

Brick Township Council
August 11, 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 July 28th 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. Authorize Insertion of Chapter 159 – 2020 Community Development Block Grant - Coronavirus.
- _____2. Authorize Receipt of Bids – 2020 Bulkhead Replacement - Various Locations.
- _____3. Authorize Change Order No. 1 – Brick Beach III Parking Lot Improvements.
- _____4. Authorize Extension of Contract – Fireworks Exhibitions.
- _____5. Establishing a Plan Endorsement Citizens’ Advisory Committee.
- _____6. Authorize Special Events Permit – Brick Presbyterian Church Drive In Movie Event.
- _____7. Bond Releases/Reductions:
 - a. Performance Bond Reduction – Pioneer House Fire Co. – Drum Point Rd.
 - b. Inspection Fund Release – Atlantic Lifts Inc. – Drum Point Rd.
 - c. Inspection Fund Release – Nobility Crest at Brick - Off Chambers Bridge Rd.
 - d. Inspection Fund Release – Nobility Crest at Brick - Off Chambers Bridge Rd.
 - e. Inspection Fund Release – Mind and Spine, LLC – Route 88.
 - f. Inspection Fund Release – Shlomo Teren – Industrial Parkway.
 - g. Inspection Fund Release – Axiom DR Construction – Route 88.
 - h. Inspection Fund Release – Krisanna Construction – Route 88.
 - i. Inspection Fund Release – Woods at Laurel – Carnation Dr.
- _____8. Tax Collector:
 - a. Senior Citizen Deduction Granted – 2018.
 - b. Senior Citizen Deduction Granted – 2019.
 - c. Exempt Property Cancel Taxes – Block 464 Lot 35.

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

- _____9. Bill Resolution – Computer 2020.
- _____10. Bill Resolution – Manual 2020.

5. Ordinances on First Reading:

- _____1. Capital Ordinance for Acquisition & Purchase of Block 1171 Lot 1.
- _____2. Refunding Bond Ordinance.

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, August 25, 2020 at 7:00 p.m.**



Hi there,

Brick Township is inviting you to a scheduled Zoom meeting.

Tuesday, August 11, 2020 at 7 pm

Join Zoom Meeting

Phone US: +13017158592,,82726794687#,,,,,0#,,498680# or

one-tap: +13126266799,,82726794687#,,,,,0#,,498680#

Meeting <https://us02web.zoom.us/j/82726794687?pwd=Njl6djcwMDg4VVZlWQjgybFBRRG1PZz09>

URL:

Meeting 827 2679 4687

ID:

Passcode: 498680

Join by Telephone

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

Dial:

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

Meeting 827 2679 4687

ID:

Passcode: 498680

RESOLUTION

**REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION NJS
40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2020 in the amount of \$177,866.00 which is now available from the U.S. Department of Housing and Urban Development – Office of Community Planning and Development for the 2020 Community Development Block Grant Coronavirus in the amount of \$177,866.00.

BE IT FURTHER RESOLVED that the like sum of \$ 177,866.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Community Development Block Grant Coronavirus 2020.

BE IT FURTHER RESOLVED, that the above is the result of funds received from the U.S. Department of Housing and Urban Development – Office of Community Planning and Development for the 2020 Community Development Block Grant Coronavirus in the amount of \$177,866.00.

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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	8/11/20
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 project:

2020 BULKHEAD REPLACEMENT, VARIOUS LOCATIONS

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. That the Township Engineer is hereby authorized to prepare formal bid specifications for the above-mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 11th day of August, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	%/Date
4-2	11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to S&G Paving Construction, Inc., 224C Forsgate Drive, Jamesburg, NJ 08831 on January 28, 2020 for the project known as "Brick Beach III Parking Lot Improvements" for a total contract price in the amount of \$546,543.00; and

WHEREAS, it has come to the attention of the governing body of the Township of Brick that a Change Order representing as-built quantity adjustment is needed to successfully complete the Brick Beach III Parking Lot Improvements project; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.7 the consulting engineer CME Associates has recommended the approval of Change Order #1 decreasing the contract by (\$990.41) from \$546,543.00 to \$545,552.59 as a result of final as-built quantities; and

WHEREAS, it is now the desire of this Township Council to act upon the consulting engineer's recommendation and to approve said 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 authorized decreasing the contract amount previously awarded to S&G Paving Construction, Inc. for Brick Beach III Parking Lot Improvements project to \$545,552.59, refunding \$990.41 to Ordinance #12-16, account C-04-55-853-402.
2. 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 11th day of August, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
43	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

