

**Brick Township Council**  
**June 9, 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).
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 May 12<sup>th</sup> 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. Recognize Dystonia Awareness Month – June.
  - \_\_\_\_\_2. Authorize Acceptance of Emergency Management Performance Grant – 2020.
  - \_\_\_\_\_3. Authorize Submission of Grant Application – NJDOT 2021 Municipal Aid Program – Roadway Elevation Project.
  - \_\_\_\_\_4. Authorize Receipt of Bids – Purchase & Delivery of Flood Control Valves.
  - \_\_\_\_\_5. Authorize Receipt of Bids – Computer & Printer Supplies.
  - \_\_\_\_\_6. Authorize Award of Bid – Addition to Access Control System.
  - \_\_\_\_\_7. Authorize Award of Bid – Printing Services.
  - \_\_\_\_\_8. Authorize Award of Bid – Summerfest Food Truck Vendors.
  - \_\_\_\_\_9. Authorize Award of Bid – Fireworks Exhibitions.
  - \_\_\_\_\_10. Authorization to Negotiate Contract – Beer & Wine Garden Concession.
  - \_\_\_\_\_11. Authorization to Negotiate Contract – Fall Fest Food Vendor Concession.
  - \_\_\_\_\_12. Authorize Disposal of Surplus Property – 37’ Egg Harbor Boat.
  - \_\_\_\_\_13. Authorize Waiver of Noise Ordinance – J.F. Kiely – Route 88.
  - \_\_\_\_\_14. Authorize Use of Havens Farm for Organized Recreation Activities.
  - \_\_\_\_\_15. Authorize Modification to the Outside Dining Areas.
  - \_\_\_\_\_16. Tax Collector:
    - a. Authorize Extension of Grace Period for 2<sup>nd</sup> Quarter Property Taxes to June 1, 2020.
    - b. Tax Overpayments – 2020.
- \*\*\*\*\***End of Consent Agenda**\*\*\*\*\*
- \_\_\_\_\_17. Bill Resolution – Computer 2020.
  - \_\_\_\_\_18. Bill Resolution – Manual 2020.

5. Ordinance on First Reading:

- \_\_\_\_\_1. Amend Chapter 288-52 Vehicles & Traffic – Title 39 Enforcement.

6. Ordinances on Second Reading:

- \_\_\_\_\_1. Bond Ordinance – 5 Year Life.
- \_\_\_\_\_2. Bond Ordinance – 7 Year Life.
- \_\_\_\_\_3. Bond Ordinance – 10 Year Life.
- \_\_\_\_\_4. Bond Ordinance – 15 Year Life.

7. Public Comments.

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

8. Council Comments.

9. Motion to Adjourn.

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

**\*\*Next scheduled Caucus/Public Meeting will be held on Tuesday, June 23, 2020 at 7:00 p.m.**



Hi there,

**Brick Township is inviting you to a scheduled Zoom meeting.**

**Tuesday, June 9, 2020**

## Join Zoom Meeting

Phone US: [+16468769923](tel:+16468769923), [82145308900#](tel:+182145308900), [1# 566625#](tel:+1566625) or

one-tap: [+13017158592](tel:+13017158592), [82145308900#](tel:+182145308900), [1# 566625#](tel:+1566625)

Meeting <https://us02web.zoom.us/j/82145308900?pwd=RWt3aUlud25Takt0NGliUWRBYTRNU>

URL: [T09](https://us02web.zoom.us/j/82145308900?pwd=RWt3aUlud25Takt0NGliUWRBYTRNU)

Meeting 821 4530 8900

ID:

Password566625

:

## **Join by Telephone**

For higher quality, dial a number based on your current location.

