in and by the Township in the amount of \$5,520,650, including paying the costs associated with the issuance of the Notes.

The bond ordinances authorizing the Notes and the improvements or purposes for which the Notes are to be issued described by reference to the ordinance number, description and date of final adoption, and amount of Notes to be issued for such improvements or purposes are, respectively, as follows:

Ordinance Number	Description and Date of Final Adoption	Amount
12-16	Various Capital Improvements and Acquisitions, and Other Related Expenses, finally adopted 5/19/15	474,970.00
8-17	Various Capital Improvements and Acquisitions, and Other Related Expenses, finally adopted 6/27/17	1,562,989.70
9-17	Various Capital Improvements and Acquisitions, and Other Related Expenses, finally adopted 6/27/17	256,784.21
11-17	Various Capital Improvements and Acquisitions, and Other Related Expenses, finally adopted	422,507.33
12-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	1,032,846.30
13-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	239,017.45
14-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	4,174,086.84
15-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	1,202,448.17
6-19	Various Capital Improvements and Acquisitions, finally adopted June 11, 2019	495,000.00
7-19	Various Capital Improvements and Acquisitions, finally adopted June 11, 2019	30,000.00
8-19	Various Capital Improvements and Acquisitions, finally adopted June 11, 2019	720,000.00
9-19	Various Capital Improvements and Acquisitions, finally adopted June 11, 2019	<u>500,000.00</u>
		<u>11,110,650</u>

The following matters in connection with the Notes are hereby determined, declared and recited:

A) All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no Notes shall mature later than one (1) year from its date of issuance, or more than three (3) years from the date of the first note issued pursuant to said bond ordinances referred to in this section, unless the Township shall have paid and retired amounts of such Notes sufficient to allow it, in accordance with the provisions of Section 8.1 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first issuance of such Notes.

B) All Notes issued hereunder shall bear interest at such rate as shall be determined by the Chief Financial Officer of the Township.

C) The Chief Financial Officer of the Township, in consultation with Bond Counsel, the Municipal Advisor and the Auditor, is hereby authorized and directed to provide for the renewal of such Notes from time to time in accordance with the provisions of the Local Bond Law, said bond ordinances and this section, without further authorization from the Township Council of the Township.

D) The Notes will be issued in fully registered book-entry only form. Both principal of and interest on the Notes will be payable in lawful money of the United States of America. The Notes will be registered in the name of Cede & Co., as nominee of DTC, which will act as Securities Depository for the Notes. The Notes will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the

interests of its Participants or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Notes on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, except that any Notes in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its Participants. The principal of and interest on the Notes will be paid to the Securities Depository by the Township or a duly designated paying agent on the maturity date of the Notes.

E) Any such Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer of the Township and the seal of the Township (or a facsimile thereof) shall be affixed, imprinted or reproduced thereon and the signatures of such officials on the Notes shall be attested by the manual signature of the Clerk of the Township, as set forth in Section 25 of the Local Bond Law.

F) The Chief Financial Officer of the Township is hereby authorized and directed to sell said Notes, pursuant to the terms of the Notice of Sale to be distributed in connection therewith, at a public sale on or about Tuesday, June 9, 2020 or at some other mutually convenient date and time at not less than par and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest thereon, if any, from their dated date to the date of the delivery thereof and payment therefor. The sale of such Notes may be conducted by receipt of electronic proposals via PARITY, facsimile or electronic mail, as described above in Section 9 hereof. The use of the services provided by PARITY and the fees, if any, associated therewith are also hereby approved with respect to the Notes. The Mayor and Chief Financial Officer of the Township are further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Notes in accordance herewith.

G) Any Notes issued pursuant to this resolution and said bond ordinances shall be general obligations of the Township, and the Township's full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Notes and, unless paid from other sources, the Township is required by law to provide for the payment thereof by the levy of *ad valorem* taxes on all the taxable property located within the Township without limitation as to rate or amount.

H) The Chief Financial Officer of the Township is hereby authorized and directed to report in writing to the Township Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution are made, such report to include the description, principal amount, interest rate and maturity of the Notes sold, the prices obtained and the name of the purchaser.

Section 14. The Township hereby covenants that it will comply with any condition subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), to preserve the exemption from taxation of interest on the Bonds and the Notes, including the requirement to rebate all net investment earnings on the gross proceeds above the arbitrage yield on the Bonds and the Notes, if necessary.