AUTHORIZING EXTENSION OF CONTRACT

WHEREAS, the Township of Brick previously awarded a contract for Fireworks Exhibitions to Schaefer Fireworks, Inc., 370 Hartman Bridge Road, Ronks, PA 17572 on June 9, 2020 for a total contract price in the amount of \$22,000.00; and

WHEREAS, said bid specifications and contract contained provisions, under the Terms of the Contract, that said contract was renewable for additional term; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-15(43), states, in pertinent part, that any contract, with a term of three (3) years or less, for services may include provisions for no more than one (1) two-year, or two (2) one-year extensions; and

WHEREAS, said contract will expire on October 18, 2020 and the Director of Recreation has recommended a one-year extension of said contract through the Fall Fest event of 2021; and

WHEREAS, Schaefer Fireworks, Inc. has agreed to be bound to all terms and conditions set forth in the Fireworks Exhibitions Bid Contract #20009 and will honor and perform all obligations under same contract; and

WHEREAS, the Township has determined a need to continue this contract and the parties have mutually agreed to a one (1) year extension as provided for therein.

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 between the Township of Brick and Schaefer Fireworks, Inc., 370 Hartman Bridge Road, Ronks, PA 17572 dated June 9, 2020 is hereby extended for one (1) year.
2. That the contract amount, terms and conditions shall remain the same, not to exceed \$22,000.00.
3. That a copy of this resolution shall be forwarded to vendor, Director of Recreation, Business Administrator, 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 11th day of August, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-4	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION TO CREATE THE PLAN ENDORSEMENT
CITIZENS' ADVISORY COMMITTEE**

WHEREAS, the Mayor and Council of the Township of Brick desire to obtain Plan Endorsement from the State Planning Commission; and

WHEREAS, Plan Endorsement is a voluntary review process developed by the State Planning Commission to provide the technical assistance and coordination of the State for municipalities, counties, and regional agencies to meet the goals of the State Planning Act and State Development and Redevelopment Plan; and

WHEREAS, the State Planning Act recognizes that coordination of State action is necessary to help municipalities develop New Jersey's economy while protecting the natural, historic and recreational resources, providing adequate and diverse housing, and redeveloping our cities and older suburban areas;

WHEREAS, the purpose of the Plan Endorsement process is to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and to facilitate the implementation of these plans with the primary focus on where and how development and redevelopment can be accommodated in accordance with the State Plan; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines establish a comprehensive and coordinated planning process in order for a municipality to consider, and update as necessary, master plans, functional plans, development regulations and capital plans to be consistent with the State Plan and achieve plan endorsement; and

WHEREAS, through plan endorsement, master plans, functional plans, development regulations and capital plans should be coordinated and supportive of each other; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines incorporate, and expand upon, the principles of the Municipal Land Use Law in order to help towns plan for a sustainable future; and

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-27, the Mayor may appoint one or more persons as a citizens' advisory committee to assist or collaborate with the planning board in its duties, including adoption of, and amendment to, the master plan to guide the use of lands within the municipality in a manner which protects the public health and safety and promotes the general welfare of the community; and

WHEREAS, the Plan Endorsement Guidelines and State Planning Rules require the appointment of a Plan Endorsement Advisory Committee to guide the municipality through the Plan Endorsement process; and

WHEREAS, the Plan Endorsement Advisory Committee shall consist of between 5 and 10 members, including one representative of the governing body, a Class IV member of the planning board; one representative of a local board, commission or committee who is not a member of the planning board; and two representatives of the public that do not hold a position, employment or office with the municipality.

NOW THEREFORE BE IT RESOLVED that the Mayor and the Council of the Township of Brick hereby approves and adopts the following:

The Township of Brick establishes a Plan Endorsement Citizens' Advisory Committee consisting of between 5 and 10 members as follows:

1. Member of the Governing Body – Paul Mummolo, Councilman
2. Class IV Member of the Planning Board – Bernie Cooke, Planning Board, Chairman
3. Class IV Member of the Planning Board – Kevin Aiello, Planning Board, Vice Chairman
4. Representative of local board, commission or committee – David Chadwick, Board of Adjustment Chairman
5. Member of the Public – Ken Soucheck, Hackensack Meridian
6. Member of the Public – Brian Mirsky, Brick Chamber of Commerce
7. Tara Paxton, Township Planner
8. Christopher Romano, Zoning Officer
9. Steven Specht, BTMUA
10. Arthur Halloran, Councilman