Dial:

US: +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 or +1 253 215 8782 or  
+1 346 248 7799 or +1 408 638 0968 or +1 669 900 6833

Meeting 821 4530 8900

ID:

Password566625

:

**RESOLUTION**

**WHEREAS**, Dystonia Awareness Month is designed to help raise public awareness, understanding and support for the disorder of Dystonia, a neurological movement disorder similar to Parkinson's Disease; and

**WHEREAS**, Dystonia affects approximately one percent of the population, one third of which are children and recently, more and more veterans are being diagnosed with this disease; and

**WHEREAS**, Dystonia, has an array of symptoms such as painful, prolonged muscle contractions which are involuntary, abnormal and often repetitive movements; and

**WHEREAS**, these symptoms can significantly interfere with a person's daily life by impeding those affected from the ability to perform simple daily tasks such as the ability to walk, speak, get dressed or control the posture of their head; and

**WHEREAS**, Dystonia has limited treatments and currently has no cure and is often misdiagnosed, delaying access to the appropriate medical care and inspiring sufferers to live by the slogan, "Never Never Give Up!; and

**WHEREAS**, the ongoing Covid 19 health crisis has further marginalized dystonia sufferers along with other individuals with underlying health conditions; and

**WHEREAS**, Dystonia Awareness Month will help provide a better understanding and compassion for those affected with one or more of the various forms of Dystonia and the impact the disorder has on those individuals and their families.

**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 lend our support to the individuals and families affected by Dystonia.
2. We call on all residents to learn more about Dystonia and ways to provide support to all those affected.

**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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9th day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	6/9/20
4-1	
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**AUTHORIZATION FOR THE TOWNSHIP COUNCIL TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2020 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) - EMERGENCY MANAGEMENT AGENCY ASSISTANCE-(EMAA)PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS.**

**WHEREAS**, the Township of Brick, Office of Emergency Management has been awarded Emergency Management Agency Assistance Sub Grant Award FY20-EMPG-EMAA-1507. Sub award period July 1, 2020 to June 30<sup>th</sup>, 2021 from the New Jersey State Police Office of Emergency Management. The Sub grant, consisting of a total amount of \$10,000.00 is for the purpose of enhancing Brick Townships Emergency Management ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

**WHEREAS**, the Brick Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an application for Sub grant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of The Township of Brick will apply and accepts the award of the FFY20 Emergency Management Performance Grant Program Sub grant in the amount of \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

**BE IT FURTHER RESOLVED** that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$10,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$10,000.00 from the aforementioned grant; and

**BE IT FURTHER RESOLVED** that the like sum of \$10,000.00 is hereby appropriated under the caption FFY20 Emergency Management Performance Grant; and

**BE IT FURTHER RESOLVED** that the Brick Township Administrator, the Chief Fiscal Officer and the Township Director of Emergency Management are authorized to sign the appropriate sub grant award documents; and

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; the Brick Township Administrator; the Brick Township Chief Financial Officer; the Ocean County Division of Emergency Management and Office of the Treasury.

**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 9<sup>th</sup> day of June, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township 9<sup>th</sup> day of June, 2020.

Agenda #	6/9/20
4-2	
Agenda #	Date
Agenda #	Date
Agenda #	Date

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2021 Municipal Aid Program – Township of Brick – Roadway Elevation of Broad Avenue, Seventh Avenue and Sixth Avenue Project.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body for the Township of Brick formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Township of Brick.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Brick and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_  
CLERK  
Lynnette A. Iannarone

\_\_\_\_\_  
MAYOR  
John G. Ducey

**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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda # 43	Date 6/9/20
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 item:

**PURCHASE AND DELIVERY OF FLOOD CONTROL VALVES**

**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 the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare 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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-4	6/9/20
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 item:

**COMPUTER & PRINTER SUPPLIES**

**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 the receiving of bids for the above mentioned project.
2. The Division of Purchasing and Contracting is hereby authorized to prepare 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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-5	6/9/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Division of Purchasing and Contracting received sealed bids for the Addition to Access Control System on Friday, May 29, 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 Addition to Access Control System is hereby awarded to Mr. Keys, Inc., 353 Herbertsville Road, Brick, NJ 08724 as per the attached schedule of prices.
2. That this is a unit price bid with not to exceed amount of \$125,000.00; 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 – Outside Contractors, account 0-01-20-140-291; and Ordinance #13-18, account C-04-55-860-501.
3. That this will be a two (2) year contract commencing on June 10, 2020 and ending on June 9, 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 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, 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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
 LYNNETTE A. IANNARONE  
 TOWNSHIP CLERK