Section 15. The Township is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary, to provide that the Bonds and the Notes will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 16. In the event DTC may determine to discontinue providing its services with respect to the Bonds or the Notes or is removed by the Township, and if no successor securities depository is appointed, the Bonds or Notes which were previously issued in book-entry only form shall be converted to Registered Bonds or Registered Notes, as applicable (collectively, the "Registered Obligations"), in denominations of \$5,000 each or any integral multiple thereof, except that those Registered Obligations in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds and/or the Notes held in the beneficial owner's name, will become the registered owner of the respective Registered Obligations. The Township shall be obligated to provide for the execution and delivery of the respective Registered Obligations in certified form.

Section 17. The Chief Financial Officer is hereby authorized and directed to "deem final" the Official Statement (the "Official Statement") prepared with respect to the issuance of the Bonds and the Notes and pursuant to the provisions of the Rule (as hereinafter defined) and to execute a certificate regarding same. The Chief Financial Officer is hereby authorized and directed to authorize and approve the use and distribution of the Official Statement in preliminary form (the "Preliminary Official Statement") in connection with the offering and sale of the Bonds and the Notes. Upon the sale of the Bonds and the Notes, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel, the Municipal Advisor and the Auditor, to reflect the effect of the sale of the Bonds and the Notes and said modified Preliminary Official Statement shall constitute the final Official Statement (the "Final Official Statement"). The Chief Financial Officer is hereby authorized and directed to execute and deliver the Final Official Statement to the respective purchasers of the Bonds and the Notes in accordance with the provisions of the Rule (as hereinafter defined), for its use in the sale, resale and distribution of the Bonds and the Notes, where and if applicable.

Section 18. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the respective Continuing Disclosure Certificates for the Bonds and the Notes (the "Certificates"), which will set forth the obligation of the Township to file, as applicable, budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material with respect to the Bonds and the Notes, in accordance with the provisions of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented. The Chief Financial Officer of the Township is hereby authorized and directed to execute and deliver the respective Certificates to the respective purchasers of the Bonds and the Notes evidencing the Township's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Township to comply with the Certificates shall not be considered a default on the Bonds or the Notes, as applicable; however, any Bondholder or Noteholder, as applicable, may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the Township to comply with its obligations hereunder and thereunder.

Section 19. The Chief Financial Officer of the Township is hereby authorized and directed to sell the aforesaid Bonds and Notes and to determine all matters in connection with the Bonds and the Notes (including adjusting the maturity schedule or any other matters set forth in this resolution that are deemed necessary and advisable to change by the Chief Financial Officer, prior to the sale or closing of the Bonds and the Notes, all in consultation with Bond Counsel, the Municipal Advisor and the Auditor), and the manual or facsimile signature of the Chief Financial Officer of the Township upon any documents, agreements or certificates shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer, the Clerk of the Township and any other Township Official or professional, including, but not limited to, Bond Counsel, the Municipal Advisor, the Auditor, the Township Engineer and the Township Attorney (collectively, the "Township Officials"), are each hereby authorized and directed to execute and deliver such documents, certificates, agreements and opinions as are necessary to consummate the sale and closing of the Bonds and the Notes, respectively, and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds and the Notes, respectively, and all such actions or inactions taken by the aforesaid Township Officials and professionals heretofore are hereby ratified and confirmed.

Section 20. Neither the Bonds nor the Notes are "qualified tax-exempt obligations" for purposes of Section 265(b)(3)(B)(ii) of the Code.

Section 21. This resolution shall take effect immediately.

CERTIFICATION

I, LYNNETTE A. IANNARONE, Clerk of the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution entitled, "RESOLUTION (A) PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$9,260,000 GENERAL IMPROVEMENT BONDS, SERIES 2020, OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF

NEW JERSEY (THE "TOWNSHIP") AND PROVIDING FOR THEIR SALE, AND (B) AUTHORIZING THE SALE AND ISSUANCE OF \$11,110,650 BOND ANTICIPATION NOTES OF THE TOWNSHIP", was duly adopted by the Township Council of the Township at a regular meeting of the Township Council duly called and held on May 12, 2020 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended and supplemented, at which meeting a quorum was present and acting throughout, which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within, and the aforesaid resolution has not been amended, modified or rescinded and remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this 12th day of May, 2020.

