



Brick Township Council
Caucus/Public Meeting
October 27, 2020
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 Minutes of September 22nd 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 Amendment to the 2020 Temporary Capital Budget.
 - ___ 2. Authorize Insertion of Chapter 159 – Bulletproof Vest Partnership Grant – 2020.
 - ___ 3. Authorize Receipt of Bids – Purchase & Delivery of One Front Loading Refuse Collection Vehicle.
 - ___ 4. Authorize Award of Bid – Purchase & Delivery of One Utility Truck with Folding Crane.
 - ___ 5. Authorize Award of Contract through Stafford Township Cooperative Purchasing System - Purchase & Delivery of Gasoline Fuel.
 - ___ 6. Authorize Award of Contract through State of New Jersey Cooperative Purchasing Program – Bulletproof Vests.
 - ___ 7. Authorize Close Out Change Order #1 - Public Works Emergency Diesel Generator.
 - ___ 8. Authorize Addition to the Alternate Prosecutor Pool.
 - ___ 9. Bond Releases/Reductions:
 - a. Inspection Fund Release – David R. Merritt – Bay Avenue.
 - b. Inspection Fund Release – Reino Construction, Inc. – Brick Blvd & Woods at Laurel.
 - ___ 10. Tax Collector:
 - a. Tax Overpayments – 2019.
 - b. Tax Overpayments – 2020.

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

 - ___ 11. Bill Resolution – Computer 2020.
 - ___ 12. Bill Resolution – Manual 2020.

5. Ordinances on First Reading:
 - ___ 1. Bond Ordinance – 5 Year Life.
 - ___ 2. Bond Ordinance – 10 Year Life.
 - ___ 3. Bond Ordinance – 15 Year Life.
 - ___ 4. Authorize Acceptance of the Donation of Property – Block 673 Lots 39 & 39.01.
 - ___ 5. Amend Chapter 245-314 – Permitted Signs within the Hospital Support Zone.
 - ___ 6. Amend Chapter 245-330.4 – Permitted Yard Encroachments.
 - ___ 7. Authorize Adoption of Chapter 238 – Short Term Rentals.
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, November 10, 2020 at 7:00 p.m.**



Hi there,

Brick Township is inviting you to a scheduled Zoom meeting.

Tuesday, October 27, 2020 at 7 p.m.

Join Zoom Meeting

Phone US: [+16468769923](tel:+16468769923), [86058257869](tel:+186058257869)#, [.....0#](tel:+13017158592), [213061#](tel:+1213061) or

one-tap: [+13017158592](tel:+13017158592), [86058257869](tel:+186058257869)#, [.....0#](tel:+13017158592), [213061#](tel:+1213061)

Meeting <https://us02web.zoom.us/j/86058257869?pwd=Zzh3Q2EwY1FueENaMEtIWk84a3Fadz09>

URL:

Meeting 860 5825 7869

ID:

Passcode: 213061

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 +1 669 900 6833 or +1
253 215 8782 or +1 346 248 7799 or +1 408 638 0968

Meeting 860 5825 7869

ID:

Passcode: 213061

RESOLUTION

WHEREAS, the Township of Brick desires to amend the 2020 capital budget of said municipality by inserting therein various projects; and

WHEREAS, the capital budget was adopted at a meeting of the Township Council on May 26, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Brick amend the 2020 capital budget as follows:

Section 1. The 2020 capital budget of the Township of Brick is hereby to be amended and constituted by the adoption of a schedule to read as follows:

**Projects No. 1 thru 17
Capital Budget of
the Township of Brick
County of Ocean, New Jersey**

**Projects Scheduled for 2020
Various Projects**

	Project	Estimated Cost	Budget Appropriation	Capital Improvement Fund	General Bonds	Capital Surplus
1	Motorized Equipment (DPW, Police, Admin., Engineer & Rec)	\$ 587,333.00	\$ -	\$ 29,367.00	\$ 557,966.00	\$ -
2	Non-Motorized Equipment	\$ 144,807.00	\$ -	\$ 7,240.00	\$ 137,567.00	\$ -
3	Township Wide Dredging Plan and Permit	\$ 101,145.00	\$ -	\$ 5,057.00	\$ 96,088.00	\$ -
4	Police Equipment (non-data processing)	\$ 242,000.00	\$ -	\$ 12,100.00	\$ 229,900.00	\$ -
5	Lighting Repairs and Upgrade	\$ 104,275.00	\$ -	\$ 5,213.00	\$ 99,062.00	\$ -
6	Class B Bldgs. & Grounds Improvements and Paving	\$ 250,000.00	\$ -	\$ 12,500.00	\$ 237,500.00	\$ -
7	Open Space Acquisition - Gilbert Property	\$ 400,000.00	\$ -	\$ 20,000.00	\$ 380,000.00	\$ -
8	Condemnation of Property	\$ -	\$ -	\$ -	\$ -	\$ 300,000.00
9	Motorized Equipment (DPW, Police, Admin., Assess., Engineer, Inspect. & Rec)	\$ 1,475,000.00	\$ -	\$ 73,750.00	\$ 1,401,250.00	\$ -
10	Non-Motorized Equipment	\$ 528,345.00	\$ -	\$ 26,418.00	\$ 501,927.00	\$ -
11	Data Processing/Technology (all departments)	\$ 657,350.00	\$ -	\$ 32,868.00	\$ 624,482.00	\$ -
12	Police Equipment (non-data processing)	\$ 482,990.00	\$ -	\$ 24,149.00	\$ 458,841.00	\$ -
13	Road Improvements	\$ 2,333,755.00	\$ -	\$ 116,687.00	\$ 2,217,068.00	\$ -
14	Class B Bldgs. & Grounds Improvements	\$ 208,000.00	\$ -	\$ 10,400.00	\$ 197,600.00	\$ -

15	Drainage & Dredging	\$ 650,000.00	\$ -	\$ 32,500.00	\$ 617,500.00	\$ -
16	Bulkhead	\$ 285,000.00	\$ -	\$ 14,250.00	\$ 270,750.00	\$ -
17	Windward Beach- Engineering Design and Cost	\$ 50,000.00	\$ -	\$ 2,500.00	\$ 47,500.00	\$ -
	Totals	\$ 8,500,000.00	\$ -	\$ 424,999.00	\$ 8,075,001.00	\$ 300,000.00

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2020 capital budget.

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 October 27, 2020

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

RESOLUTION

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 \$36,022.00 which is now available from the United States Bureau of Justice Assistance – Bulletproof Vest Partnership Grant – 2019.

BE IT FURTHER RESOLVED that the like sum of \$36,022.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Bulletproof Vest Partnership Grant - 2020.

BE IT FURTHER RESOLVED, that the above is the result of funds received from the United States Bureau of Justice Assistance – Bulletproof Vest Partnership Grant in the amount of \$36,022.00.

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 October 27, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	10/27/20
4-2	
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 ONE (1)
FRONT LOADING REFUSE COLLECTION VEHICLE**

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 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Division of Purchasing and Contracting received sealed bids for the Purchase & Delivery of One (1) Utility Truck with Folding Crane on Wednesday, October 14, 2020; and

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

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

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

1. That the contract for the Purchase and Delivery of One (1) Utility Truck with Folding Crane – 2021 or Newer Kenworth T270 is hereby awarded to Gabrielli Kenworth of NJ, LLC, 2306 Route 130 North, Dayton, NJ 08810 in the amount of \$173,298.35 including extended warranty (\$172,923.35 for vehicle, \$375.00 for extended warranty).
2. That delivery shall be FOB Township of Brick Public Works within 180 days after receipt of order.
3. That the Chief Financial Officer has submitted a Certificate of Available Funds in the total amount of \$173,298.35 and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #5-20 – account C-04-55-867-501 – \$173,298.35
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 Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	10/Date
4-4	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids; and