Agenda #	Date
4-6	6/9/20
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 Printing Services on Friday, May 29, 2020; and

**WHEREAS**, the bids have been reviewed by the Purchasing Agent; and

**WHEREAS**, the Purchasing Agent has recommended the award of said bid on an item per item basis to the lowest 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 contract for Printing Services is awarded on an per item basis to the following vendors as per the attached Schedule of Prices:
  - American Envelope, 612 East Elizabeth Avenue, Linden, NJ 07036
  - TC Squared, LLC, dba Centurion Printing, 352 Market Street, Kenilworth, NJ 07033
  - Concept Print, Inc., 40 Lydecker Street, Nyack, NY 10960
  - Premier Printing Solutions, LLC, 513 South Pine Avenue, South Amboy, NJ 08879
  - Ridgewood Press, 609 Franklin Turnpike, Ridgewood, NJ 07450
  
2. That this is a unit price bid with not to exceed amount of \$45,000.00; therefore, funds shall be certified prior to each order. Sufficient funds are available in 2020 budget and pending adoption of the future budgets under individual departments' appropriations entitled Printing, Binding, Photo Materials, accounts ending with - 256.
  
3. That this will be a two (2) year contract commencing on June 10, 2020 and ending on June 9, 2022.
  
4. That the Mayor is 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 vendors, Chief Financial Officer, Business Administrator 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 9<sup>th</sup> day of June, 2020.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
 LYNNETTE A. IANNARONE  
 TOWNSHIP CLERK

Agenda #	Date
4-7	6/9/20
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, June 2, 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; and

**WHEREAS**, no responsive bids were received for Category 1 – Pizza (1 space), Category 2 – Hot Food (1 space) and Category 5 – Specialty (1 space) on two (2) occasions and pursuant to N.J.S.A. 40A:11-5(3)(b) 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 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 (Remaining Categories) is hereby awarded to the following vendors:
  - It's All Greek to Me, LLC, 213 Crane Road, Brick, NJ 08723
  - Shore Shake, 3459 East Thistle Avenue, Toms River, NJ 08753
2. That the Director of Recreation recommends award per category:
  - Category 5 – Specialty – "Greek Food" - Gyros, Souvlaki, Baklava – It's All Greek to Me, LLC – \$1,300.00
  - Category 5 – Specialty – Shakes & Smoothies – Shore Shake – \$750.00
3. That cashier's checks in the total amount of \$2,050.00 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 Business Administrator is hereby authorized to negotiate contract 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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

Agenda #	Date
4-8	6/9/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

\_\_\_\_\_  
 LYNNETTE A. IANNARONE  
 TOWNSHIP CLERK

**RESOLUTION**

**WHEREAS**, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Fireworks Exhibitions on Tuesday, June 2, 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 lowest 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 Fireworks Exhibitions is hereby awarded to Schaefer Fireworks, Inc., 370 Hartman Bridge Road, Ronks, PA 17572 for the total amount \$22,000.00 (\$4,400.00 per event).
2. That this is a unit price bid; therefore, funds shall be certified prior to each order. Sufficient funds are available under an appropriation entitled Recreation Rider, account T-03-56-862-299.
3. That this award is for the 2020 summer season and concluding on October 18, 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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda # 4-9	Date 6/9/20
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 Beer & Wine Garden Concession on Tuesday, June 2, 2020; and

**WHEREAS**, no 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 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. That the Business Administrator is hereby authorized negotiate a contract for Beer & Wine Garden Concession.

**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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-10	6/9/20
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 Fall Fest Food Vendor Concession on Tuesday, June 2, 2020; and

**WHEREAS**, no 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 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. That the Business Administrator is hereby authorized negotiate a contract for Fall Fest Food Vendor Concession.