(SEAL)

LYNNETTE A. IANNARONE,
Clerk of the Township of Brick

RESOLUTION

WHEREAS, an application has been made to obtain funding under the Cops in Shops: Summer Shore Initiative 2020 Grant offered by the State of New Jersey Dept. of Law and Public Safety, Division of Alcoholic Beverage Control; and

WHEREAS, said application has been approved in the amount of \$4,400.00 (four thousand four hundred dollars); and

WHEREAS, the Township Council is desirous of accepting said funds for the purpose of combating against underage drinking.

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 Township Council authorizes the Mayor and other appropriate administrative personnel to complete all paperwork to accept the grant in the amount of \$4,400.00 (four thousand four hundred dollars).
2. A certified copy of this resolution be forwarded to the Chief of Police and the Chief Financial Officer of the Township.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-2	5/12/20
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 Operation of Brick Beach 1 Food Concession Stand on Friday, May 1, 2020; and

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

WHEREAS, the Director of Recreation has recommended the award of said bid to the highest responsive and responsible bidder being in full compliance with the bid specification.

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

1. That the contract for the Operation of Brick Beach 1 Food Concession Stand is hereby awarded to Castaway Kitchen, LLC, 990 Cedarbridge Avenue, Suite B7-216, Brick, NJ 08723.
2. That a money order in the amount of \$1,100.00 has been submitted by Castaway Kitchen, LLC.
3. That this award is for the 2020 summer season and concluding on September 30, 2020.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Director of Recreation and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
43	12/20
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 Operation of Brick Beach 3 Food Concession Stand on Friday, May 1, 2020; and

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

WHEREAS, the Director of Recreation has recommended the award of said bid to the highest responsive and responsible bidder being in full compliance with the bid specification.

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

1. That the contract for the Operation of Brick Beach 3 Food Concession Stand is hereby awarded to Jersey Shore Snack Shack, 1535 Laguna Drive, Point Pleasant, NJ 08742.
2. That a money order in the amount of \$2,750.00 has been submitted by Jersey Shore Snack Shack.
3. That this award is for the 2020 summer season and concluding on September 30, 2020.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Director of Recreation and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	5/12/20
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 Mobile Ice Cream Truck on Friday, May 1, 2020; and

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

WHEREAS, the Director of Recreation has recommended the award of said bid to the highest responsive and responsible bidder being in full compliance with the bid specification.

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

1. That the contract for the Mobile Ice Cream Truck is hereby awarded to Cool Concessions, 86 Mantoloking Road, Brick, NJ 08723.
2. That a money order in the amount of \$581.00 has been submitted by Cool Concessions for the exclusive rights to be the Mobile Ice Cream Truck vendor for Windward Beach and Traders Cove Marina.
3. That this award is for the 2020 summer season and concluding on September 7, 2020.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Director of Recreation and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-5	5/12/20
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 on Friday, May 1, 2020; and

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

WHEREAS, the Director of Recreation has recommended the award of said bid to the highest responsive and responsible bidder being in full compliance of the bid specification.

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

1. That the contract for Summerfest Food Truck Vendors is hereby awarded to the following vendors:
 - Cool Concessions, 86 Mantoloking Road, Brick, NJ 08723
 - John & Debbie O's Concessions, 69 Oak Glen Road, Toms River, NJ 08753
2. That the Director of Recreation, recommends award per category:
 - Category 3 – Grilled/Fried Items – John & Debbie O's Concessions – \$802.00
 - Category 4 – Ice Cream – Cool Concessions – \$825.00
 - Category 5 – Specialty – Funnel Cakes, Fried Oreos – John & Debbie O's Concessions – \$1,303.00
3. That money orders in the total amount of \$2,930.00 have been submitted by the vendors.
4. That this award is for the 2020 summer season and concluding on September 27, 2020.
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
6. That the Office of Purchasing and Contracting is hereby authorized to advertise for the receipt of bids for remaining categories.
7. That a certified copy of this resolution shall be forwarded to the vendors, Business Administrator, Chief Financial Officer, Director of Recreation and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

Agenda #	5/Date
46	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Division of Purchasing and Contracting received sealed bids for the Backup and Disaster Recovery System on Wednesday, May 6, 2020; and

