

**Brick Township Council
February 9, 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 led by Boy Scout Troop 6 /Moment of Silence.
 - c. Approve Minutes of January 1st and January 12, 2016 Meetings.
 - d. Presentations:
 1. CDBG Check Recipients.
 2. Monarch Mountains Project – John Zingis.
 3. Mayor’s Budget Presentation.

Consent Agenda

“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”

4. Resolutions:
 - ___1. Authorize Acceptance of Emergency Management Performance Grant.
 - ___2. Authorize Receipt of Bids – Normandy Beach Roadway & Drainage Improvements.
 - ___3. Authorize Award of Bid – Curb and Sidewalk & Construction – Various Locations.
 - ___4. Authorize Award of Bid – Roadway Improvements to Cedarwood Park West.
 - ___5. Authorize Award of Re-Bid – Brick Beach I Parking Lot Improvements.
 - ___6. Authorize Award of Alternative Process Contract – Decision Support Software for Police Department.
 - ___7. Authorization to Negotiate Contract for Beer and Wine Garden Concession.
 - ___8. Authorization to Negotiate Contract for Bricktoberfest Amusement Concession.
 - ___9. Authorization to Negotiate Contract for ATM Vending Machine.
 - ___10. Authorize Rejection of Bids – Municipal Building East Ramp Improvements.
 - ___11. Authorize Monarch Mountains Project at Windward Beach.
 - ___12. Authorize Donation of Surplus Property to Brick Township Board of Education.
 - ___13. Authorize Execution of Schedule C Agreement with County of Ocean for 2016.
 - ___14. Authorize Execution of Shared Services Agreement with County of Ocean for Operation Of Pump Out Boats.
 - ___15. Authorize Execution of Agreements - Life Guard Services for Private Beach Associations.
 - ___16. Authorize Exempt Fireman’s Certificates – Breton Woods Fire Company.
 - ___17. Tax Collector:
 - a. Tax Overpayments – 2015.
 - b. Refund Overpayment for Automated Garbage Can – Block 701 Lot 9.

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

 - ___18. Bill Resolution – Computer 2016.
 - ___19. Bill Resolution – Manual 2016.

5. Ordinance on First Reading:
 - ___1. Refunding Bond Ordinance Series 2010.
6. Ordinances on Second Reading:
 - ___1. Amend Chapter 245 – Land Use – Temporary Sleeping Quarters.
 - ___2. Refunding Bond Ordinance Series 2009A.
7. Public Comments.
Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.
8. Council Comments.
9. Motion to Adjourn.

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

*** Next scheduled Caucus/Public meeting of the Township Council will be on Tuesday, February 23, 2016 at 7:00 p.m.

RESOLUTION

AUTHORIZATION FOR THE TOWNSHIP COUNCIL TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2015 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING (EMAA) AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS.

WHEREAS, the Township of Brick, Office of Emergency Management has been awarded Emergency Management Agency Assistance sub grant Award FY14-EMPG-EMAA-1506 from the New Jersey State Police Office of Emergency Management. The Sub grant, consisting of a total amount of \$14,000.00, including \$7,000.00 Federal Award and \$7,000.00 Local Matching Funds, is for the purpose of enhancing Brick Townships ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

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

WHEREAS, the Application for sub grant Award calls for a match in the amount of \$7,000.00 which the Brick Township Office of Emergency Management adequately satisfies through the 2015 Township of Brick approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of The Township of Brick will apply and accepts the award of the FFY15 Emergency Management Performance Grant Program Sub grant in the amount of \$7,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$7,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$7,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$7,000.00 is hereby appropriated under the caption FFY15 Emergency Management Performance Grant; and

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

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

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

Agenda #	Township Date
4-1	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

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 project:

NORMANDY BEACH ROADWAY & DRAINAGE IMPROVEMENTS

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 Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above mentioned project.
2. That the Consulting Engineer, Maser Consulting, for this project is hereby authorized to prepare formal bid specifications for the above mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-2	2/9/16
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 the **2015-2016 Curb and Sidewalk Replacement & Construction, Various, Locations**, on January 29, 2016; and

WHEREAS, the bids have been reviewed by the Township Engineer; and

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

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

1. That the bid for the **2015-2016 Curb and Sidewalk Replacement & Construction, Various Locations** is hereby awarded to **A-Team Concrete, Inc., 104 George Street, South River, N.J. 08882** for a total bid amount of \$570,000.00.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto.
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to A-Team Concrete, Inc., Business Administrator, Township Engineer, Director of Public Works, Chief Financial Officer and the Purchasing Agent..

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	2/9/16
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 the **Roadway Improvements to Cedarwood Park West** on February 2, 2016; and

WHEREAS, the bids have been reviewed by the CME Associates, Consulting Engineer; and

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

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

1. That the bid for the **Roadway Improvements to Cedarwood Park West** is hereby awarded to **Esposito Construction, LLC, 34 Birch Street, Old Bridge, N.J. 08857** in the amount of **\$728,789.50**.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial and is attached hereto.
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to Esposito Construction, LLC, Business Administrator, CME Associate, Chief Financial Officer, Township Engineer, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
44	2/9/16
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 the **Rebid - Brick Beach I – Parking Lot Improvements** on February 2, 2016; and

WHEREAS, the bids have been reviewed by CME Associates, Consulting Engineer; and

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

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

1. That the bid for the **Brick Beach I – Parking Lot Improvements** is hereby awarded to **Esposito Construction, LLC, 34 Birch Street, Old Bridge, NJ 08857** in the amount of **\$251,634.21**.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto.
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to Esposito Construction, Business Administrator, CME Associates, Township Engineer, Director of Public Works, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
45	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION AUTHORIZING THE AWARD OF AN ALTERNATIVE PROCESS CONTRACT

WHEREAS, the Township of Brick has a need to acquire services as an alternative process contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Purchasing Agent of the Township of Brick has determined and certified in writing that the value of the service will exceed \$17,500; and

WHEREAS, the business entity has submitted a proposal indicating they will provide Decision Support Software Module including Implementation and Training Services for the Police Aegis CAD System; and

WHEREAS, the business entity has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee in the Township of Brick in the previous one year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to C.271, the business entity has completed and submitted a Political Contribution Disclosure Form.

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

1. That the Township Council of the Township of Brick does hereby award a contract to **Tyler Technologies, Inc., 840 W. Long Lake Road, Troy, Michigan 49098** to provide Decision Support Software Module including Implementation and Training Services for the Police Aegis CAD System in accordance with the provisions of N.J.S.A. 40A:11.5 (dd).
2. That the contract shall be in accordance with the proposal on file in the Office of the Township Clerk in the amount of \$42,000.00.
3. That this contract is awarded as an Alternative Process Contract in compliance with N.J.S.A. 19:44 A-20.4 et seq.
4. That the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Stockholder Disclosure Form and the Determination of Value be placed on file with this Resolution.
5. That the term of this contract is for a period of one (1) year commencing on Resolution of Award.
6. That a Certificate of Availability of Funds has been provided by the Chief Financial Officer and is attached hereto.
7. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the Office of the Township Clerk during normal business hours.
8. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.

CERTIFICATION

I, Lynnette Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

Agenda #	Date
4-6	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Township of Brick advertised for the receipt of bids for Beer & Wine Garden Concession on December 29, 2015 and January 29, 2016; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(a) bids have been advertised on two occasions and no bids were received at either of the aforementioned dates;

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(b) a contract may be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the governing body.

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

1. The Business Administrator is hereby authorized to negotiate a contract for Beer & Wine Garden Concession.

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 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-7	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township of Brick advertised for the receipt of bids for Bricktoberfest Amusement Concession on December 29, 2015 and January 29, 2016; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(a) bids have been advertised on two occasions and no bids were received at either of the aforementioned dates;

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(b) a contract may be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the governing body.

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

1. The Business Administrator is hereby authorized to negotiate a contract for Bricktoberfest Amusement Concession.

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 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township of Brick advertised for the receipt of bids for ATM Vending Machine on December 29, 2015 and January 29, 2016; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(a) bids have been advertised on two occasions and no bids were received at either of the aforementioned dates;

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(b) a contract may be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the governing body.

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

1. The Business Administrator is hereby authorized to negotiate a contract for ATM Vending Machine.

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 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-9	2/9/16
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 the **Municipal Building East Ramp Improvements** on Tuesday, February 2, 2016; and

WHEREAS, the bids have been reviewed by CME associates, Consulting Engineer; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(a) the Governing Body hereby recommends the rejection of all bids in their entirety due to lowest bid substantially exceeds the cost estimates for the goods and 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. That all bids submitted for the Municipal Building East Ramp Improvements are hereby rejected in their entirety pursuant to N.J.S.A. 40A:11-13.2(a).
2. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A:11-24.
3. That the Division of Purchasing and Contracting is hereby authorized to readvertise for the acceptance of bids.
4. That the Township Clerk shall further forward a certified copy of this resolution to the Business Administrator, Consulting Engineer, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 9, 2016.

IN WITNESS WHEREOF, I hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-10	2/9/16
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 1999 Chevrolet Lumina LTZ, VIN #2G1WL52K1X9231348; 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 Brick Township Board of Education, 101 Hendrickson Avenue, Brick, N.J. 08723. is interested in acquiring this vehicle, which is deemed surplus, from the Township of Brick.

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 Mayor and Administrator are authorized to enter into an Agreement with the Brick Township Board of Education, 101 Hendrickson Avenue, Brick, N.J. 08723 to donate a 1999 Chevrolet Lumina LTZ, VIN #2G1WL52K1X9231348, 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 Brick Township Board of Education, 101 Hendrickson Avenue, Brick, N.J. 08723 at its sole expense.
3. This Resolution shall be effective upon the Brick Township Board of Education receipt from the Township of Brick, a fully executed Agreement for the donation of a 1999 Chevrolet Lumina LTZ, VIN #2G1WL52K1X9231348.
4. A certified copy of this Resolution shall be sent to the Brick Township Board of Education, 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 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

**RESOLUTION OF THE Township of Brick
County of Ocean, State of New Jersey
Authorizing the Execution of a Schedule C Agreement
With the County of Ocean for 2016**

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 et seq. authorizes the Township of Brick to enter into a contract for the provisions of certain government services with the County of Ocean; and

WHEREAS, N.J.S.A. 40:8 requires such a contract to be authorized by resolution or ordinance; and

WHEREAS, it is the desire of the governing body to authorize the execution of a contract with the County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto.

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

1. That John G. Ducey, Mayor, and Lynnette A. Iannarone, Township Clerk, of the Township of Brick, are hereby authorized to execute a Schedule "C" agreement with the County of Ocean in accordance with the provisions of the law to include \$200,000.00 for the Road Department, \$25,000.00 for the Engineering Department and \$25,000.00 for Vehicle Services, for a total sum not to exceed \$250,000.00. A copy of the said agreement is on file in the office of the Township Clerk and made part hereof as Schedule "C".
2. That this agreement is for the period January 1, 2016 to December 31, 2016.
3. That a copy of this Agreement referenced herein shall be kept on file and made available for public inspection in the Township Clerk's office during normal business hours.
4. That a certified copy of this resolution shall be forwarded to the Clerk of the Ocean County Board of Chosen Freeholders, Ocean County Road Department, Ocean County Department of Finance, Business Administrator, Chief Financial Officer, Township Engineer, Director of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify 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 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	a	Date
4-13		2/9/16
Agenda #		Date
Agenda #		Date
Agenda #		Date

RESOLUTION

WHEREAS, preservation of the quality of Brick Township's navigable waters which are enjoyed by numerous residents and visitors for swimming, fishing and water sports is vitally important to the health and quality of life in our community; and

WHEREAS, effluent discharged from boats contributes to the degradation of the quality of Brick Township's water; and

WHEREAS, in an effort to improve the overall quality of waters in not only Brick Township but Barnegat Bay as well, the County of Ocean has proposed a shared service agreement for the operation of two (2) pump out boats, "Bay Saver and Bay Defender" to service the effluent discharge need of boaters in Brick Township's water; and

WHEREAS, the pump out boats would provide a convenient, inexpensive and environmentally safe means for boaters to dispose of their effluent wastes.

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 two (2) pump out boats, "Bay Saver" and "Bay Defender", would contribute greatly to our efforts to improve the quality of our local waters.
2. That the Township Council hereby authorizes the Mayor and his Administration to enter into a shared service agreement with County of Ocean for the operation of a pump out boats to service the boaters who use Brick Township's waters.
3. That a certified copy of this resolution shall be forwarded to Ocean County Board of Chosen Freeholders, Ocean County Administrator, Mayor, Business Administrator, Chief of Police, Public Works Director, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on this 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-14	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township of Brick contains several private beaches, which are obligated under the laws of the State of New Jersey to provide a certain quality of LIFE GUARDING services for 2016; and

WHEREAS, several private beach associations have requested that the Township of Brick provide certified lifeguards and equipment and have offered to reimburse, hold harmless and indemnify the Township of Brick for the provision of such services; and

WHEREAS, the Township of Brick has an interest in providing a safe beach bathing environment for all beach goers in the Township, including those on private beaches, especially as the parameters of the public trust doctrine permitting some public beach access on all beaches in New Jersey continue to be expanded by the Court and the New Jersey Department of Environmental Protection; and

WHEREAS, it is therefore the desire of the Township Council to authorize the entry into those agreements with the Ocean Club at Mantoloking Condominium Association, Inc., and Curtis Point Property Owners Association on file in the Township Clerk's Office.

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

1. That the Mayor and Township Clerk are hereby authorized to execute and attest to, respectively into 2016 agreements with the Ocean Club at Mantoloking Condominium Association, Inc., and Curtis Point Property Owners Association.
2. That a certified copy of this resolution shall be forwarded to the Ocean Club at Mantoloking Condominium Association, Inc., and Curtis Point Property Owners Association, Director of Recreation, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on February 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-15	2/9/16
Agenda #	Date
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Agenda #	Date

RESOLUTION

WHEREAS, the Township Clerk of the Township of Brick has been advised by the Board of Fire Commissioners District No. 1 that the following Members of Breton Woods Fire Company No. 1 have served the required number of years as an active fireman, pursuant to N.J.S.A. 40A:14-56; and

Member

Date Joined

Christopher Fredericks
Daniel Helwig

November 1975
April 1966

WHEREAS, the aforesaid members have made application for their Exempt Fireman's Certificates.

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 Exempt Fireman Certificate requested by above members of the Breton Woods Fire Company No. 1 is hereby granted.
2. That a certified copy of this Resolution be forwarded to the applicants, the Breton Woods Fire Company No. 1 and the Board of Fire Commissioners District No. 1.

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 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-16	2/9/16
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>
271/38/205207 138 Vanard Dr.	Land Transfer Services	\$ 846.60

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 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
4-17a	2/9/16
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 is an overpayment for the automated garbage can as it was paid by the homeowner and by the builder.

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 who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
701/9/413112 109 Spirit Way	Brett Samaha	\$ 60.00

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 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 9th day of February, 2016.

LYNNETTE A. IANNARONE, RMC
MUNICIPAL CLERK

Agenda #	Date
4-176	2/9/16
Agenda #	Date
Agenda #	Date
Agenda #	Date

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.

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5-1	
Agenda #	
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

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING SECTION 245-296M.(1)(d) OF THE CODE OF THE TOWNSHIP OF BRICK

WHEREAS, by Ordinance Number 36-14, the Township Council of the Township of Brick amended Chapter 245 of the Codified Ordinance of the Township of Brick to permit a temporary encampment as an accessory use to a place of assembly until December 31, 2015; and

WHEREAS, Ordinance Number 36-14 is Codified in Chapter 245-296 of the Township Code; and

WHEREAS, The Township Council wishes to extend the duration of Chapter 245-296M.(1)(d) to permit a temporary encampment as an accessory use to a place of assembly until December 31, 2016;

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

Section 245-296M.(1)(d) of the Code of the Township of Brick is hereby amended to read as follows:

M.(1)(d). Termination date. The validity of a temporary encampment accessory use to a place of assembly shall expire on December 31, 2016.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 12th day of January, 2016, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 9th 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

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5-1	1/12/16
Agenda #	Date
6-1	2/9/16
Agenda #	Date
Agenda #	Date

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 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

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

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, the Township Council has an opportunity to refund all or a portion of the 2009 Refunded Bonds through the issuance of one or more series of General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$18,800,000 (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 \$18,800,000, a portion of the sale proceeds of which shall be used to refund the 2009 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 2009 Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the 2009 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 \$18,800,000, 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 2009 Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$250,000, 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,

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6-2	8/9/16

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.

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 2009 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 2009 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 26th day of January, 2016 and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 9th 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