**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 9<sup>th</sup> day of June, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda # 4-11	Date 6/9/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**DISPOSAL OF SURPLUS PERSONAL PROPERTY  
NO LONGER NEEDED FOR PUBLIC USE**

**WHEREAS**, it has been brought to the attention of the Governing Body of the Township of Brick by the Risk Manager that there exists a surplus of personal property no longer needed for public use; and

**WHEREAS**, the Local Public Contract Law 40A:11-36 provides for the sale and/or other disposition of personal property which mandates the options available to the municipality for such disposal; and

**WHEREAS**, the Township has unsuccessfully in all attempts to identify the boat owner or responsible party. The Boat is not seaworthy and is a safety risk in dry dock. The wooden boat is approximately 50 years old and is a 37' Egg Harbor; and

**WHEREAS**, the Risk Manager has deemed the boat to have no value and the fair market value of the boat does not exceed 15 percent of the bid threshold and considers the boat to be unusable and unrepairable; and

**WHEREAS**, the Township of Brick intends to dispose of the aforementioned boat as personal property no longer needed for public use.

**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 Risk Manager is hereby authorized to dispose of one 1967 37' Egg Harbor Boat no longer needed for public use in accordance with N.J.S.A.40A:11-36.
2. That a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Risk Manager, Director of Public Works and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-12	6/9/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Mayor and Township Council have received a request to waive the restrictions of the Township's noise ordinance, as set forth in Chapter 281 of the Township Code, for property known as Route 88 and Jordan Road; and

**WHEREAS**, J.F. Kiely has requested to work overnight for utility connections on Route 88 and Jordan Road for June 11 through June 16, 2020 during the hours of 8 p.m. and 5 a.m.; and

**WHEREAS**, the basis for the request is that performing the work during night-time hours will create a safer environment during the work and will lessen the impact on traffic; and

**WHEREAS**, the Township Council therefore desires to memorialize in this Resolution a limited waiver of the noise ordinance, Chapter 281, for the dates and times set forth;

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

1. That the Mayor and Township Council hereby waive the Township's noise ordinance, Chapter 281 of the Township Code, for the improvement project from June 11 through June 16, 2020 during the hours 8 p.m. and 5 a.m.
2. That the Municipal Clerk shall forward a certified copy of this resolution to the Chief of Police, the Township Business Administrator, Municipal Engineer and J.F. Kiely.

**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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
MUNICIPAL CLERK

Agenda #	Date
4-13	6/9/20
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**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING USE OF HAVENS FARM FOR ORGANIZED RECREATION ACTIVITIES AND ESTABLISHING RULES FOR SUCH USE BY RESIDENTS AND BUSINESSES**

**WHEREAS**, the Mayor and Township Council desire to assist local gyms, fitness clubs and other exercise programs to hold classes during the Covid-19 pandemic; and

**WHEREAS**, the Mayor and Council want to encourage residents to exercise outdoors and to provide a location for safe exercising; and

**WHEREAS**, the current social distancing guidelines will likely continue, although they are less restrictive outdoors than indoors; and

**WHEREAS**, many local businesses do not have the ability to offer outdoor classes at their place of business, due to a lack of appropriate space; and

**WHEREAS**, the Mayor and Council desire to be pro-active in allowing for outdoor classes as a way to assist businesses in providing appropriate social distancing while maximizing the number of residents that can participate in such classes; and

**WHEREAS**, the Mayor and Council have identified Havens Farm as an ideal location to allow exercise classes, given the ample parking and natural buffers from residential properties; and