WHEREAS, the bids have been reviewed by the Director of Information Technology; and

WHEREAS, the Director of Information Technology has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

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

1. That the contract for the Backup and Disaster Recovery System is hereby awarded to HorizonTek, Inc., 50 North New York Avenue, Huntington, NY 17743 as per the attached schedule of prices.
2. That this is a unit price bid with not to exceed amount of \$200,000.00; therefore, funds shall be certified prior to each order. Sufficient funds are available in Data Processing capital budget, 2020 operating budget and pending adoption future budgets under appropriations entitled Data Processing – CPU Maintenance Contracts, account 0-01-20-140-288; Ordinance #9-17, account C-04-55-856-501; and Ordinance #13-18, account C-04-55-860-501.
3. That this will be a five (5) year contract commencing on May 13, 2020 and ending on May 12, 2025.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Director of Information Technology and the Purchasing Agent.

CERTIFICATION

I, Lynette 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 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Division of Purchasing and Contracting received sealed bids for the purchase and delivery of Sanitation/Recycling Collection System Containers on Wednesday, May 6, 2020; and

WHEREAS, the bids have been reviewed by the Director of Public Works; and

WHEREAS, the Director of Public Works has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

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

1. That the contract for the purchase and delivery of Sanitation/Recycling Collection System Containers is hereby awarded to IPL, Inc., 140 Commerciale Street, Saint Damien, QC G0R2Y0 at the following rates:
 - 95 Gallon Containers – \$38.20 – model IPL-70269 Mastercard
 - 65 Gallon Containers – \$34.96 – model IPL-60216 Mastercard
 - 35 Gallon Containers – \$32.75 – model IPL-60211 Mastercard
2. That this is a unit price bid with not to exceed amount of \$150,000.00; therefore, funds shall be certified prior to each order. Sufficient funds are available in 2020 budget and pending adoption of the future budgets under an appropriation entitled Solid Waste Collection – Equipment Recycling, account 0-01-26-305-267.
3. That this will be a two (2) year contract commencing on May 13, 2020 and ending on May 12, 2022.
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 the vendor, Business Administrator, Chief Financial Officer, Director of Public Works 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 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-8	12/20
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 the Cedarwood Park East Roadway Improvements on Friday, May 1, 2020; and

WHEREAS, the bids have been reviewed by Maser Consulting; and

WHEREAS, the consulting engineer has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

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

1. That the contract for the Cedarwood Park East Roadway Improvements is hereby awarded to Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510 for a total amount of \$429,287.38 for base bid and alternate.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation which constitutes the availability of funds for this contract:
NJDOT 2018 Cedarwood Park East account G-02-40-786-259 – \$429,287.38
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Maser Consulting, Business Administrator, Chief Financial Officer, Township Engineer, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12A

WHEREAS, the Township of Brick pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services, the cost of which in the aggregate exceeds the bid threshold, under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Brick has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Brick intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution, which shall be subject to all the conditions applicable to the current State contracts.

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

1. That the Township of Brick authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts.
2. Sufficient funds are available in the 2020 budget under an appropriation entitled Data Processing - CPU Maintenance Contracts, account 0-01-20-140-288.
3. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer, Director of Information Technology and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, on May 28, 2019 the Township Council awarded a contract to Action Uniform Company, LLC, 3164 Fire Road, Egg Harbor Township, NJ 08234 for Public Safety Uniforms; and

WHEREAS, the contract award was for one (1) year with option to award the contract for a second year pending satisfactory performance and recommendation from the Police Department; and

WHEREAS, the Deputy Chief of Police is satisfied with the vendor's year one (1) performance and has recommended renewal of the contract for a second year; and

WHEREAS, it is the desire of the Township to award second year contract to Action Uniform Company, LLC.

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

1. That the Township hereby awards year two (2) contract to Action Uniform Company, LLC, 3164 Fire Road, Egg Harbor Township, NJ 08234 to provide Public Safety Uniforms as per the original 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 2020 budget and pending adoption of the 2021 budget under appropriations entitled Police – Uniforms account 0-01-25-240-224; Special Police – Uniforms account 0-01-25-241-224; Crossing Guards – Uniforms account 0-01-25-242-224; Police Dispatch/911 – Uniforms account 0-01-25-250-224; EMT Services – Uniforms account 0-01-40-765-224.
3. That the original award was for one (1) year commencing on May 29, 2019 with the Township reserving the right to renew the contract for year two (2).
4. That this year two (2) contract renewal will commence on May 29, 2020 and end on May 28, 2021.
5. That all terms and conditions from the original contract shall remain the same.
6. 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.
7. That a copy of this resolution shall be forwarded to vendor, Business Administrator, Chief Financial Officer, Chief of Police, and the Purchasing Agent.

