

Brick Township Council
February 23, 2016
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 on January 8, 2016. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net). At this time please silence or turn off your cell phone.
3.
 - a. Roll Call.
 - b. Salute to the Flag/Pledge of Allegiance /Moment of Silence.
 - c. Approve Reports of Municipal Officers.
 - d. Approve Minutes of January 26, 2016.
 - e. Presentations – Students of the Month.
4. Budget Presentations:
 1. Dan Santaniello – Recreation.
 2. Joanne Bergin – Administration.

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.”

5. Resolutions:
 1. Recognize Brick Township Police Officer of the Year.
 2. Recognize Lt. Thomas McNelis Award Recipient.
 3. Authorize Budget Appropriation Transfers.
 4. Authorize Grant Application – Pump Out Boat Repairs.
 5. Authorize Form and Sale for 2009 and 2010 Refunding Bond Series.
 6. Authorize Receipt of Bids – Mobile Food Vendor.
 7. Authorize Receipt of Bids – Printing Services.
 8. Authorization for HVAC Services Use of Proprietary Language for Municipal Complex System.
 9. Authorize Receipt of Bids – HVAC Services.
 10. Authorize Award of Bid – Seasonal Turf Chemical Application Program.
 11. Authorize Award of Re-Bid – Tax Bills.
 12. Authorize Permission for Fireworks Display – 2016 SummerFest Program.
 13. Authorize Award of 2nd Year Contract – Janitorial Services.
 14. Authorization to Rescind Contract and Award – Affordable Housing Counsel.
 15. Authorize Donation of Surplus Property to SPCA.
 16. Authorize Appointments to Sustainable Brick Township Committee.
 17. Imploring Legislators to Remove the Cadillac Tax Provision of the Affordable Care Act.
 18. Requesting the State Consider Finance Options to Assist Municipalities Recovering from Superstorm Sandy.
 19. Authorize Special Events Permit – P.J. Sweeney’s St. Patrick’s Day Event.
 20. Bond Releases/Reductions:
 - a. Performance Bond Reduction – Susskind & Almallah – Cedar Bridge Avenue.
 21. Tax Collector:
 - a. Tax Overpayments – 2013.
 - b. Tax Overpayments – 2015
 - c. Tax Overpayments – 2016.

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

 22. Bill Resolution – Computer 2016.
 23. Bill Resolution – Manual 2016.

6. Ordinances on First Reading:
 1. Amend Chapter 245 – Permitted Yard Encroachments.
 2. Amend Chapters 110 and 318 – Rules Applicable to Township Parks.

7. Ordinance on Second Reading:
 1. Refunding Bond Ordinance Series 2010.

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8. 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.
9. Council Comments.
10. Motion to Adjourn.

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

***** Next scheduled Caucus/Public meeting of the Township Council will be on Tuesday, March 8, 2016 at 7:00 p.m.**

RESOLUTION

WHEREAS, the Brick Township Police Department is one of the finest law enforcement agencies in the State of New Jersey and has been protecting the safety and well-being of residents since 1972; and

WHEREAS, every year, the Brick Township Police Benevolent Association (PBA) Local 230 bestows upon a member of the Brick Township Police Department their Officer of the Year Award; and

WHEREAS, the PBA Local 230 has named Brick Township Police Officer Mark Storch, Badge #206, as the Officer of the Year; and

WHEREAS, Officer Storch has been a dedicated member of the Brick Township Police Department since 2003; and

WHEREAS, Officer Storch, is a member of the Special Emergency Response Team, Ocean County Sniper Team, Brick Police Marine and Bicycle Unit, has been called upon multiple times in support of other jurisdictions; and

WHEREAS, Officer Storch is an active member of PBA 230 as a Trustee, member of the Road Job and Special Events Committee and an active member of the Brick PAL.

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

1. We do hereby congratulate and commend Officer Mark Storch, Badge #206, on his being named the Police Officer of the Year by the PBA Local 230.
2. We further wish Officer Storch many more years of success and outstanding service to the people of our community and the Brick Township Police Department.

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 of the Township of Brick at a meeting of said Township Council on February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

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RESOLUTION

WHEREAS, the Brick Township Police Department is one of the finest law enforcement agencies in the State of New Jersey and has been protecting the safety and well-being of residents since 1972; and

WHEREAS, every year, the Brick Township Police Benevolent Association (PBA) Local 230 bestows the Lt. Thomas McNelis Award on a member of the Brick Township Police Department in a supervisor or specialty role, who has brought public acclaim to his or herself, the Department or the law enforcement profession with the Lt. Thomas McNelis Award; and

WHEREAS, the PBA Local 230 has named Detective Thomas Cooney as the recipient of this year's award; and

WHEREAS, Detective Cooney has been a dedicated member of the Brick Township Police Department since 2001 currently serving on the Investigations Division; and

WHEREAS, Detective Cooney was assigned 175 cases in 2015 resulting in 13 arrests and 34 of his investigations were closed and cleared with an arrest; and

WHEREAS, Detective Cooney is a member of the Brick Township Police Department's Special Emergency Response Team and Honor Guard and is an active member of PBA Local 230 serving as Recording Secretary and as a member of the Awards, Helping Hands, Survivor Relief and Harper Scholarship Committees; and

WHEREAS, Detective Cooney exemplifies the attributes that represent the McNelis Award.

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

1. We hereby congratulate Detective Thomas Cooney on being named the recipient of the Lt. Thomas McNelis Award.
2. We further wish Detective Cooney many more years of success and outstanding service to the people of our community and the Brick Township Police Department.

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 of the Township of Brick at a meeting of said Township Council on February 23, 2016

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
MUNICIPAL CLERK

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RESOLUTION

WHEREAS, a review of the disbursements and commitments against the 2015 budget has disclosed the necessity for certain adjustments to the budget appropriations; and,

WHEREAS, N.J.S.A. 40A:4-59 authorizes transfers during the first three months of any fiscal year.

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

1. That the following transfers between certain 2015 Budget appropriations be and the same are hereby authorized:

GENERAL APPROPRIATIONS WITHIN/OUTSIDE CAP

Transferred To:
Salary and Wages

\$ -

Subtotal

\$ -

Transferred To:
Other Expenses

Municipal Prosecutor

\$ 500.00

Subtotal

\$ 500.00

Total Transferred To

\$ 500.00

Transferred From:
Salary and Wages

\$ -

Subtotal

\$ -

Transferred From:
Other Expenses

Public Defender

\$ 500.00

Subtotal

\$ 500.00

Total Transferred From

\$ 500.00

CERTIFICATION

I, Lynnette A. Iannarone, Municipal Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick on February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February 2016.

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LYNNETTE A. IANNARONE
MUNICIPAL CLERK

**GRANT AGREEMENT
BETWEEN
TOWNSHIP OF BRICK**
(Name of Grantee)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

**GRANT IDENTIFIER:
GOVERNING BODY RESOLUTION**

The governing body of TOWNSHIP OF BRICK
(print Grantee's name)
desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$ _____
to fund the following project:
Township of Brick Traders Cove Pump Out Repairs

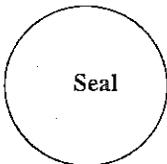
Therefore, the governing body resolves that Mayor John Ducey or the successor to the office of
(print name)
Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute
(print title of authorized official)
a grant agreement with the State for a grant in an amount not less than \$ 2851.00 and not more than \$ 2851.00,
and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

*The Township Council of the Township of Brick authorizes and hereby agrees to
(print name of Grantee's governing body, e.g., board of chosen freeholders)
match 0 % of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the
match for such purposes, whether cash, services, or property, is hereby certified. 0 % of the match will be made up of in-kind
services (if allowed by grant program requirements and the agreement).*

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant
to the agreement.