**WHEREAS**, the Mayor and Council want to establish a permit procedure in order to provide for an orderly and appropriate use of the facilities at Havens Farm.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Havens Farm shall be authorized as a location for organized outdoor recreation, including exercise and fitness classes to be conducted by local businesses, subject to permits to be issued by the Recreation Department.
2. The use of Havens Farm authorized by this Resolution shall be only for outdoor recreation activities, and shall not include events such as weddings, parties, cookouts or social gatherings.
3. Any person or business desiring to use Havens Farm shall apply for a permit from the Department of Recreation, in accordance with the procedures set forth in Township Code section 318-3, "Facility use permits for seasonal and special events."
4. All applicants will be required to sign a hold harmless agreement and to provide evidence of insurance coverage.
5. Any application fees for permits under this Resolution shall be waived.
6. All applicants will be required to ensure compliance with social distancing requirements that are in effect and with the provisions of Chapter 318 of the Township Code.
7. The authority for the use of Havens Farm for the purposes set forth in this Resolution, pursuant to permit, shall expire as of December 31, 2020.

**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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 9<sup>th</sup> day of June, 2020.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK



**RESOLUTION**

**WHEREAS**, Governor Philip D. Murphy issued Executive Orders No. 103, 119, 138, addressing the Coronavirus diseases 2019 ("Covid2019"); and

**WHEREAS**, said Executive Orders restricted restaurant establishments to take-out services only, and prohibited the on-premises consumption of food or beverages; and

**WHEREAS**, by Ordinance 4-20, the Township Council of the Township of Brick anticipated that the State of New Jersey would be relaxing the restrictions prohibiting on-premises restaurant and liquor establishment consumption of food and beverages; and

**WHEREAS**, by Ordinance 4-20, the Township Council adopted amendments to Chapter 211 to provide guidance to food and liquor establishments and establish a permit process for areas to provide new outdoor service of food or beverages as an extension of existing establishments; and

**WHEREAS**, the Township Council anticipated that restaurants would be permitted to have limited indoor capacity upon reopening which would address needs during inclement weather; and

**WHEREAS**, Ordinance 4-20 provided that canopies or tents were prohibited for permits issued under Chapter 211; and

**WHEREAS**, by Executive Order 150 issued on June 3, 2020, Governor Murphy has announced that effective 6:00 a.m. on Monday June 15, restaurants, food establishments and holders of liquor licenses are permitted to commence outdoor dining and consumption of food and beverages, provided the area to be provided for the public consumption of food and beverages is limited entirely to outdoor areas; and

**WHEREAS**, as a result of Executive Order 150, the Township Council seeks to provide additional guidance to those businesses in order to comply with Executive Order 150 in recognition that service will be limited to outdoor areas and the need to address the possibility of inclement weather.

**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. Effective 6:00 a.m. on June 15, 2020, any restaurant or dining establishment, with or without a liquor license, and all holders of a liquor licenses with consumption privileges shall be permitted, upon obtaining a permit, to provide outdoor food service and consumption of food and beverages.
2. Until December 31, 2020, outdoor consumption areas may be covered, but shall not be enclosed, provided the design and location of the covering is approved by the Township of Brick, and is included in a permit issued under Chapter 211.
3. Any area designated for outdoor consumption shall be physically separated by areas designated for vehicles by barriers designed to prevent any vehicles from entry to the area designated for outdoor consumption. The design and location of any physical barriers shall be included in the permit application for any permit issued under Chapter 211.

**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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9th day of June, 2020.

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4-15	6/9/20
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\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, EXTENDING THE GRACE PERIOD FOR THE PAYMENT OF REAL PROPERTY TAXES FOR THE SECOND QUARTER TO JUNE 1, 2020**

**WHEREAS**, the Mayor and Township Council previously approved Resolution No. 213-20 at the Council meeting on May 12, 2020, which extended the grace period for the payment of real property taxes due on May 1, 2020 to May 31, 2020; and

**WHEREAS**, due to May 31<sup>st</sup> falling on a Sunday, a number of taxpayers made their second quarter tax payment on Monday, June 1, 2020, under the impression that the grace period extended to June 1, 2020; and

**WHEREAS**, taxes paid on June 1, 2020 were thereby subject to penalties and interest for late payment; and

**WHEREAS**, Executive Order 130, signed by Governor Philip D. Murphy on April 28, 2020, authorized the extension of the grace period to June 1, 2020, by the adoption of an appropriate Resolution by the Governing Body; and

**WHEREAS**, the Mayor and Council desire to authorize any such second quarter tax payments made on or before June 1, 2020 to be deemed paid within the grace period allowed under Executive Order 130 and to further authorize a credit for any penalties and interest for such tax payments made on or before June 1, 2020.

**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 is hereby extended to June 1, 2020.
2. Any penalties and interest for second quarter tax payments made on June 1, 2020 shall be credited, if applicable, to such taxpayers by way of a credit against taxes due for the third quarter of 2020.
3. All other deadlines and interest rates and penalties shall remain the same.
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.
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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Township this 9<sup>th</sup> day of June, 2020.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**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>
1210.22/11/625579 41 Byron Rd	Koye, Elmer & Eleanor A	\$1,383.97
1340.17/48/624388 222 18 <sup>th</sup> Ave	Thompson, Lauren P & Patrick G	\$6.77

**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 June 9, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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4-16b	6/9/20
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**ORDINANCE**

**AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, TO DESIGNATE CERTAIN PROPERTIES AS SUBJECT TO TITLE 39 ENFORCEMENT**

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

**SECTION 1.** Chapter 288 of the Township Code of the Township of Brick entitled "Vehicles and Traffic" is hereby amended in Section 288-52, entitled "Schedule XXII: Private Areas," to add the following sites for enforcement of Title 39 jurisdiction by the Police Department, in the appropriate alphabetical location in the Schedule:

**§288-52. Schedule XXII: Private Areas.**

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

<u>Area</u>	<u>Location</u>
1-21 West Marion Street	Block 24, Lot 4
431 Mantoloking Road	Block 188 Lot 1
1111 Industrial Parkway	Block 1068, Lot 23
Angela Hibbard Park	600 Drum Point Road Block 210, Lot; Block 286, Lot 7
Artis Senior Living	466 Jack Martin Road Block 1169, Lot 7
Bernie Cooke Park	44 Burnt Tavern Road Block 1447.02, Lot 22
Brick Beach 1	310 Route 35 South Block 42.05, Lot 1
Hank Waltonowski Park	75 Ashwood Drive Block 701.15, Lot 1
Herbertsville Park	501 Colorado Avenue Block 1386, Lot 20
Lake Riviera Park	371 Lake Shore Drive Block 383.40, Lot 30
Precision Door Services	225 Chambers Bridge Road Block 702, Lot 17
Quick Check	715 Route 70 Block 672, Lot 6
Traders Cove Park & Marina	40 Mantoloking Road Block 68, Lot 3.02
Wawa	383 Drum Point Road Block 321, Lots 11.01 & 11.02

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**SECTION 2.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof

**SECTION 3.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 9th day of June, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23<sup>rd</sup> day of June, 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 persons desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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JOHN G. DUCEY  
MAYOR

**TOWNSHIP OF BRICK  
COUNTY OF OCEAN, 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 \$2,003,345 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,903,177 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 \$2,003,345, said sum being inclusive of a down payment in the amount of \$100,168 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 \$2,003,345 appropriation not provided for by application hereunder of said \$100,168 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,903,177 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 \$1,903,177 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 vehicles and equipment including, but not limited to, air conditioning units, power tools, fire alarms, lighting, power inverters, paving materials, trailers, mowers, maintenance equipment, sanitation trucks, garbage trucks, dump trucks, backhoes, tractors, and other non-passenger vehicles for various Township Departments, including, but not limited to, the Department of Public Works, 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 engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, tools, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$1,903,177.