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 this day of 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

Agenda #	5/12/20
4-11	
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for Beer & Wine Garden Concession on Friday, May 1, 2020; and

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

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

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for bid for Beer & Wine Garden Concession.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for Fireworks Exhibitions on Friday, May 1, 2020; and

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

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

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for bid for Fireworks Exhibitions.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-13	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for Fall Fest Food Vendor Concession on Friday, May 1, 2020; and

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

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

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

1. The Division of Purchasing and Contracting is hereby authorized to advertise for bid for Fall Fest Food Vendor Concession.
2. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for the above-mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda # 4-14	Date 5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CLOSE OUT CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510 on October 22, 2019 for the project known as "Roadway Improvements to Herbertsville" for a total contract price in the amount of \$513,707.80 for base bid and addition item 1; and

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

WHEREAS, the consulting engineer, CME Associates, has inspected the work and deemed the work to be complete; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.3 the consulting engineer has recommended the approval of Close-Out Change Order #1 decreasing the contract by (\$72,080.84) from \$513,707.80 to \$441,626.96 as a result of final as-built quantities; and

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

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

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

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

1. That the above-mentioned Change Order #1 is hereby approved decreasing the contract amount previously awarded to Meco, Inc. for Roadway Improvements to Herbertsville project to \$441,626.96, refunding \$72,080.84 to Ordinance #8-19, account C-04-55-865-401.
2. That final payment to the contractor is hereby authorized to be made based upon the recommendation of the consulting engineer.
3. That the work performed the contractor for the Roadway Improvements to Herbertsville project is hereby accepted by the Township of Brick.
4. That return of Performance and Payment Bond #HICNE-10-211-0197 in the amount of \$513,707.80 to the contractor is authorized.
5. That Maintenance Bond #HICNE-10-211-0197 in the amount of \$66,244.04 provided by the contractor is hereby accepted.
6. That the Township Clerk shall forward a certified copy of the resolution to the contractor, CME Associates, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 12th day of May, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

Agenda #	Date
4-15	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, CONFIRMING THE TERMINATION OF CONTRACT FOR ISOLATED DRAINAGE AND ROADWAY IMPROVEMENTS PROJECT AND AUTHORIZING NEW SOLICITATION OF BIDS FOR THE PROJECT

WHEREAS, the Township Council in January 2020 solicited bids for the project known as Isolated Drainage and Roadway Improvements and awarded the contract at its meeting on January 28, 2020 to MNC Concrete, LLC for such project; and

WHEREAS, despite repeated demands by the Township to MNC Concrete, LLC to perform the contract work on the project, the contractor has failed and refused to commence work on the project; and

WHEREAS, due to MNC Concrete, LLC's breach of the contract, the Township Attorney has sent a Termination of Contract to MNC Concrete, LLC, thereby terminating the contract effective as of May 14, 2020; and

WHEREAS, the Township Council desires to solicit new bids for the Isolated Drainage and Roadway Improvements project in order to have the project completed as timely as possible.

NOW, THEREFORE, BE IT RESOLVED:

1. The Township Council confirms and ratifies the Termination of Contract with MNC Concrete, LLC for the project known as Isolated Drainage and Roadway Improvements, as awarded on January 28, 2020 by Resolution No. 73-20.
2. The Township Council authorizes and directs the Purchasing Agent to solicit new bids for the Isolated Drainage and Roadway Improvements, in accordance with specifications drafted by the Township Engineer, as amended if necessary.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council held on May 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-16	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, CONFIRMING THAT THE GRACE PERIOD FOR THE PAYMENT OF REAL PROPERTY TAXES DUE ON MAY 1, 2020 IS EXTENDED TO MAY 31, 2020 PURSUANT TO EXECUTIVE ORDER 130

WHEREAS, the Mayor and Township Council approved Resolution No. 184-20 at the meeting on April 14, 2020, with the intent of extending the grace period for the payment of real property taxes due on May 1, 2020 to May 31, 2020, by reducing the interest rate for that same period to zero; and