WHEREAS, the Township of Brick is a participating agency under the Stafford Township Cooperative Pricing System known as ID #33-OCCPS; and

WHEREAS, Stafford Township as the lead agency for the Stafford Township Cooperative Pricing System has awarded a two (2) year contract #33-OCCPS-2020-005 for Purchase and Delivery of Gasoline Fuel (Regular Grade, Mid-Grade and Super Grade) on October 13, 2020; and

WHEREAS, the Township of Brick desires to join the above-mentioned contract for Regular Grade Gasoline; and

WHEREAS, it is the recommendation of the Director of Public Works to utilize this contract on the grounds that it represents the best price available.

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 a subsidiary contract for the Purchase and Delivery of Regular Grade Gasoline Fuel is hereby awarded to Riggins, Inc., 3938 South Main Road, Vineland, NJ 08360 in accordance with the attached Stafford Township Resolution #2020-338 at a fixed margin rate of 0.1545.
2. That this fixed rate contract is based on the "Oil Price Daily – An OPIS Publication" (formerly the Journal of Commerce) using the Newark, NJ gasoline prices reseller rack, low end, and will be used to determine the price per delivered gallon of gasoline per the "Date of Publication" for the date of the delivery.
3. That this contract shall not to exceed \$85,000.00 per year with funds to be encumbered prior to each order. Sufficient funds are available in 2020 budget and pending adoption of future budgets under appropriation entitled Gas, Oil & Lub. Contrs., account 0-01-31-460-209.
4. That this shall be a two (2) year contract commencing on October 19, 2020 and ending on October 18, 2022 as awarded by the lead agency.
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 a certified copy of this resolution shall be forwarded to vendor, Stafford Township, Business Administrator, Director of Public Works, 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 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

Agenda #	10/27/20
4-5	
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

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

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

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

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

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

1. That the Township of Brick authorizes the Purchasing Agent to purchase certain goods or services from the approved New Jersey State Contract Vendor on the attached list, pursuant to all conditions of the individual State contract.
2. That pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #7-20 – account C-04-55-869-501 – \$36,372.00
3. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer, 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 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	10/Date
46	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CLOSE OUT CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to Dee-En Electrical Contracting, 3014 Tremley Point Road, Linden, NJ 07036 on March 10, 2020 for the project known as "Public Works Emergency Diesel Generator" for a total contract price in the amount of \$166,000.00; and

WHEREAS, Dee-En Electrical Contracting has completed the project; and

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

WHEREAS, pursuant to N.J.A.C. 5:30-11.3 the consulting engineer has recommended the approval of Close-Out Change Order #1 decreasing the contract by (\$4,808.62) from \$166,000.00 to \$161,191.38 as a result of final as-built quantities; and

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

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

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

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

1. That the above-mentioned Change Order #1 is hereby approved decreasing the contract amount previously awarded to Dee-En Electrical Contracting for Public Works Emergency Diesel Generator project to \$161,191.38, refunding \$4,808.62 to 2015 Hazard Mitigation Grant, account G-02-40-997-259.
2. That final payment to the contractor is hereby authorized to be made based upon the recommendation of the consulting engineer.
3. That the work performed the contractor for the Public Works Emergency Diesel Generator project is hereby accepted by the Township of Brick.
4. That return of Performance and Payment Bond #019071732 in the amount of \$166,000.00 to the contractor is authorized.
5. That Maintenance Bond #019071732M in the amount of \$24,178.71 provided by the contractor is hereby accepted.
6. That the Township Clerk shall forward a certified copy of the resolution to the contractor, CME Associates, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

Agenda #	10/Date
4-7	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, on January 1, 2020 the Township Council appointed contracts to various firms for the Municipal, Conflict and Alternate Prosecutor Pools; and

WHEREAS, from time to time, there may be a need for another attorney from the law firm to appear on his behalf due to scheduling conflicts, illnesses or vacation time; and

WHEREAS, it is the desire of the Governing Body to appoint John Carleton, Esq., and Charles Fiore, Esq., of Firm of Grace, Marmero & Associates, LLP, to the Alternate Prosecutor Pool.