(d) The estimated cost of said improvements and purposes to the Township is \$2,003,345, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$100,168 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

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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 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 \$1,903,177, 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 \$300,502 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,

unless paid from other sources, 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 expenditure 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 the obligations of the Township authorized herein 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 the obligations of the Township authorized herein 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, if applicable, 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 26<sup>th</sup> 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 9<sup>th</sup> day of June, 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

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JOHN G. DUCEY  
MAYOR



**TOWNSHIP OF BRICK  
COUNTY OF OCEAN, 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 \$657,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$624,482 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 \$657,350, said sum being inclusive of a down payment in the amount of \$32,868 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 \$657,350 appropriation not provided for by application hereunder of said \$32,868 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$624,482 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 \$624,482 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 hardware and software technology and computer equipment including, but not limited to, desktop computers, laptops, telephones, telephone poles, conduits, wiring, cameras, FOB systems, monitors, recording systems, servers, and related 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 engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, 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 by the Township for said improvements and purposes is \$624,482.

(d) The estimated cost of said improvements and purposes to the Township is \$657,350, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$32,868 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

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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 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 \$624,482, 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 \$98,603 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, unless paid from other sources, 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 expenditure 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 the obligations of the Township authorized herein 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 the obligations of the Township authorized herein 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, if applicable, 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 26<sup>th</sup> 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 9<sup>th</sup> day of June, 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

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JOHN G. DUCEY  
MAYOR

**TOWNSHIP OF BRICK  
COUNTY OF OCEAN, 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 \$2,816,745 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,675,909 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 \$2,816,745, said sum being inclusive of a down payment in the amount of \$140,836 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 \$2,816,745 appropriation not provided for by application hereunder of said \$140,836 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,675,909 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 \$2,675,909 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 rehabilitation of the a boat for the Police Department and (iii) the acquisition and installation, as applicable, of various items of equipment, including, but not limited to, ballistic vests, radios, defibrillators, furniture, lockers, and non-data processing equipment for the Police Department.

(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, environmental reports and remediation, and studies and all work, tools materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$2,675,909.

(d) The estimated cost of said improvements and purposes to the Township is \$2,816,745, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$140,836 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

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1-2		9/22

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 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 \$2,675,909, 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 \$772,574 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,

unless paid from other sources, 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 expenditure 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 the obligations of the Township authorized herein 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 the obligations of the Township authorized herein 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, if applicable, covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, 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

#### 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 26<sup>th</sup> 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 9<sup>th</sup> day of June, 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

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JOHN G. DUCEY  
MAYOR

**TOWNSHIP OF BRICK  
COUNTY OF OCEAN, 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 \$1,193,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,133,350 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 \$1,193,000, said sum being inclusive of a down payment in the amount of \$59,650 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 \$1,193,000 appropriation not provided for by application hereunder of said \$59,650 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,133,350 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 \$1,133,350 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, grounds, and roads, (ii) drainage, bulkhead, and dredging improvements to various locations throughout the Township including, but not limited to, pipe replacements, valve replacements, pump installations, roadway elevations, and bulkhead replacements, (iii) the acquisition of a pre-fabricated Special Operations Building, and (iv) recreational park improvements to existing parks and beaches at various locations throughout the Township including, but not limited to, Windward Beach Park including, but not limited to, design of ADA Improvements, paving, signage, striping, ramps and handrails.

(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, environmental reports and remediation, 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 by the Township for said improvements and purposes is \$1,133,350.

(d) The estimated cost of said improvements and purposes to the Township is \$1,193,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$59,650 available for such improvements and purposes.

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5-4	5/26/20
Agenda #	6/ Date
6-4	6/9/20
Agenda #	Date



**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 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 \$1,133,350, 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 \$217,650 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, unless paid from other sources, 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.

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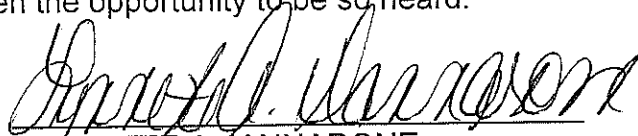
**SECTION 10.** The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township, which are authorized herein, and to execute such disclosure 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 the obligations of the Township authorized herein 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, if applicable, covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, 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 26<sup>th</sup> 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 9<sup>th</sup> day of June, 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

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