WHEREAS, on April 28, 2020, Governor Philip D. Murphy signed Executive Order 130, which also addressed the grace period for the payment of delinquent taxes; and

WHEREAS, N.J.S.A. 54:4-67 sets the grace period during which municipalities may not collect interest for unpaid real property taxes; and

WHEREAS, under N.J.S.A. 54:4-67(a), local governments may fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became delinquent, thereby establishing a grace period running through May 11, 2020 for second-quarter property taxes in the case of municipalities on a calendar year budget cycle; and

WHEREAS, Executive Order 130 confirmed that municipalities were previously without statutory authorization to extend the grace period for payment of real property taxes, and that altering the interest rate could generate individual confusion regarding property tax payment obligations and may also create or exacerbate local fiscal challenges, including but not limited to, threatening the ability to fulfill obligations; and

WHEREAS, Executive Order 130, in an effort to create consistency among municipalities, stated that, "Any governing body of a municipality with a calendar year budget cycle may adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes."; and

WHEREAS, Executive Order 130 also states that, "No municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution that will or might in any way conflict with any of the provisions of this Order, or that will in any way interfere with or impede its achievement, which shall include, but not be limited to, any attempt to provide an additional extension of the installment date or grace period for the payment of property taxes, and any attempt to otherwise temporarily fix, reduce, or retroactively modify the rate of interest charged for failure to make timely payment to achieve this effect."; and

WHEREAS, in recognition of the hardship faced by the residents of Brick, and the fact that Executive Order 130, signed on April 28, 2020, allows municipalities to legally take action to protect its residents and extend the grace period for the payment of the May 1, 2020 real property tax installment, the Mayor and Township Council deems it appropriate and necessary to offer the extension permitted under Executive Order 130; and

WHEREAS, the Mayor and Township Council desire to confirm their intention to extend the grace period in compliance with the provisions of Executive Order 130.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The grace period during which no interest shall be charged for the late payment of May 1, 2020 installment of property taxes, which was May 11, 2020, is hereby changed to May 31, 2020.
2. If the May 1, 2020 installment of real property taxes is not paid on or before May 31, 2020, then the interest rates shall apply retroactively to May 1, 2020.

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3. All other deadlines and interest rates penalties shall remain the same; only the grace period for the May 1, 2020 installment is changed by this resolution.

4. Pursuant to Executive Order 130, the Township Clerk is directed to notify the Director of the New Jersey Division of Local Government Services, Department of Community Affairs of the adoption of this resolution and of Resolution No. 184-20.

5. A notice of this action shall be printed once in the official newspapers of the Township of Brick.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council held on May 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV deduction has been granted on Block 324.19, Lot 6 Account # 206417 as of 6-20-2019.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 6-20-2019 and forward and refund as follows:

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
324.19/6/206417	La Bruzza, Joseph	\$7,238.94- 2019
89 Royal Dr		<u>\$3,324.96- 2020</u>
		\$10,563.90

CERTIFICATION

I, Lynnette A. Iannarone, Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-176	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV deduction has been granted on Block 701.38, Lot 6 Account # 413504 as of 6-28-2019.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 6-28-2019 and forward and refund as follows:

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
701.38/6/413504 2 Firwood Dr.	Bailey, Thomas	\$2,424.55 - 2019 <u>\$2,366.21 - 2020</u> \$4,790.76

CERTIFICATION

I, Lynnette A. Iannarone, Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-17c	5/12/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2020.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
362/21/209235 119 F Street	Wells Fargo Real Estate Tax Services	\$1,529.28

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 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda # 4-17d	Date 5/12/20
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Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council to rescind Resolution No. 195-20 which stated an overpayment for the year 2019 on Block 44.13, Lot 5, Account #100823, due to a State Appeal being granted on an erroneous judgement.

WHEREAS, refund is to be cancelled as per below.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
44.13/5/100823 350 Bay Lane	Jennifer R. Jacobus	\$3,071.23

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 12, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 12th day of May, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
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Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 211 OF THE TOWNSHIP CODE ENTITLED "GARAGE, FLEA MARKETS AND OTHER SALES" TO PERMIT OUTDOOR DINING AREAS

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

SECTION 1. Chapter 211 of the Code of the Township of Brick, entitled "Garage, Flea Markets and Other Sales", is hereby amended to permit outdoor dining areas. The amendments shall read as follows:

§ 245-11-1. Definitions.