Agenda #	8 / Date
4-5	11/20
Agenda #	Date
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The members of the Citizens' Advisory Committee shall serve at the pleasure of the Mayor; and

The Citizens' Advisory Committee shall report findings and conclusions of its actions performed pursuant to the State Planning Rules and Plan Endorsement Guidelines, and make recommendations to the Planning Board on next steps, but shall have no power to vote or take other action required of the Planning Board; and

The Citizens' Advisory Committee shall also report to the Governing Body at least Bi-annually on the status of plan endorsement; and

The Citizen Advisory Committee shall be entitled to call to its assistance any personnel of any municipal department or consultant thereto as it may require in order to perform its duties; and

The Citizens' Advisory Committee is established for the purpose of:

Guiding the plan endorsement process for the municipality;

Increasing public awareness of, and participation in, the plan endorsement process for the community;

Serving as the liaison with the state, county, regional agencies and local officials throughout the plan endorsement process;

Assisting the municipality in meeting the deadlines of plan endorsement;

Take the lead on completing the municipal self-assessment and submitting the required planning documents to the Office of Smart Growth;

Helping to facilitate community visioning as described in the Plan Endorsement Guidelines and community visioning standards;

Reporting the findings and conclusions of the self-assessment and community visioning to the local planning board for its review; and

Negotiating a draft Action Plan with the Office of Smart Growth, in collaboration with the planning board and governing body, to consist of actions that should be taken to adopt and/or update plans, ordinances and regulations in order to meet the plan endorsement requirements;

Facilitating completion of the Action Plan items in order to achieve endorsement by the State Planning Commission and enjoy the benefits available to the municipality as a result of the endorsed plan.

THEREFORE BE IT FURTHER RESOLVED that the Clerk of the Township of Brick shall transmit a copy of this resolution and the notice as required in the State Planning Rules to the State Planning Commission.

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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

RESOLUTION

WHEREAS, Brick Presbyterian Church, 111 Drum Point Road, Brick, NJ has applied for a special event permit to conduct a Drive In Movie Event on September 18, 2020 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Municipal Clerk has requested, and received, a report from the various departments on the effect of the special event and the recommendations are incorporated herein; and

WHEREAS, the Mayor and Council desire to approve Brick Presbyterian Church's request for special event to conduct a Drive In Movie Event on September 18, 2020 with the conditions and restrictions detailed below.

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

SECTION 1. That Brick Presbyterian Church's request for special event to conduct a Drive In Movie Event on September 18, 2020 in the church parking lot at 111 Drum Point Road between the hours of dusk and 11:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access must remain open and accessible at all times. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) Occupancy limits will be in compliance with state regulations on the day of the event.
- 3) All social distancing guidelines must be adhered to.
- 4) Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
- 5) Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police and the Brick Presbyterian Church.

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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-6	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Pioneer Hose Fire Co., 312 Drum Point Road, Brick, NJ 08723 had posted Selective Insurance Company of America Bond #B1199823 in the amount of \$401,063.00 and a cash performance bond in the amount of \$44,562.57 to guarantee site improvements to Block 645 Lots 1.01 and 1.02 (Pioneer Hose Co., PB-2766) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated July 31, 2020 has advised that a portion of the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the Selective Insurance Company of America Bond #B1199823 in the amount of \$401,063.00 be reduced to \$120,318.78 returning \$280,744.22 and the cash performance bond in the amount of \$44,562.57 be reduced to \$13,368.76 returning \$31,193.81 to the applicant; and

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 Selective Insurance Company of America Bond #B1199823 in the amount of \$401,063.00 be reduced to \$120,318.78 returning \$280,744.22 and the cash performance bond in the amount of \$44,562.57 be reduced to \$13,368.76 returning \$31,193.81 to the applicant; and
2. That the Municipal Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-7a	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated August 3, 2020 that there is \$810.82 remaining in the engineering inspection fund from Atlantic Lifts Inc., 1209 Bay Avenue, Pt. Pleasant, NJ 08742 for Block 257 Lots 1, 3, 4, 7, 8 and 9 (Drum Point Marina, Drum Point Road) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$810.82 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$810.82 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-7b	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated July 23, 2020 that there is \$125.62 remaining in the engineering inspection fund from Nobility Crest at Brick, LLC, 2101 Route 34S Suite A, Wall, NJ 07719 for Block 701 Lot 9 (Off Chambers Bridge Road- New Visions/Nobility Crest, PB-2700) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$125.62 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$125.62 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	8/Date
4-7c	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated July 28, 2020 that there is \$2,175.68 remaining in the engineering inspection fund from Chambers Bridge Realty, LLC , 260 Chambers Bridge Road, Brick, NJ 08723 for Block 701.12 Lot 1.02 (260 Chambers Bridge Road) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$2,175.68 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$2,175.68 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-7d	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated July 28, 2020 that there is \$1,599.61 remaining in the engineering inspection fund from Mind and Spine, LLC, 5 Mulberry Drive, Manalapan, NJ 07726 for Block 1027 Lot 72 (1999 Route 88) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$1,599.61 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$1,599.61 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-7e	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated August 3, 2020 that there is \$151.60 remaining in the engineering inspection fund from Shlomo Teren, 1514 Parkside Drive, Lakewood, NJ 08701 for Block 1068 Lot 30.01 (1116 Industrial Parkway) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$151.60 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$151.60 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	Date
4-7f	8/11/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated August 3, 2020 that there is \$3,235.31 remaining in the engineering inspection fund from Axiom Dr Construction, LLC, 1219 Wunsche Loop, Spring, TX 77373 for Block 1149 Lot 5 (At Home, 1930 Route 88) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$3,235.31 (plus interest if applicable) remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$3,235.31 (plus interest if applicable) remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	8/11/20
4-7g	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated August 3, 2020 that there is \$32.50 remaining in the engineering inspection fund from Krisanna Construction, Inc., 838 Piney Hollow Road, PO Box 124, Hammonton, NJ 08037 for Block 1149 Lot 5 (Laurel Square, 1930 Route 88) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$32.50 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$32.50 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	8/11/20
4-7h	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated July 28, 2020 that there is \$837.80 remaining in the engineering inspection fund from Woods at Laurel Condominium Association, Inc. c/o Association Advisors, 19 W. Main Street, Freehold, NJ 07728 for Block 1210.15 Lot 2 (Carnation Drive) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$837.80 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

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

1. That the \$837.80 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	8/11/20
4-7	
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 a Senior Citizen deduction has been granted and a refund to be issued on the following property for the year 2018.

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1192.04/13/621016 8 Patmore Rd	Castiglia, J M & Frank, Mary	\$250.00

CERTIFICATION

I, Lynnette 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8a	8/11/20
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 a Senior Citizen deduction has been granted and a refund to be issued on the following property for the year 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 Township Treasurer be authorized to refund the amounts listed below.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1192.25/7/621839 15 Brooke Rd	Mansfield, Barbara	\$250.00

CERTIFICATION

I, Lynnette 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 August 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8b	8/11/20
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 Block 464 Lot 35 Account # 310624 is exempt from paying taxes due to the fact it has been transferred to Township of Brick.

WHEREAS, the Tax Collector is requesting to cancel taxes going forward.

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 as stated above.

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 the 11th day of August, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 11th day of August, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8c	8/11/20
Agenda #	Date
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ORDINANCE

CAPITAL ORDINANCE APPROPRIATING \$300,000 FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE ACQUISITION AND PURCHASE OF BLOCK 1171, LOT 1, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATED THERETO

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The capital purposes described in Section 2 of this capital ordinance are hereby authorized as general capital purposes to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 2 hereof, there is hereby appropriated \$300,000, said amount is now available in the Capital Improvement Fund of the Township from a previously adopted budget or budgets of the Township.

SECTION 2. (a) The improvements and purposes hereby authorized are for the acquisition and purchase of an approximately 1.35+/- acre, 58,806 square foot property known as Block 1171, Lot 1 on the official tax map of the Township, commonly referred to as vacant land on Route 88 and Burrsville-Squankum Road (the "Property"), by the Township.

(b) The above improvements and purposes set forth in Section 2(a) shall also include, but are not limited to, as applicable, title searches, title policies, surveys, environmental testing and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 3. The expenditure of \$300,000 from the Capital Improvement Fund for the purposes set forth in Section 2 hereof is hereby authorized and approved.

SECTION 4. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable, for the Township. The capital or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this capital 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 of the Township, a revised capital or temporary capital budget for the Township has been filed with the Division of Local Government Services.