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 John Carleton Esq., and Charles Fiore, Esq., of the Firm of Grace, Marmero & Associates, LLP, shall be added to the Alternate Prosecutor Pool at a rate of \$600.00 per court session.
2. That all other terms and conditions of the contract shall remain the same.
3. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
4. That a certified copy of this Resolution shall be provided to Grace, Marmero & Associates, Business Administrator, Chief Financial Officer, Municipal Court 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 hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on October 27, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	10/Date
4-8	27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated October 20, 2020 that there is \$250.00 remaining in the engineering inspection fund from David R. Merritt, 731 Bay Avenue, Brick, NJ 08724 for 729 & 731 Bay Avenue (Block 939 Lots 22.02 & 22.03, PB-2850) 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 \$250.00 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 \$250.00 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 October 27, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	10/27/20
4-9a	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated October 20, 2020 that there is \$1,637.54 remaining in the engineering inspection fund from Reino Construction, Inc., 1696 Englishtown Road, Old Bridge, NJ 08857 for 30-68 Brick Boulevard (Block 380.18, Lot 1.02) and the Woods at Laurel (Block 1210.15, Lot 2) 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 \$1,637.54 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 \$1,637.54 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 October 27, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

Agenda #	10/Date
4-96	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Jo Anne R. Lambusta, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2019.

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>
1271/10/623379 811 Blasius Ave.	Vendor Resource Management c/o Lereta	\$1,541.40
380.13/46/208702 104 Meadowbrook Rd.	Cecelia Churak	\$897.36

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 the 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	10/Day
4-10a	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

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

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

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
323.23/12/209215 244 Katie Lynn Ct.	Vendor Resource Management c/o Lereta	\$3,517.06
937/42/517487 732 Princeton Ave	Vendor Resource Management c/o Lereta	\$6,476.97

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 the 27th day of October, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 27th day of October, 2020.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-106	10/27/20
Agenda #	Date
Agenda #	Date
Agenda #	Date

TOWNSHIP OF BRICK
IN THE 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 \$833,285 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$791,621 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 \$833,285, said sum being inclusive of a down payment in the amount of \$41,664 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 \$833,285 appropriation not provided for by application hereunder of said \$41,664 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$791,621 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 \$791,621 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, cabinets and appliances in the court section kitchen of the Municipal Building, purchase of entrance way mats, replacement of shower at Windward Beach, new beach doors and glass blockwall at Windward Beach, a HR Kardex Remstar Lektriever file cabinet, cleaning and repair of ducts at the Municipal Building, repairs to the dock pedestal at Traders Cove Marina, metal barricades for events, guiderail replacement at Lions Head, turnstile gate, basketball wall mounts and mats for Civic Plaza all purpose room, office furniture including an office chair, a Neopost IM letter opener, mason dump truck, 4x4 pickup truck w/plow, power washer, senior bus, Township-wide dredging plan and permit, and other non-passenger vehicles for various Township Departments, including, but not limited to, the Department of Administration, Police Department and Engineering 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 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 \$791,621.

(d) The estimated cost of said improvements and purposes to the Township is \$833,285, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$41,664 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

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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 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 \$791,621, 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 \$190,737 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 covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended of the interest on all tax-exempt 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 27th day of October, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

**TOWNSHIP OF BRICK
IN THE 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 \$346,275 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$328,962 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 \$346,275, said sum being inclusive of a down payment in the amount of \$17,313 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 \$346,275 appropriation not provided for by application hereunder of said \$17,313 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$328,962 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 \$328,962 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 purchase of a mobile command vehicle and a generator for the Police Department, sign lighting repairs at Civic Plaza and repairs to lighting controls at the Civic Plaza gym, upgrade lighting in the Police Department parking lot at the Municipal Building and the parking lot at Civic Plaza, electrical and lighting repairs to the press box at Galik Field, and office lighting repairs in the Clerk's office.