Introduced and passed _____

Ayes: _____
Noes: _____
Absent: _____



* The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services to be provided by the Grantee.

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CERTIFICATION*

I, Lynnette Iannarone, municipal clerk county clerk utilities Authority Clerk
 (print name)
 (other, specify) _____ of TOWNSHIP OF BRICK
 (print Grantee's name)
 certify that this resolution was duly adopted by Township Council of the Township of Brick at a
 (print name of Grantee's governing body)
 meeting duly held on the _____ day of _____, _____; that this resolution has not been amended or repealed; and that it
 remains in full force and effect on the date I have subscribed my signature. **

 (signature) *
Lynnette Iannarone
 (print name)
Township Clerk
 (print title)

Date: _____ **

* Certification must be signed by an official other than the individual authorized to execute the agreement.

** This date must be no more than sixty (60) days prior to the Grantee's execution of the agreement. If the original certification expires prior to the Grantee's execution, Grantee must submit a currently certified copy of this Attachment C when it returns the executed agreement to the Department.

RESOLUTION

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$25,100,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE "TOWNSHIP"), COLLECTIVELY AUTHORIZED BY REFUNDING BOND ORDINANCES HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON FEBRUARY 9, 2016 AND FEBRUARY 23, 2016, RESPECTIVELY, TO REFUND CERTAIN OUTSTANDING BONDS OF THE TOWNSHIP ISSUED IN 2009 AND 2010, AND PROVIDING FOR THE FORM AND OTHER DETAILS WITH RESPECT TO THE SALE AND ISSUANCE OF SAID REFUNDING BONDS

WHEREAS, the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") has previously issued \$32,881,000 aggregate principal amount of General Improvement Bonds, Series 2009A (the "2009 Bonds") dated November 20, 2009, and \$13,930,000 aggregate principal amount of General Improvement Bonds (Landfill Closure Project), Series 2010 (the "2010 Bonds") dated December 22, 2010; and

WHEREAS, a \$18,420,000 outstanding principal amount of the 2009 Bonds maturing on November 1 in the years 2020 through 2028, inclusive (the "2009 Refunded Bonds") are subject to redemption, either in whole or in part on any date on and after November 1, 2019, prior to their stated maturity dates, at a redemption price equal to 100% of their principal amount; and

WHEREAS, a \$5,375,000 outstanding principal amount of the 2010 Bonds maturing on November 1 in the years 2021 through 2025, inclusive (the "2010 Refunded Bonds", and together with the 2009 Refunded Bonds, the "Refunded Bonds") are subject to redemption, either in whole or in part on any date on and after November 1, 2020, prior to their stated maturity dates, at a redemption price equal to 100% of their principal amount; and

WHEREAS, the Township has determined that it is in the best interests of the Township property taxpayers to currently refund all or a portion of the Refunded Bonds through the issuance of 2016 general obligation refunding bonds (the "Refunding Bonds"); and

WHEREAS, the Township has determined to achieve net, present value debt service savings through the issuance by the Township of its refunding bonds in an aggregate principal amount not to exceed \$25,100,000, as collectively provided in (i) a refunding bond ordinance entitled, "REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING AND PREPAYABLE GENERAL IMPROVEMENT BONDS, SERIES 2009A OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,800,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR", finally adopted by the Township Council of the Township on February 9, 2016, and (ii) a refunding bond ordinance entitled, "REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING AND PREPAYABLE GENERAL IMPROVEMENT BONDS, SERIES 2010 OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,300,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR", finally adopted by the Township Council of the Township on February 23, 2016 (collectively, the "Ordinances"); and

WHEREAS, it is desirable and necessary for the Township to issue the Refunding Bonds pursuant to the Ordinances, in the aggregate principal amount not to

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exceed \$25,100,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds (the "Refunding"), and it is deemed advisable and in the best interests of the Township to provide for the sale, form, maturity dates and other matters in connection with such authorization, sale, issuance and delivery of the Refunding Bonds.

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

Section 1. Authority for Resolution. Pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Township Council of the Township has heretofore adopted the Ordinances, which collectively authorized the issuance of negotiable Refunding Bonds in the aggregate principal amount not to exceed \$25,100,000, and the Township Council of the Township hereby determines to issue, pursuant to the Ordinances, Refunding Bonds of the Township in the original aggregate principal amount not to exceed \$25,100,000 as described below in Section 2.

Section 2. Authorization of Refunding Bonds. In accordance with the Local Bond Law, and for the purpose of providing funds to (i) achieve net, present value debt service savings by refunding the principal amount of the Refunded Bonds, including the payment of the redemption premium thereon, as applicable, and the interest accrued and to accrue thereon to the applicable dates fixed for their redemption, and (ii) pay the allocable portion of the costs of issuance relating to the Refunding Bonds, including printing, advertising, underwriting, accounting, financial, legal services, insurance and rating agency fees, as applicable, and all as more fully set forth in the Ordinances, there shall be issued refunding bonds of the Township, consisting of one or more series, as determined by the Chief Financial Officer of the Township, in the aggregate principal amount not to exceed \$25,100,000, and same shall be designated "General Obligation Refunding Bonds, Series 2016" (or such other year designation as may be appropriate when the Refunding Bonds are issued) (the "Refunding Bonds").

Section 3. Details of Refunding Bonds. The Refunding Bonds shall be payable with respect to principal and interest in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, shall be issued in fully registered book-entry only form, without coupons, payable to a Securities Depository (as hereinafter defined) or registered assigns, and in the denomination of \$5,000 or any integral multiple thereof (except that any amount maturing in one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 or any integral multiple thereof, shall be in denominations of \$1,000 or any integral multiple thereof), and shall be issued substantially in the form as provided in this Resolution, with such omissions, insertions and variations as are properly required. The Refunding Bonds shall be dated, and shall bear interest from their date of issuance, as shall be determined by the Chief Financial Officer, in consultation with Wilentz, Goldman & Spitzer, P.A., Bond Counsel ("Bond Counsel"), and NW Financial Group, LLC, Financial Advisor ("Financial Advisor"). The Refunding Bonds shall be numbered consecutively from "RB-1" upwards.

The Refunding Bonds shall mature in each of the years and shall bear interest at the respective rates of interest per annum from their date of delivery until such Refunding Bonds shall be paid or discharged as shall be set forth in the Bond Purchase Contract to be dated the date of the sale and award of the Refunding Bonds by and between the Township and the hereinafter defined Underwriter (the "Bond Purchase Contract"). The principal maturities of the Refunding Bonds shall not extend beyond the applicable principal maturity dates of the Refunded Bonds, and the interest rates on the Refunding Bonds shall not exceed such interest rates as shall be necessary for the Refunding Bonds transaction to achieve the minimum net present value savings required by the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs.

Section 4. Redemption. The Refunding Bonds shall be subject to redemption prior to their stated maturities in such manner and at such times as shall be determined by the Chief Financial Officer, in consultation with the Bond Counsel and Financial Advisor.

Section 5. Payment of Refunding Bonds. Interest on the Refunding Bonds shall be payable on such dates as shall be determined by the Chief Financial Officer, in consultation with Bond Counsel and the Financial Advisor, and as shall be set forth in the Bond Purchase Contract (each an "Interest Payment Date") until maturity, by wire transfer of the Township or a duly appointed Paying Agent (the "Paying Agent") to the registered owners thereof whose names appear on the registration books of the Township maintained by the Township or a duly appointed Paying Agent fifteen (15) days preceding each Interest Payment Date (the "Record Date"), at their respective addresses as shown in the registration books of the Township or other duly appointed Paying Agent. The principal of the Refunding Bonds, when due, shall be payable in similar fashion on each maturity date of the Refunding Bonds.

Section 6. Execution of Refunding Bonds. The Refunding Bonds shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and the Chief Financial Officer of the Township and the seal of the Township shall be affixed, imprinted or reproduced thereon and attested by the manual signature of the Clerk of the Township. If any officer whose signature appears on the Refunding Bonds ceases to hold office before the delivery of the Refunding Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes. In addition, any Refunding Bond may bear the signature of, or may be signed by, such persons as at the actual time of the signing of such Refunding Bond shall be the proper officers to sign such Refunding Bond although at the date of such Refunding Bond such persons may not have been officers.

Section 7. Registration of Refunding Bonds. The Township or any Paying Agent shall also maintain and keep books for the registration and transfer of the Refunding Bonds. The Paying Agent shall also act as agent for the Township for the transfer or exchange of any of the Refunding Bonds.

Section 8. Form of Refunding Bonds. Subject to the provisions of this Resolution, the Refunding Bonds shall be in substantially the form as set forth in Exhibit A attached hereto, with such omissions, insertions, endorsements and variations as may be required by the circumstances and be required or permitted by this Resolution or the Ordinances or as may be consistent with this Resolution and the Ordinances and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto or as may necessary for the Township to market the Refunding Bonds in accordance with the requirements of The Depository Trust Company, New York, New York ("DTC") when DTC or its agent shall be the registered owner of the Refunding Bonds, upon advice of Bond Counsel to the Township.

Section 9. Book-Entry System. (a) The Refunding Bonds shall be initially issued in book-entry form in the form of one certificate for the aggregate principal amount of Refunding Bonds maturing in each year and, when issued, will be registered in the name of and held by Cede & Co., as registered owner and nominee for DTC, which is hereby appointed as securities depository ("Securities Depository") for the Refunding Bonds. Except as provided in Section 9(c) hereof, all of the outstanding Refunding Bonds shall be registered in the name of and held by Cede & Co., as registered owner and nominee for DTC.

(b) As long as DTC or its nominee, Cede & Co., is the registered owner of the Refunding Bonds, payments of the principal of and interest on the Refunding Bonds will be made by the Township or a Paying Agent directly to DTC or its nominee, Cede & Co., which will credit payments of principal of and interest on the Refunding Bonds to the participants of DTC as listed on the records of DTC as of the Record Dates, which participants will in turn credit such payments to the beneficial owners of the Refunding Bonds. During any period in which DTC (or any successor thereto) shall act as Securities Depository for the Refunding Bonds, the Township or any Paying Agent shall have no responsibility or obligation to broker-dealers, banks or other financial institutions ("Participants") from time to time for which DTC holds Refunding Bonds as Securities Depository, or to any person on behalf of which a Participant holds an interest in the Refunding Bonds. Without limiting the immediately preceding sentence, the Township or any Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Refunding Bonds, (ii) the delivery to any Participant or any other person, other than a registered owner of the Refunding Bonds, as shown in the registration records kept by the Township or any Paying Agent, of any notice with respect to the Refunding Bonds, except

as otherwise specifically provided herein, or (iii) the payment to any Participant or any other person, other than a registered owner of the Refunding Bonds, as shown in the registration records kept by the Township or any Paying Agent, of any amount with respect to principal of and interest on the Refunding Bonds. The Township or any Paying Agent may treat and consider the person in whose name each Refunding Bond is registered in the registration records kept by the Township or any Paying Agent as the absolute owner of such Refunding Bond for the purpose of payment of principal of and interest with respect to such Refunding Bond, for other matters with respect to such Refunding Bond, for the purpose of registering transfers with respect to such Refunding Bond, and for all other purposes whatsoever. The Township or any Paying Agent shall pay all principal of and interest on the Refunding Bonds only to or upon the order of the respective registered owners thereof, as shown in the registration records kept by the Township or any Paying Agent, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Township's obligations with respect to payment of principal of and interest on the Refunding Bonds to the extent of the sum or sums so paid. No person other than a registered owner of the Refunding Bonds, as shown in the registration records kept by the Township or any Paying Agent, shall receive a Refunding Bond certificate evidencing the obligation of the Township to make payments of principal of and interest pursuant thereto. Upon delivery by DTC to the Township or any Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the word "Cede & Co." shall refer to such new nominee of DTC.

(c) (i) DTC may determine to discontinue providing its services with respect to the Refunding Bonds at any time by giving notice to the Township and any Paying Agent and discharging its responsibilities with respect thereto under applicable law.

(ii) The Township, in its sole discretion and without the consent of any other person, may terminate the services of DTC with respect to the Refunding Bonds if the Township determines that:

(A) DTC is unable to discharge its responsibilities with respect to the Refunding Bonds, or

(B) A continuation of the requirement that all of the outstanding Refunding Bonds be registered in the registration records kept by the Township or any Paying Agent in the name of Cede & Co., or any other nominee of DTC, is not in the best interest of the beneficial owners of the Refunding Bonds.

(iii) Upon termination of the services of DTC with respect to the Refunding Bonds pursuant to the subsection 9(c)(ii)(B) hereof, or upon the discontinuance or termination of the services of DTC with respect to the Refunding Bonds pursuant to subsection 9(c)(i) or subsection 9(c)(ii)(A) hereof after which no substitute Securities Depository willing to undertake the functions of DTC hereunder can be found which, in the opinion of the Township, is willing and able to undertake such functions upon reasonable and customary terms, the Township is obligated to deliver Refunding Bond certificates to the beneficial owners of the Refunding Bonds and the Refunding Bonds shall no longer be restricted to being registered in the registration records kept by the Township or any Paying Agent in the name of Cede & Co., as nominee of DTC, but may be registered in whatever name or names registered owners transferring or exchanging Refunding Bonds shall designate.

(d) The Township and any Paying Agent shall endeavor to cooperate with DTC or any successor or new depository named pursuant to this Section 9 in effectuating payment of the principal of and interest on the Refunding Bonds by arranging for payment in such a manner that funds representing such payments are available to the Securities Depository on the date they are due.

Section 10. Application of Proceeds of Refunding Bonds. (a) From the proceeds of the sale of the Refunding Bonds, the following amounts shall simultaneously with the issuance of such Refunding Bonds (or as soon as practicable thereafter) be paid by the Township as follows:

(1) To the payees designated by the Chief Financial Officer of the Township, amounts representing the costs of issuance for the Refunding Bonds;

(2) To the Township, an amount, if any, representing accrued interest on the Refunding Bonds from the Issue Date to the date of delivery thereof and payment therefor, such amount to be used for the payment of interest on the Refunding Bonds as the same shall become due and payable on the first Interest Payment Date; and

(3) To the Escrow Agent, if any (appointed pursuant to Section 10(c) hereof), an amount to be held in trust by the Escrow Agent to accomplish the redemption of all or a portion of the Refunded Bonds, as applicable.

(b) The Chief Financial Officer of the Township is hereby authorized and directed, in consultation with Bond Counsel and the Financial Advisor, to negotiate and approve an Escrow Deposit Agreement by and between the Township and the Escrow Agent (the "Escrow Deposit Agreement") to be selected by the Chief Financial Officer, in consultation with Bond Counsel and the Financial Advisor, providing for the portion of the proceeds of the sale of the Refunding Bonds described in Section 10(a)(3) hereof (the "Refunding Proceeds") to be deposited in an escrow fund to be held by the Escrow Agent in trust to, among other things, (i) refund all or a portion of the Refunded Bonds, (ii) pay interest on all or a portion of the Refunded Bonds until the applicable dates fixed for redemption, (iii) pay the applicable redemption premium, if any, on the principal amount of the Refunded Bonds on the applicable dates fixed for redemption. The Chief Financial Officer of the Township is hereby authorized and directed to execute and deliver the Escrow Deposit Agreement on behalf of the Township. Any moneys in such fund may be invested as provided in the Local Bond Law and other applicable law and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the Township.

(c) The Chief Financial Officer is hereby authorized and directed, in consultation with Bond Counsel and the Financial Advisor, to negotiate and appoint an escrow agent to accomplish the Refunding (the "Escrow Agent") to the extent such escrow agent is required or desirable to accomplish the Refunding. The portion of the proceeds of the sale of the Refunding Bonds described in Section 10(a)(3) hereof (the "Refunding Proceeds") shall be deposited in a separate fund to be held by the Township or the Escrow Agent, as applicable, in trust to accomplish the Refunding. Any moneys in such fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the Township.

(d) Pending disbursement for the purposes thereof, the portion of the proceeds of the sale of the Refunding Bonds not constituting Refunding Proceeds may be invested to the extent permitted by law.

Section 11. Verification Agent. The Chief Financial Officer is hereby authorized and directed to select a verification agent (the "Verification Agent"), if required, in consultation with Bond Counsel and the Financial Advisor, with respect to the Refunded Bonds. The Verification Agent shall prepare the verification report required to verify the sufficiency of the escrowed moneys to refund the Refunded Bonds.

Section 12. Award of Refunding Bonds. RBC Capital Markets, LLC, Parsippany, New Jersey, is hereby appointed Underwriter (the "Underwriter") for the Refunding Bonds. The Chief Financial Officer of the Township is hereby authorized and directed, in consultation with Bond Counsel and the Financial Advisor, to negotiate and approve the terms of the Bond Purchase Contract with the Underwriter for the purchase of the Refunding Bonds, including the compensation to the Underwriter for the marketing and purchase of the Refunding Bonds. The Refunding Bonds are hereby authorized to be sold to the Underwriter in accordance with the terms of the Bond Purchase Contract, such terms being approved by the Chief Financial Officer. The Mayor and/or Chief Financial Officer of the Township are hereby authorized and directed to execute and deliver the Bond Purchase Contract on behalf of the Township, and the Clerk of the Township is authorized to attest such signature.

Section 13. Prior Action. All actions taken to date by the officers, employees, professionals and agents of the Township with respect to the authorization, sale and issuance of the Refunding Bonds, including, but not limited to, submissions and applications to rating agencies and the execution and delivery of subscription forms for the purchase of United States Treasury Securities and/or direct obligations of the United States of America (State and Local Government Series), be and the same hereby are approved,

ratified, adopted and confirmed, *nunc pro tunc*, and the Mayor and/or Chief Financial Officer are hereby authorized and directed to execute and deliver any such agreements, documents or submissions, and the Township Clerk is hereby authorized and directed to attest to the signatures of the Mayor and the Chief Financial Officer and to affix the seal of the Township on such agreements, documents or submissions.

Section 14. Official Statement. Bond Counsel and the Financial Advisor are hereby authorized and directed to prepare the Preliminary Official Statement (the "Preliminary Official Statement") to be used in connection with the marketing of the Refunding Bonds. The distribution by the Underwriter of a Preliminary Official Statement on behalf of the Township to be used in connection with the marketing of such Refunding Bonds by the Underwriter, is hereby approved. The Mayor and/or Chief Financial Officer of the Township are hereby authorized and directed to execute and deliver a certificate to the Underwriter that "deems final" the Preliminary Official Statement in accordance with the Rule (as hereinafter defined).

Upon the sale of the Refunding Bonds to the Underwriter, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel and the Financial Advisor, to reflect the effect of the Bond Purchase Contract and any other revisions not inconsistent with the substance thereof deemed necessary or advisable by Bond Counsel and the Chief Financial Advisor; and said Preliminary Official Statement deemed "final" by the Township in accordance with the Rule (as hereinafter defined) as so modified shall constitute the final Official Statement (the "Official Statement"). The Mayor and/or Chief Financial Officer of the Township are each hereby authorized and directed on behalf of the Township to execute and deliver said Official Statement.

Section 15. Delivery of Refunding Bonds. The Refunding Bonds, in registered form, shall, as soon as practicable, be prepared, executed and delivered in definitive form to the Underwriter at the expense of the Township, upon payment in full of the purchase price for the Refunding Bonds.

Section 16. Actions to be Taken on Behalf of the Township. The various officers of the Township are hereby authorized and directed to do all matters necessary, useful, convenient or desirable to accomplish the delivery of the Refunding Bonds to the Underwriter as promptly as possible, in accordance with the provisions hereof, the execution of one or more subscriptions for the purchase of United States Treasury Securities and/or the purchase of direct obligations of the United States of America (State and Local Government Series), if applicable, and the execution of closing documentation including an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the Refunding Bonds is excludable from gross income under Section 103 of the Code (as hereinafter defined).

The Underwriter, Bond Counsel and the Financial Advisor are each hereby authorized to prepare and arrange for the printing or reproduction of the Preliminary Official Statement, the final Official Statement and the Refunding Bonds, and any such actions heretofore taken by such Underwriter, Bond Counsel and the Financial Advisor are hereby ratified and confirmed.

The Chief Financial Officer of the Township is hereby authorized to enter into (i) an agreement with DTC setting forth the respective obligations of DTC, the Township and the Paying Agent (if any) with respect to the payment and transfer of the Refunding Bonds; (ii) an agreement with the Escrow Agent with such changes as may be approved by the foregoing officers of the Township with respect to the matters described in Section 10 hereof, if any; and (iii) an agreement with a verification agent to verify the sufficiency of the escrow created by the Escrow Deposit Agreement to refund the outstanding Refunded Bonds. The Township agrees to comply with all obligations set forth in each such agreement.

Section 17. Filing of Ordinances and Resolution. The Clerk of the Township is hereby authorized and directed to cause certified copies of the Ordinances and this Resolution to be filed with the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (the "Local Finance Board"), and to

arrange for the required endorsement thereon by the Local Finance Board in accordance with applicable law.

Section 18. Tax Covenant. The Township hereby covenants with the holders from time to time of the Refunding Bonds that it will make no investment or other use of the proceeds of the Refunding Bonds or take any other action (or refrain from taking such action) which would cause the Refunding Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on the Refunding Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the Refunding Bonds.

Section 19. Authorizations. All other details or requirements of the Local Bond Law shall be determined and approved by the Chief Financial Officer of the Township, upon consultation with Bond Counsel and the Financial Advisor, such approval to be conclusively evidenced by his execution of the Refunding Bonds as provided herein.

Section 20. Pledge of Township. The full faith and credit of the Township are hereby pledged for the payment of the principal of and interest on the Refunding Bonds. The Refunding Bonds shall be direct obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the principal of and interest on the Refunding Bonds without limitation as to rate or amount.

Section 21. Ratings and Insurance. The Chief Financial Officer of the Township is hereby authorized and directed, upon consultation with Bond Counsel, the Underwriter and the Financial Advisor, to submit information and financial data to municipal bond rating agencies and municipal bond insurance companies so long as the purchase of municipal bond insurance for the Refunding Bonds is cost effective in the marketing of the Refunding Bonds to reduce the interest costs to the Township and, if so, then to execute and deliver a commitment for municipal bond insurance (the "Commitment") with a bond insurer to insure the regularly scheduled payment of principal of and interest on the Refunding Bonds; and is further authorized and directed to carry out the terms and conditions contained in the Commitment and to execute and deliver all documents, agreements and conditions in connection with the issuance of the Refunding Bonds and the Commitment.

Section 22. Continuing Disclosure. The Township hereby covenants and agrees to comply with the secondary market disclosure requirements of Rule 15c2-12, as amended (the "Rule"), promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended, and agrees to covenant to such compliance in a Continuing Disclosure Certificate (the "Continuing Disclosure Certificate"). In connection therewith, the Mayor and/or Chief Financial Officer of the Township, in consultation with Bond Counsel and the Financial Advisor, are each hereby authorized and directed to enter into and execute the Continuing Disclosure Certificate, evidencing the contractual undertaking of the Township to comply with the requirements of the Rule and to deliver the Continuing Disclosure Certificate to the Underwriter in connection with the offer and sale of the Refunding Bonds. Notwithstanding the foregoing, failure of the Township to comply with the Continuing Disclosure Certificate shall not be considered a default on the Refunding Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the Township to comply with its obligations hereunder and thereunder. The Mayor of the Township, the Chief Financial Officer of the Township, the Clerk of the Township or any other Township official are each hereby authorized and directed to execute and deliver all certificates, documents and agreements in connection therewith and to file budgetary, financial and operating data on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 23. Effective Date. This Resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote on February 23, 2016:

AYES:

NAYS:

ABSTENTIONS:

ABSENTEES:

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 23rd day of February, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2015.

Lynnette A. Iannarone, Township Clerk

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:

MOBILE FOOD VENDOR

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5-6	Date	2/23/16
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:

PRINTING SERVICES

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-7	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION
Authorization for HVAC Services
Use of Proprietary Language for the Municipal Complex System

WHEREAS, in 2010 the Township, at a cost of \$345,505.86, replaced the antiquated HVAC system in the Municipal Complex with a new, energy efficient Andover/Schneider system consisting of, among other things, a specialized control system, master router/controller, field controllers, sensor, power supplies, relay, pressure sensors, other field peripheral devices as well as hardware and software that monitors and detects problems remotely and make minor adjustments to the system remotely; and

WHEREAS, the Andover/Schneider software system needs occasional updates and maintenance and the mechanical components of the system requires quarterly inspections, maintenance, service or repair from time to time; and

WHEREAS, it has been brought to the attention of the governing body that the Township has a need to continue to obtain a service contract for this system as well as a maintenance contract for other HVAC systems at other Township owned facilities; and

WHEREAS, N.J.S.A. 40A:11-13 (d) allows a municipality to acquire goods and or services of a proprietary nature provided that the acquisition meets the definition set forth in the statute; and

WHEREAS, N.J.A.C. 5:34-9.1 of the Local Public Contracts Law Regulations sets forth the requirements that must be followed in order to acquire said goods and or services of a proprietary nature; and

WHEREAS, the Township has a need to invoke this statute as a proprietary service which meets the definition set forth in the above mentioned statute by having a substantial investment in the system and the acquisition of service technicians factory trained, certified and authorized by Andover/Schneider is essential for providing the proper maintenance, inspection, repairs and reprogramming of the system as not to undermine the functionality, efficiency and operational performance of the system.

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 Purchasing Agent be and is hereby authorized to prepare bid specifications for HVAC Services for all Township owned facilities and include proprietary language requiring service technicians to be factory trained, certified and authorized by Andover/Schneider for the Municipal Complex System per N.J.S.A. 40A:11-13 (d) and N.J.A.C. 5:34-9.1.
2. The Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids 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 as duly passed by the Township Council of the Township of Brick at a regular meeting held on the 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

Agenda #	2/23/16
Agenda #	
Agenda #	Date
Agenda #	Date

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

RESOLUTION

AUTHORIZATION TO BID

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:

HVAC SERVICES

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-9	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for **Seasonal Turf Chemical Application Program** on February 19, 2016; and

WHEREAS, the bids have been reviewed by the Parks Supervisor; and

WHEREAS, Parks Supervisor has recommended the award of said bid to the lowest responsive and responsible bidder.

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

1. The bid for Seasonal Turf Chemical Program is hereby awarded to Meticulous Landscaping, Inc., 360 Route 9, Unit 1, Waretown, NJ 08758.
2. Contract includes for four (4) weed control and fertilizer applications per year for approximately 70 total acres per application at 13 locations and Lime Application as per the attached rate schedule.
3. The awarded rates per acre shall remain firm fixed for the duration of the contract.
4. This award will be for a two (2) year contract commencing on March 5, 2016 and ending on March 4, 2018.
5. This is a unit price bid not to exceed \$30,000.00 per year with funds to be certified prior to each application.
6. The awarded rates shall be used to increase or decrease the annual cost of the contract with the addition or removal of acreage from the contract.
7. A copy of this resolution shall be forwarded to Meticulous Landscaping, Business Administrator, Chief Financial Officer, Director of Public Works and the Purchasing Agent.
8. 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.

CERTIFICATION

I, **LYNNETTE A. IANNARONE**, Township 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 23rd day of February 2016.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this the 23rd day of February 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
9-10	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for the **Manufacture & Printing of the 2016 Final / 2017 Preliminary Tax Bills** on February 19, 2016; and

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

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

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 re-bid for the Manufacture & Printing of the 2016 Final / 2017 Preliminary Tax Bills.

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

CERTIFICATION

I, Lynnette 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 23rd day of February, 2016.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

Lynnette A. Iannarone, Township Clerk

Agenda #	Date
5-11	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, a Resolution of the Township of Brick is required by the New Jersey Department of Labor, Division of Workplace Standards, to grant permission for the public display of fireworks; and

WHEREAS, Garden State Fireworks, P.O. Box 403, Carlton Road, Millington, NJ 07946 has submitted a proposal for four (4) fireworks displays that will take place on June 30, July 7, July 14 and July 21, 2016 as part of the 2016 Summerfest Program; along with the permit application, certificate of insurance and all other information necessary and incidental for the firework displays; and

WHEREAS, the Bureau of Fire Safety has advised that the application for said fireworks displays are complete and in order.

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 Town Council of the Township of Brick hereby grants its permission to **Garden State Fireworks, P.O. Box 403, Carlton Road, Millington, NJ 07946** to provide four (4) firework displays scheduled for June 30, July 7, July 14 and July 21, 2016 as part of the 2016 Summerfest Program.
2. That a certified copy of this resolution shall be forwarded to Garden State Fireworks, New Jersey Department of Labor, Bureau of Fire Safety, Police Chief, Chief Financial Officer, Office of Safety and Insurances, Director of Recreation and the Purchasing Agent.

CERTIFICATION

I, **Lynnette A. Iannarone, Municipal 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 23rd day of February, 2016.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

Lynnette A. Iannarone
Municipal Clerk

Agenda #	Date
5-12	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, on February 23, 2015 the Township Council awarded a contract to One Total Cleaning Services, LLC to provide Janitorial Services to all Township Facilities; and

WHEREAS, the contract award was for two (2) one (1) year contracts with a second year contract award pending the successful completion of previous year; and

WHEREAS, the Purchasing Agent concurs that year one contract has been successfully completed and recommends award year two of the contract.

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 Township hereby awards Year 2 contract to One Total Cleaning Services, LLC, 130 Garfield Avenue, Plainfield, N.J. 07062 at a rate not to exceed \$70,295.82.
2. That fund for this service is contingent upon the adequate appropriation in the 2016 / 2017 Building & Grounds Operating Budget.
3. This bid will be for one year commencing on February 23, 2016 and ending on February 22, 2017.
4. A copy of this resolution shall be forwarded to One Total Cleaning Services, Business Administrator, Chief Financial Officer and the Purchasing Agent.
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.

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-13	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, on January 1, 2016 the Governing Body awarded a Professional Service through the "Fair and Open" process for the position of Affordable Housing Counsel to the firm of Jeffrey R. Surenian & Associates, 707 Union Avenue, Suite 301, Brielle, N.J. 08730; and

WHEREAS, the Mayor recommends rescinding the contract awarded to the firm of Jeffrey R. Surenian & Associates; and

WHEREAS, the Mayor has reviewed the proposal submitted by the firm of DeCotiis, Fitzpatrick & Cole, LL and is satisfied with the qualifications and experience of the firm which is the subject of such an award; and

WHEREAS, the Mayor recommends award to the firm of DeCotiis, Fitzpatrick & Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Blvd, Suite 31, Teaneck, NJ 07666 as the Affordable Housing Counsel for the purpose of providing the required services on an as needed basis at the proposed rates.

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

1. That the contract awarded to Jeffrey R. Surenian & Associates for Affordable Housing Counsel is hereby rescinded in its entirety.
2. That the Mayor is authorized to execute and the Township Clerk to attest to the agreement for Affordable Housing Counsel with the firm of DeCotiis, Fitzpatrick & Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Blvd, Suite 31, Teaneck, NJ 07666 at the following hourly rates:
 - \$165.00 - Attorneys
 - \$125.00 - Law Clerks
 - \$ 70.00 - Paralegals & Legal Assistants
3. That this contract is being awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5 pursuant to a "fair and open" process.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating budget.
5. That this resolution shall take effect January 15, 2016 and end on December 31, 2016.
6. That such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
7. That a certified copy of this Resolution shall be provided to Jeffrey R. Surenian & Associates, DeCotiis, Fitzpatrick & Cole, Business Administrator, Chief Financial Officer, Affordable Housing Administrator and the Purchasing Agent.
8. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

 LYNNETTE A. IANNARONE
 TOWNSHIP CLERK

Agenda #	Date
0-14	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION FOR THE SALE OR OTHER DISPOSITION
OF PERSONAL PROPERTY**

WHEREAS, the Township of Brick has deemed certain items in its inventory to be surplus property no longer needed for public use and wishes to eliminate its surplus property, specifically a 2007 Ford Crown Victoria VIN#2FAFP71W17X138245; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36(2) the contracting unit need not advertise for bids when it makes any such sale to another contracting unit; and

WHEREAS, the NJ State SPCA Humane Police, Law Enforcement Division, 1119 Livingston Ave., New Brunswick, NJ 08901, is interested in acquiring this vehicle, which is deemed surplus, from the Township of Brick.

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

1. The Mayor and Administrator are authorized to enter into an Agreement with the NJ State SPCA Humane Police, Law Enforcement Division, 1119 Livingston Ave., New Brunswick, NJ 08901 to donate a 2007 Ford Crown Victoria VIN#2FAFP71W17X138245, which is deemed no longer needed for public use.
2. The property so described shall be picked up from the Township of Brick and be conveyed, at a mutually agreed time to the NJ State SPCA Humane Police, Law Enforcement Division, 1119 Livingston Ave., New Brunswick, NJ 08901 at its sole expense.
3. This Resolution shall be effective upon the NJ State SPCA Humane Police, Law Enforcement Division, receipt from the Township of Brick, a fully executed Agreement for the donation of a 2007 Ford Crown Victoria VIN#2FAFP71W17X138245 vehicle.
4. A certified copy of this Resolution shall be sent to the NJ State SPCA Humane Police, Law Enforcement Division, Business Administrator, Chief Financial Officer, Safety & Insurance, Director of Public Works, Purchasing Agent and kept on file in the Office of the Clerk.

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-10	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township Council of the Township of Brick strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Council of the Township of Brick wishes to build a model of government, which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Township Council has established "Sustainable Brick Township," and

WHEREAS, solar and wind power, building upgrades utilizing energy saving equipment and sustainable materials, changes to fleet purchasing, fuel and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Brick that the Sustainable Brick Township Committee shall consist of twelve members; an elected official, residents and employees of Brick Township, appointed annually, but whose initial term of appointment shall be through December 31, 2016.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township Council of the Township of Brick that the Mission, Goals and Objectives for Sustainable Brick Township through December 31, 2016 as follows:

Mission

The Sustainable Brick Township Committee will advise the Township Council on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation.

Goals & Objectives

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the Advisory Committee.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Brick that the following persons are hereby appointed to the Sustainable Brick Township Committee for the remainder of 2016.

1. Mayor John G. Ducey or Designee Robert Czekaj
2. Council President Paul Mummolo or Designee Council VP Marianna Pontoriero
3. Michael P. Fowler, Municipal Planner
4. Glenn Campbell, Department of Public Works Representative
5. Stephen Specht, Brick Township Utilities Authority Representative
6. Brick Township Board of Education Representative
7. Leah Thiel, Environmental Commission Representative
8. Brian Mirsky, Chamber of Commerce Representative
9. John Hyfantis, P.E., Resident
10. Susan Lydecker, Resident
11. Paul J. Kurtz, Resident
12. Joseph Lamb, Resident
13. Kelly Romanowski, Resident

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 February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-76	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, IMPLORING LEGISLATORS TO REMOVE THE CADILLAC TAX PROVISION OF THE AFFORDABLE CARE ACT

WHEREAS, the Affordable Care Act ("ACA") currently contains a provision that will become effective in 2020 that taxes employers who provide employees with benefits that are considered "high cost", meaning they provide plans with costs above \$10,200 for individuals and \$27,500 for families; and

WHEREAS, employers will be taxed on the excess amount of coverage, at a rate of 40%; and

WHEREAS, this tax is commonly known as a "Cadillac Tax"; and

WHEREAS, utilizing current rates, the Township has estimated that it will pay in excess of \$600,000 to the Federal Government in 2020 for the tax associated with its health insurance plans; and

WHEREAS, the Township is statutorily and contractually obligated to provide the plans it offers to its employees and will not go against its promises to its employees by lowering the premiums and standards of these plans to avoid the imposition of taxes; and

WHEREAS, due to the imposition of this tax, Brick Township residents may be faced with tax increase if the Township is unable to make up the difference elsewhere; and

WHEREAS, the Township believes the Legislature did not intend to negatively impact municipalities and tax payers with this provision; and

WHEREAS, the Township further believes that employers who choose to provide higher levels of health insurance coverage to their employees should not be penalized, nor should their employees be faced with drastic changes to their current health benefits; and

WHEREAS, the Township Council hereby calls on its State and Federal Legislators to correct this error and repeal the Cadillac Tax provision from the ACA.

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

1. The Governing Body hereby implorers its State and Federal Legislators to introduce and pass legislation that repeals the Cadillac Tax provision from the ACA.
2. That a certified copy of this resolution shall be sent to: Senator Menendez, Congressman MacArthur and 10th Legislative District.

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

Agenda #	Date
5-17	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, REQUESTING THE STATE CONSIDER VARIOUS OPTIONS TO ASSIST MUNICIPALITIES IN FINANCIALLY RECOVERING FROM SUPERSTORM SANDY

WHEREAS, Superstorm Sandy is one of the most devastating disasters to have impacted the United States; and

WHEREAS, it is estimated that Superstorm Sandy has caused over \$36.9 billion dollars in damage to New Jersey; and

WHEREAS, Brick Township was one of the towns greatly affected by this disaster, leaving many residents without homes and entire areas without utilities; and

WHEREAS, Township has faced extraordinary costs to remove damage and restore services and facilities; and

WHEREAS, hundreds of Township residents have received reductions in their property assessments, due to the substantial damage the storm has caused to their properties; and

WHEREAS, decreases in property assessments cause a redistribution in the amount of taxation to those who have not experienced substantial damage; and

WHEREAS, this Township is dependent upon its ratables in keeping taxes low, and its ratable base stems from being a shore community; and

WHEREAS, the shore amenities have been greatly impacted by the storm, lowering the Township's ratable base; and

WHEREAS, even though we are more than three (3) years removed from Superstorm Sandy, the Township and its residents are still significantly impacted by the Storm; and

WHEREAS, the Township has been faced with a significant increase in fees and a decrease in assessments and ratables, which may ultimately lead to a drastic cut in services and a significant increase in taxes to its residents; and

WHEREAS, the Township has limited options to finance the various costs associated with Superstorm Sandy; and

WHEREAS, alternate funding options or mechanisms could be made available to assist municipalities in recovering from the damage caused by Superstorm Sandy; and

WHEREAS, the Township Council implores the State and the Local Finance Board to explore options such as authorizing an extension on repayment for emergency notes from five years to ten years or permitting municipalities to borrow for ordinary expenses due to lost revenues from Superstorm Sandy.

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

- 1. The Governing Body hereby requests that the State and Local Finance Board consider making various financing options available to municipalities to assist them in financially recovering from Superstorm Sandy.
2. That a certified copy of this Resolution be sent to the Governor and the Local Finance Board.

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 23rd day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

Table with 2 columns: Agenda #, Date. Row 1: 5-18, 2/23/16. Row 2: Agenda #, Date. Row 3: Agenda #, Date. Row 4: Agenda #, Date.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, PJ Sweeney's has applied for a special event permit to conduct a St. Patrick's Day Event on March 17, 2016 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Township Council 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 PJ Sweeney's request for special event application to conduct a St. Patrick's Day Event on March 17, 2016 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 PJ Sweeney's request for special event application to conduct a St. Patrick's Day Event on March 17, 2016 at 447 Brick Boulevard between the hours of 11:00 am and 10:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access and areas and store exits must remain open and accessible at all times and all occupancy loads for the tenant space, if utilized, be maintained. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A permit must be obtained from the Bureau of Fire Safety for the tent and the tent will be located in the back parking lot.
- 3) A fence will be installed around the tent to contain the patrons.
- 4) A copy of the extension of the licensed premises permit from the NJABC will be provided to the Township Clerk prior to the event.
- 5) 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.
- 6) 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, the Township Planner and PJ Sweeney's.

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 February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-19-2016	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Susskind & Almallah, 20 Mule Road, Toms River, NJ 08753 had posted Selective Insurance Company of America Subdivision/Site Plan Bond No. B1152981 in the amount of \$380,489.00 and a cash performance bond in the amount of \$42,276.60 to guarantee certain site improvements to Block 471 Lot 2 (Cedarbridge Avenue, PB-2743) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated February 12, 2016 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 Subdivision/Site Plan Bond No. B1152981 in the amount of \$380,489.00 be reduced to \$136,976.11 and the cash performance bond in the amount of \$42,276.60 be reduced to \$15,219.61 returning \$27,056.99 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 Subdivision/Site Plan Bond No. B1152981 in the amount of \$380,489.00 be reduced to \$136,976.11 and the cash performance bond in the amount of \$42,276.60 be reduced to \$15,219.61 returning \$27,056.99 to the applicant; and
2. That the Township 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, 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 February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
5-20-2016	2/23/16
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 2013.

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>
1306.100/7/623784 325 Madison Ct.	Berube, Dennis & Renee	\$ 1053.54

CERTIFICATION

I, Lynnette A. Iannarone, RMC, Municipal 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 February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
D-210	2/23/16
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 2015.

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>
1317/13/624038 330 Oxford Lane	Karl, Jr, Peter & Cynthia	\$ 264.92
378.15/9/207668 66 Queen Ann Rd.	Leonard, Lynn & Stephen Sr.	\$ 343.90

CERTIFICATION

I, Lynnette A. Iannarone, RMC, Municipal 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 February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
5-110	2/23/16
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 2016.

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>
324.27/4/206482 151 Mizzen Rd.	Calvo Living Trust	\$ 2536.18

CERTIFICATION

I, Lynnette A. Iannarone, RMC, Municipal 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 February 23, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 23rd day of February, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
5-2108/2/16	
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING THE TOWNSHIP
CODE OF THE TOWNSHIP OF BRICK, SO AS TO
AMEND CHAPTER 245-330.4, ENTITLED "PERMITTED
YARD ENCROACHMENTS"**

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

SECTION 1. § 245-330.4 of the Township Code of the Township of Brick captioned "Permitted yard encroachments" is hereby amended and supplemented to amend the permitted rear yard encroachments for access staircase with a stoop or platform in special flood hazard areas. The amended section shall read as follows:

§ 245-330.4. Permitted yard encroachments.

B. An access staircase, with an entry stoop or platform, not to exceed a total 100 square feet in area, may project no further than 5 feet into a required rear yard setback area. The previously mentioned entry stoop or platform may be covered or uncovered.

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 23rd day of February, 2016 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 22nd day of March, 2016 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

Agenda #	Date
6-1	2/23/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING THE TOWNSHIP
CODE CHAPTERS 110 AND 318 TO AMEND RULES
APPLICABLE TO TOWNSHIP PARKS**

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

SECTION 1. The Township Code of the Township of Brick is hereby amended and supplemented so as to amend Chapter 110 entitled "Beaches and Waterfront Area," and Chapter 318 entitled "Parks and Recreation Areas."

SECTION 2. Chapter 110-12 is hereby amended to authorize lifeguards on Township beaches to inspect coolers and similar storage containers for prohibited alcoholic beverages. The amended Chapter 110-12 shall read as follows:

§ 110-12. Intoxicating Liquors Prohibited.

No person or persons shall bring or consume any intoxicating liquors on the beachfront and parking lot. Lifeguards may conduct inspections of coolers and similar storage containers for prohibited alcoholic beverages to ensure compliance with this provision. Any person who refuses to allow such an inspection shall not be allowed on the beach.

SECTION 3. Chapter 110-15 is hereby amended to clarify the dates and hours of bathing at municipal beaches. The amended Chapter 110-15 shall read as follows:

§ 110-15. Bathing hours and surf fishing hours established.

Bathing hours in areas designated by lifeguards are hereby established between the hours of 9:00 a.m. and 4:30 p.m., weather permitting, on weekend days between Memorial Day and June 15. Bathing hours shall be from 9:00 a.m. to 4:30 p.m. every day, weather permitting, from June 16 through Labor Day. No person shall swim in an area of the beachfront that is not designated for swimming. No person or persons shall engage in surf fishing in an area designated for swimming during bathing hours.

SECTION 4. Chapter 110-18(F) is hereby amended to delete references to the Sawmill Tract and Airport Tract. The amendments to Chapter 110-18(F) shall read as follows:

§ 110-18. Fees.

* * *

F. Use of facilities for organized events.

(1) Any entity, corporate or otherwise, wishing to use of the Township facilities for an organized picnic or other organized event shall first receive a permit from the Township of Brick authorizing said usage for Windward Beach Park, Brick Beach I, II or III, Trader's Cove Marina.

SECTION 5. Chapter 110-18(M) is hereby amended to amend the fees applicable to events at municipal facilities. The amended schedule of fees shall read as follows:

Revised

Park	Location	Activity	Resident	Nonresident	Corp Resident	Corp Nonresident	Nonprofit
Windward Beach	Gazebo	Ceremony	\$50	\$100	\$50	\$100	\$50
		Small event	\$150	\$300	\$250	\$500	\$250
		Large event	\$250	\$500	\$400	\$800	\$300
Windward Beach	Picnic Grove	Ceremony	\$50	\$100	\$50	\$100	\$50
		Small event	\$150	\$300	\$250	\$500	\$150
		Large event	\$250	\$500	\$400	\$800	\$300
Windward Beach	Band Shell	Ceremony	\$50	\$100	\$50	\$100	\$50
		Small event	\$150	\$300	\$250	\$500	\$250
		Large event	\$250	\$500	\$400	\$800	\$300

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6-2	2/23/16
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Windward Beach	Beach	Ceremony	\$50	\$100	\$50	\$100	\$50
		Small event	\$150	\$300	\$250	\$500	\$150
		Large event	\$250	\$500	\$400	\$800	\$250
Bayside Park	Gazebo	Ceremony	\$50	\$100	\$50	\$100	\$50
Brick Beach I, II, III	Beach	Ceremony	\$50	\$100	\$50	\$100	\$50
Brick Beach	Pavilion	Ceremony	\$50	\$100	\$50	\$100	\$50
		Small event	\$700	\$1400	\$1000	\$2000	\$700
		Large event	\$1000	\$2000	\$1500	\$3000	\$1000
Trader's Cove	Gazebo	Ceremony	\$50	\$100	\$50	\$100	\$50
		Small event	\$150	\$300	\$250	\$500	\$150
		Large event	\$250	\$500	\$400	\$800	\$250

SECTION 6. Chapter 110-18 is hereby amended to add a new Subsection N. The amended Subsection N shall read as follows:

N. Permitted facilities may not be used for commercial events or purposes. Non-profit organizations may apply in writing to host an event for which admission is charged. No other person or entity may charge admission fees to township facilities.

SECTION 7. Chapter 110-18.1 is hereby amended to establish fees for use of the kayak/paddleboard racks at Traders Cove Marina. The amended Chapter 110-18.1 shall have a new subsection A(5), which shall read as follows:

§ 110-18.1. Marina Fees.

A. The following fee range is established for use of Traders Cove Marina and Park. All customers must present proof of insurance and current registration on the vessel.

* * *

(5) Kayak/paddleboard racks. Each numbered storage space, for rent for the entire season, will be charged a fee of \$125 for Township residents and \$150 for non-residents.

SECTION 8. Chapter 318-1 is hereby amended to establish a new Subsection A(31) to prohibit the grilling of food in a public park or recreation area without a permit. The amended Subsection 318-1(A)(31) shall read as follows:

§ 318-1 Prohibited acts.

A. No person in a public park or recreation area shall:

* * *

(31) Grill or cook food without a permit issued for such purpose. Grills must be factory built and under no circumstances shall any table-top grills or table-top cooking element of any sort be used.

SECTION 9. Chapter 318-1 is hereby amended to provide for regulations applicable to permitted events to include events at Trader's Cove Marina and Park. The amendments to Chapter 318-1(B)(1) shall read as follows:

§ 318-1 Prohibited acts.

* * *

B. While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

(1) Bring alcoholic beverages or drink the same at any time, nor shall any person be under the influence of intoxicating liquors in the park; provided, however, that any organization, association or group utilizing the premises known as "Windward Beach" or "Trader's Cove Marina and Park" pursuant to a group reservation shall be permitted to dispense beer to members of said group who may consume the same at said event, if a permit is obtained for such purpose pursuant to the provisions of Section 217-3 of this article.

SECTION 10. Chapter 318-1 is hereby amended to amend existing Subsection B(5). The amended Subsection B(5) shall read as follows:

§ 318-1 Prohibited acts.

* * *

B. While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

* * *

(5) Build or attempt to build a fire, except in such areas and under such regulations as may be designated. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park or on any highways, roads or streets abutting or contiguous thereto. Any organization, association or group utilizing the premises known as Windward Beach or Trader's Cove pursuant to a group reservation shall be permitted to grill or cook food if a permit is obtained for such purposes. Grills must be factory built and under no circumstances shall any table-top grills or table-top cooking element of any sort be used.

SECTION 11. 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 12. 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 23rd day of February, 2016, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 8th day of March, 2016 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

TOWNSHIP OF BRICK
OCEAN COUNTY, NEW JERSEY

ORDINANCE NUMBER 2016-__

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING AND PREPAYABLE GENERAL IMPROVEMENT BONDS, SERIES 2010 OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,300,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

WHEREAS, the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") has previously issued \$13,930,000 aggregate principal amount of General Improvement Bonds, Series 2010 (the "2010 Bonds") dated December 22, 2010; and

WHEREAS, a \$5,375,000 outstanding principal amount of the 2010 Bonds maturing on November 1 in the years 2021 through 2025, inclusive (the "2010 Refunded Bonds") are subject to redemption, either in whole or in part on any date on and after November 1, 2020, prior to their stated maturity dates, at a redemption price equal to 100% of their principal amount; and

WHEREAS, the Township Council has an opportunity to refund all or a portion of the 2010 Refunded Bonds through the issuance of one or more series of General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$6,300,000 (the "Refunding Bonds"), to provide for net debt service savings; and

WHEREAS, the Township Council now desires to adopt this Refunding Bond Ordinance (the "Refunding Bond Ordinance") authorizing the issuance of one or more series of Refunding Bonds in an aggregate principal amount not exceeding \$6,300,000, a portion of the sale proceeds of which shall be used to refund the 2010 Refunded Bonds.

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 2010 Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the 2010 Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue one or more series of Refunding Bonds in an aggregate principal amount not to exceed \$6,300,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and 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", with such series designation as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve net debt service savings (net of all refinancing costs) by refunding all or a portion of the 2010 Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$75,000, 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, advertising, accounting, financial, legal and other expenses in connection therewith.

Agenda #	8/19/14
5-1	
Agenda #	7-1
7-1	
Agenda #	Date
Agenda #	Date

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 three percent (3%) of the principal amount of the 2010 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 ten (10) days of the date of the closing on the Refunding Bonds, the Township Chief Financial Officer 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 2010 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 Township Chief Financial Officer 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 to the applicable provisions of the Local Bond Law, was approved by a two-thirds vote of the full membership of the Township Council.

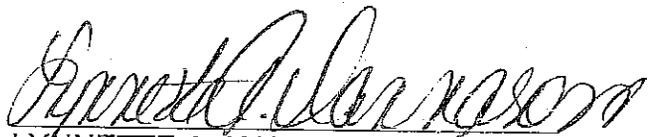
SECTION 6. A certified copy of this Refunding Bond Ordinance, as introduced, has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 7. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk 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 and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 8. This Refunding Bond Ordinance shall take effect and twenty (20) days after the first publication thereof after final adoption, and approval by the Mayor.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 9th day of February, 2016 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23rd day of February, 2016 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