Outdoor Dining Area. A designated area on the premises of a retail food establishment or restaurant, but outside the principal building, and where patrons may sit at tables while consuming food and beverages.

211-3.1. Outdoor Dining Area. Permit Required.

- A. A temporary Outdoor Dining areas as defined in this Section may be established for any existing retail food establishment or restaurant facilities with current interior dining area.
- B. No person shall operate an Outdoor Dining Area without a permit from the Township of Brick. A permit is valid for a 12-month period from date of issuance but outdoor dining is limited to the period of May 1 through November 30 of each calendar year.
- C. Applicants shall apply for permit approval in accordance with the provisions of this Chapter. All such applications must be approved by the Zoning Officer and shall be referred to the Chief of Police and Fire Marshal, who shall provide the Zoning Officer with written reports of their opinions and recommendations regarding the application.
- D. Applicant shall meet the general ordinance requirements and all other laws, rules, regulations and codes applicable to the proposed activity.
- E. Any restaurant or retail food establishment which has previously received approval by resolution of the Planning Board or Zoning Board of Adjustment for outside seating is exempt from the above permitting requirement. This exemption applies only for the specified number of seats permitted in the approving resolution.
- F. Outdoor Dining Areas located on public sidewalk or public right-of-way or firelane are prohibited.
- G. An application and Permit shall be required for all Outdoor Dining Areas.
 - 1. All permits required by this section shall be applied for and obtained from the Office of the Zoning Officer.
 - 2. The applicant proposing to establish an Outdoor Dining Area must provide current licensed occupancy.
 - 3. The applicant shall submit to the Zoning Officer a layout of the proposed seating areas, which shall include a depiction of all aisles, seating areas and means of ingress and egress. The applicant shall also detail proposed barriers such as large planters or shrubs, decorative fencing or vehicle barriers designed to enclose the eating area.
 - 4. The applicant shall detail plans to control litter and waste.
- H. All Outdoor Dining Areas shall comply with the following Rules, Regulations, and Specifications.
 - 1. The Zoning Officer shall review each application to ensure that the proposed operation of the Outdoor Dining Area will not interfere with pedestrian or vehicular traffic. Six (6) feet of unobstructed sidewalk should be provided with the exact width being determined by the Zoning Officer as he deems it to be appropriate to promote pedestrian or vehicular safety. However, in no event shall the unobstructed sidewalk be less than four (4) feet.
 - 2. The Outdoor Dining Area shall be operated and maintained in accordance with the outdoor seating plan as finally approved, and by the same person who operates and maintains the abutting retail food establishment.

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3. Any proposed outdoor seating shall serve as a substitute for permitted indoor seating. The total existed permitted occupancy of the restaurant or retail food establishment shall not be increased by the establishment of an outdoor dining area.
4. No furniture, apparatus, decoration, or appurtenance used in connection with the operation with the Outdoor Dining Area shall be located in such a way as to impede the safe and speedy egress to or from any building or structure.
5. The outdoor area used by the Outdoor Dining Area shall be kept clean and free of litter and shall be washed as required.
6. Noise shall be kept at such a level as to comply in all aspects with the provisions of applicable ordinances of the Township.
7. Outdoor Dining Areas shall be permitted to operate from 7:00am until 10:00pm Monday through Thursday and 7:00am until 11:00pm Friday through Sunday during the months of May through November.
8. Furniture, apparatus, decorations, and appurtenances must be secured to prevent uplift due to wind during hours of operation and at closing a specific breakdown process must be implemented to assure same.
9. No canopies or tents will be permitted in the outdoor dining area. Tables are permitted to have umbrellas.
10. No outdoor bar or serving stations that require plumbing or electric are permitted.
11. Applicants must comply with all ABC regulations and permit requirements pertaining to outdoor alcohol beverage sales and consumption. Any served or BYOB beverages must remain within approved designated areas.
12. Outdoor Dining Areas shall be solely an extension of the permitted business use within the adjacent building or storefront.

211-5 Fees.

E. Outdoor dining area. \$150.00.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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 become effective after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 12th day of May, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 26th day of May, 2020 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person 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