(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 \$328,962.

(d) The estimated cost of said improvements and purposes to the Township is \$346,275, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$17,313 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 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 \$328,962, 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 \$51,941 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 principal 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 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 tax-exempt 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 27th day of October, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

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

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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 \$650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$617,500 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 \$650,000, said sum being inclusive of a down payment in the amount of \$32,500 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 \$650,000 appropriation not provided for by application hereunder of said \$32,500 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$617,500 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 \$617,500 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 capital improvements to the Public Works Building of the Township, purchase of property located on Princeton Avenue, known as Block 869.33, Lot 32 and Block 870, Lot 45 on the official tax map of the Township, and paving of Municipal Building and Police Department parking lots, including visitor spots.

(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 \$617,500.

(d) The estimated cost of said improvements and purposes to the Township is \$650,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$32,500 available for such improvements and purposes.

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

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

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

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

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 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 \$617,500, 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 \$222,500 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 principal 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, 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 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 tax-exempt 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 27th day of October, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE DONATION OF PROPERTY KNOWN AS BLOCK 673, LOTS 39 AND 39.01, FOR NO CONSIDERATION

WHEREAS, property known as Block 673, Lots 39 and 39.01, (the "Property"), consisting of approximately 2.5 acres, has been offered for donation to the Township for no consideration by its owner, the Estate of Kazumi J. Saito; and

WHEREAS, the Township Council desires to authorize the acceptance of the Property for no consideration; and

WHEREAS, the Township is required by the provisions of N.J.S.A. 40A:12-5 to accept such property acquisitions by ordinance;

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

SECTION 1.

- A.** The Township Council hereby authorizes the acquisition by donation of property designated as Block 673, Lots 39 and 39.01, for no consideration.
- B.** The Mayor and Township Clerk are authorized to execute any necessary documentation to effect the acquisition of title to the Property by donation.
- C.** The acceptance of title to the Property is expressly conditioned on the completion of reasonable due diligence by the Township of the Property, which due diligence shall be completed within sixty (60) days of the final approval of this Ordinance, and which may include a title search, a survey, an environmental assessment and such other due diligence, if any, as deemed necessary by the Township.

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 27th day of October, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

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ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 245-314 ENTITLED "PROHIBITED, EXEMPT AND PERMITTED SIGNS" TO PERMIT PROPERTY ADDRESS SIGNS WITHIN THE H-S HOSPITAL SUPPORT ZONE

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

SECTION 1. Chapter 245-314 of the Township Code of the Township of Brick, entitled, "Prohibited, exempt and permitted signs," within the H-S Hospital Support Zone is hereby amended to add Chapter 245-314C(8)(e) to permit one freestanding property address sign to be located no less than 10 feet from the edge of the roadway pavement within the H-S Hospital Support Zone.

SECTION 2. The amendments to Chapter 245-314C(8)(e) shall read as follows:

245-314C(8)(e). One freestanding property address sign is permitted per lot for purposes of identifying the property address. The property address sign shall be limited to 15 square feet on either side and shall be located no closer than 10 feet from the edge of the roadway pavement.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 27th day of October, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

Agenda #	10/Date
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ORDINANCE

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING CHAPTER 245-330.4 ENTITLED
"PERMITTED YARD ENCROACHMENTS"**

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

SECTION 1. Chapter 245-330.4 of the Township Code of the Township of Brick, entitled, "Permitted yard encroachments," is hereby amended to delete Chapter 245-330.4 subsections C and D.

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

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 27th day of October, 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

Agenda #	10/Date
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ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE TO ADOPT CHAPTER 239 ENTITLED "SHORT TERM RENTALS"

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

SECTION 1. Chapter 239 of the Township Code of the Township of Brick, entitled, "Short Term Rentals," is hereby adopted.