SECTION 5. Pursuant to the provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, the Township is hereby authorized to acquire the Property and to negotiate, execute, and deliver an agreement (the "Agreement") for the purchase of said Property. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and Township Clerk (collectively, "Township Officials") are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said Agreement and all other agreements, documents, instruments, affidavits, or certificates necessary to acquire said Property. Any prior actions taken by, as applicable, the Township Officials and other authorized officers and professionals of the Township in relation to the negotiation for, and purchase and acquisition of, the Property are hereby ratified and confirmed

SECTION 6. This ordinance shall take effect immediately after final adoption as described in N.J.S.A. 40:69A-181.

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 11th day of August, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 25th day of August, 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

Agenda #	Date
5-1	8/11/20
Agenda #	Date

ORDINANCE

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE TOWNSHIP TO ACHIEVE DEBT SERVICE SAVINGS, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,750,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") issued (i) \$1,600,000 General Improvement Bonds, Taxable Series 2009B, dated November 20, 2009, \$960,000 of which are currently outstanding and maturing on or after November 1, 2020 and which bonds are subject to redemption on or after November 1, 2019 at a redemption price equal to 100% of the par amount to be redeemed (the "2009 Refunded Bonds"), and (ii) \$13,955,000 General Obligation Refunding Bonds, Series 2012, dated May 10, 2012, \$4,245,000 of which are currently outstanding and maturing on or after November 1, 2023 and which bonds are subject to redemption on or after November 1, 2022 at a redemption price equal to 100% of the par amount to be redeemed (the "2012 Refunded Bonds" and together with the 2009 Refunded Bonds, the "Refunded Bonds"); and

WHEREAS, the Township Council has determined that refunding bonds can be issued to refund, in whole or in part, such Refunded Bonds which, under current market conditions, can generate net present value debt service savings to the Township equal to or greater than three percent (3%), which savings is the minimum amount required by the Local Finance Board, Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board") to undertake such refunding of the Refunded Bonds; and

WHEREAS, the Township Council has determined to provide for the refunding of the Refunded Bonds through the issuance by the Township of not to exceed \$5,750,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2020 (Taxable).

NOW THEREFORE, 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 refunding of all or a portion of the Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the Refunded Bonds and to pay all related costs of issuance associated therewith, the Township is hereby authorized to issue General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$5,750,000 (the "Refunding Bonds"), to be issued in one or more issues, all in accordance with the requirements of N.J.S.A. 40A:2-51, and to appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds, Series 2020 (Taxable)", with such other designation as may be necessary to identify such bonds, including each series thereof.

SECTION 3. The purposes for which the Refunding Bonds are to be issued are to achieve debt service savings for the Township by refunding all or a portion of the callable principal amount of the Refunded Bonds, including the payment of interest accrued thereon on each interest payment date to the dates fixed for redemption for the applicable series of Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$72,500 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance premiums, advertising, paying agent and escrow fees,

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Agenda #	Date

verification agent fees, rating agency fees, accounting, municipal advisory, legal and other expenses in connection therewith.

SECTION 5. The purpose of the issuance of the Refunding Bonds is to realize net present value interest cost savings for property taxpayers residing in the Township ("net" meaning savings after payment of all costs of issuance of the Refunding Bonds). Applicable State requirements mandate that such net present value interest cost savings equal at least 3% of the principal amount of the Refunded Bonds. In addition, the issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within 10 days of the date of the closing on the Refunding Bonds, the Clerk shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the Refunded Bonds' debt service which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; and (d) a certification of the Clerk that (i) all of the conditions of section (b) of N.J.A.C. 5:30-2.5 have been met, and (ii) a resolution authorizing the issuance of the Refunding Bonds, adopted pursuant N.J.S.A. 40A:2-51(c), was approved by a two-thirds vote of the full membership of the Township Council.

SECTION 6. The Supplemental Debt Statement relating to the Refunding Bonds, 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 principal amount of the authorization of the bonds and notes provided for in this Refunding Bond Ordinance, and will be decreased by the principal amount of the Refunded Bonds.

SECTION 7. To the extent that the Refunding Bonds are issued as federally tax exempt obligations, the Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, and investment of the proceeds of the Refunding Bonds, and the timely reporting and rebate of investment earnings on such proceeds as may be required thereunder. The Refunding Bonds are authorized, if required, and with the consent of the Chief Financial Officer of the Township, in consultation with the Township's financial advisor, to be issued as taxable bonds.

SECTION 8. This Refunding 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 11th day of August, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 25th day of August, 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