SECTION 2. The adopted Chapter 239 shall read as follows:

Short-Term Rentals

§ 239-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BARRIER ISLAND — The area of the Township of Brick southeast of the Mantoloking Bridge and geographically between the Barnegat Bay and the Atlantic Ocean.

DWELLING — Any building or portion thereof designed or used exclusively for one or more dwelling units

SEGMENTED DWELLING — A room within or section of a dwelling that constitutes an area less than the entire dwelling.

§ 239-2. Purpose and scope.

A. This article aims to curtail, and in certain circumstances prohibit, the increasingly widespread practice of renting or leasing various types of dwellings, or segments thereof, located primarily in residential neighborhoods, on a short-term basis to transient guests. This practice has been popularized and facilitated by various websites that advertise and broker these rentals. Left unregulated, this practice will transform many residential dwellings into a detriment to the health, safety, and quiet enjoyment of the affected neighborhoods.

B. This article does not apply to lawfully established and operating hotels, motels, rooming houses, boardinghouses, and bed-and-breakfast establishments.

C. Notwithstanding the provisions of § 239, no rental shall be permitted without obtaining a required Certificate of Occupancy prior to occupancy.

§ 239-3. Short-term rentals prohibited.

No dwelling, or segment thereof, may be rented or leased for a term of less than 30 days.

§ 239-4. Exception for Barrier Island Short Term Rentals.

Notwithstanding the restriction set forth in § 239-3, minimum rentals of seven days or more of a dwelling unit are permitted during the period from May 15 through September 15 on the barrier island.

§ 239-5. Room rentals.

A. The lease or rental of multiple rooms within a dwelling to a single tenant or separate tenants is prohibited.

B. The lease or rental of a single room within a dwelling is permitted provided the following conditions are satisfied:

- (1) The dwelling has been inspected, issued a rental certificate of occupancy, and complied with all other requirements set forth in § 225.
- (2) The landlord has filed the appropriate registration with the Township pursuant to N.J.S.A. 46:8-28.
- (3) The dwelling complies with all applicable health, safety, construction, zoning, and fire codes.
- (4) The dwelling has a minimum of two bedrooms.
- (5) The addition of the tenant does not result in a violation of occupancy limitations.

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- (6) The owner maintains all required insurances in sufficient coverage amounts and has furnished proof thereof to the Township.
- (7) The dwelling is owner-occupied year-round.
- (8) A minimum tenancy of one month, and a maximum of one tenant.

- (9) The tenant has unrestricted access to the dwelling's common areas and amenities, including but not limited to kitchens, basements, garages, laundry facilities, patios/porches, pools, assigned closets, assigned bathrooms, and living and dining areas.
- (10) Bedroom doors may have privacy locks, but not key locks.
- (11) There is sufficient space on the subject property to lawfully provide one on-premises parking space for the tenant's vehicle.

§ 239-6. Commercial rentals.

The lease or rental of any dwelling for commercial or corporate purposes is prohibited.

§ 239-7. Rentals of amenities.

The lease or rental, for any purpose, of any amenity, feature, accessory, or appurtenance to or associated with a dwelling is prohibited.

§ 239-8. Advertisement.

The print, electronic, or Internet advertisement of any rental that is prohibited by or fails to comply with the provisions of this article or any other applicable provision of the Township Code is prohibited.

§ 239-9. Enforcement.

The Division of Code Enforcement and the Police Department are empowered to enforce this article.

§ 239-10. Violations and penalties.

- A. Every person convicted of a violation of a provision of this article shall be subject to the maximum fine and penalties established under N.J.S.A. 40:49-5 and any subsequent amendments thereto.

- B. Each and every day a violation of this article persists shall constitute a separate violation.

- C. To the extent the conduct prohibited under this article also violates other provisions of the Township Code, those violations constitute separate offenses subject to additional fines and penalties as prescribed.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 27th day of October, 2020 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of November, 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.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR