

Brick Township Council
Caucus/Public Meeting
May 24, 2022
7:00 PM
Agenda No. 1

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 7, 2022. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).
3.
 - a. Roll Call.
 - b. Salute to the Flag/Pledge of Allegiance/Moment of Silence.
 - c. Approve Reports of Municipal Officers.
 - d. Approve Minutes of April 12, 2022.
 - e. Presentations:
 1. National EMS Week.
 2. Fire Prevention Poster Contest Winners.

Consent Agenda

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

4. Resolutions:

- ____ 1. Recognize National EMS Week.
- ____ 2. Providing for the Combination of Certain Bond Ordinances and Determining the Form of Other Details of the Offering and Providing for their Sale and Authorizing the Sale & Issuance of Bond Anticipation Notes.
- ____ 3. Authorize Insertion of Chapter 159 – 2022 Click It or Ticket Grant.
- ____ 4. Authorize Award of Bid – Printing Services.
- ____ 5. Authorize Award of Bid – Nejecho Lagoon Dredge & Windward Beach Nourishment Project.
- ____ 6. Authorize Award of Bid – Brick Township Police Department Special Operations Garage.
- ____ 7. Authorize Re-Bid – Automated Chest Compression Devices.
- ____ 8. Authorize Award of Contract – Administration of Police Extra-Duty Assignments.
- ____ 9. Authorize Award of Contract through Stafford Township Cooperative – Purchase & Delivery of Office Supplies.
- ____ 10. Authorize Sale of Surplus Personal Property Online Auction – Municibid.com
- ____ 11. Authorize Change Order No. 1 – Roadway Improvements to Vanard Drive, Mathis Drive & Waterway Court.
- ____ 12. Authorize Change Order No. 1 – Cedarwood Park East Roadway Improvements.
- ____ 13. Authorize Special Events Permit – Relay for Life.
- ____ 14. Authorize Special Events Permit – Family Fun Day.
- ____ 15. Authorize Special Events Permit – Private Wedding.
- ____ 16. Bond Releases/Reductions:
 - a. Request for Release of Performance Bond – Zampetti Minor Subdivision.
 - b. Performance Bond Release – GMP Construction – Princeton Avenue.
- ____ 17. Tax Collector:
 - a. Authorize Tax Collector to Prepare & Mail Estimated Tax Bills.
 - b. Tax Overpayments – 2022.

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

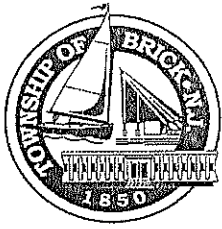
- ____ 18. Bill Resolution – Computer 2022.
- ____ 19. Bill Resolution – Manual 2022.

5. Ordinance on First Reading:

- ____ 1. Authorize a Grant Easement to the Brick Township Board of Education for Use of a Portion of Township Property known as Block 902 Lot 5.

6. Ordinances on Second Reading:

- ____ 1. Amend Chapter 86 – Alcoholic Beverages.
- ____ 2. Bond Ordinance 5 Year Life.
- ____ 3. Bond Ordinance 7 Year Life.
- ____ 4. Bond Ordinance 10 Year Life
- ____ 5. Bond Ordinance 15 Year Life.



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

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

****Next scheduled Caucus/Public Meeting will be held on Tuesday, June 14, 2022 at 7:00 p.m.**

RESOLUTION

WHEREAS, the individuals who provide emergency medical services in the Township of Brick serve a vital role in our community 24 hours a day, 7 days a week, 365 days a year; and

WHEREAS, the week of May 15-21, 2022 is recognized as Emergency Medical Services week and this year's theme is Rising to the Challenge; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

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 join Mayor John G. Ducey in recognizing the importance of Emergency Medical Service providers in our community.
2. We urge all residents to thank the professionals and volunteers who serve the community in this essential function.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/24/22
4-1	
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

EXTRACT from the minutes of a regular meeting of the Township Council of the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"), held at the Municipal Building, in the Township of Brick on May 24, 2022 at 7:00 p.m.

PRESENT:

ABSENT:

_____ introduced and moved the adoption of the following resolution and _____ seconded the motion:

“RESOLUTION (A) PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF NOT TO EXCEED \$11,395,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2022, CONSISTING OF NOT TO EXCEED \$11,110,000 GENERAL IMPROVEMENT BONDS, SERIES 2022, AND NOT TO EXCEED \$285,000 SPECIAL ASSESSMENT BONDS, SERIES 2022, OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE “TOWNSHIP”) AND PROVIDING FOR THEIR SALE, AND (B) AUTHORIZING THE SALE AND ISSUANCE OF \$15,211,155 BOND ANTICIPATION NOTES OF THE TOWNSHIP”

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. Pursuant to the provisions of the Local Bond Law of the State of New Jersey, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), specifically N.J.S.A. 40A:2-26(f), the bonds of the Township of Brick, in the County of Ocean, State of New Jersey (the “Township”), authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Improvement Bonds, Series 2022 in the aggregate principal amount of \$11,110,000 (the “General Improvement Bonds”).

SECTION 2. The principal amount of bonds authorized by each bond ordinance to be combined into a single issue of General Improvement Bonds, as provided above, and the bond ordinances authorizing the General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, proceeds of bonds to be issued, and period of usefulness determined in each of the bond ordinances are, respectively, as follows:

\$11,110,000
General Improvement Bonds

Ordinance Number	Description and Date of Final Adoption	Proceeds of Bonds to be Issued	Useful Life
12-16	Various Capital Improvements and Acquisitions – Class C Buildings and Grounds Improvements, finally adopted 7/12/16	\$ 474,970.11	15 years
8-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	1,562,989.69	5 years
Agenda # 4-2 5/12/22 Date 9-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	256,784.21	7 years
Agenda # 11-17 Date	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	422,507.33	15 years
Agenda #	Date		
Agenda #	Date		

Ordinance Number	Description and Date of Final Adoption	Proceeds of Bonds to be Issued	Useful Life
12-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	1,032,846.20	5 years
13-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	239,017.45	7 years
14-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	4,174,086.84	10 years
15-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	1,202,448.17	15 years
6-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	495,000.00	5 years
7-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	30,000.00	7 years
8-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	720,000.00	10 years
9-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	<u>500,000.00</u>	15 years
		<u>\$11,110,650.00</u>	

SECTION 3. The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

(a) The average period of usefulness, computed on the basis of the respective principal amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the bond ordinances described in Section 2 and the respective periods or average periods of usefulness therein determined, is not more than 9.64 years.

(b) The General Improvement Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2022" and shall mature within the average period of usefulness determined in Section 3(a) above.

(c) The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law, specifically N.J.S.A. 40A:2-26(f), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

(d) The General Improvement Bonds are being issued to refund, on a current basis, an \$11,110,000 principal portion of prior outstanding bond anticipation notes of the Township issued in the aggregate principal amount of \$19,565,050 on June 21, 2021 and maturing on June 20, 2022 (the "Prior Bond Anticipation Notes") (a \$650 portion of the Prior Bond Anticipation Notes will be paid by the Township with a 2022 budget appropriation or with proceeds generated by a premium on the Bonds sold).

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are improvements and purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

(c) Any General Improvement Bonds issued pursuant to this resolution and said bond ordinances described in Section 2 shall be general obligations of the Township, and the Township's full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Bonds and, unless paid from other sources, the Township is required by law to provide for the payment thereof by the levy of *ad valorem*

taxes on all the taxable property located within the Township without limitation as to rate or amount.

SECTION 5. The General Improvement Bonds shall mature in the principal amounts on January 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount¹</u>	<u>Year</u>	<u>Principal Amount*</u>
2023	\$ 680,000	2028	\$ 1,150,000
2024	1,030,000	2029	1,185,000
2025	1,060,000	2030	1,225,000
2026	1,090,000	2031	1,265,000
2027	1,120,000	2032	1,305,000

The General Improvement Bonds are not subject to redemption prior to their stated maturities. The General Improvement Bonds shall be ten (10) in number, with one bond certificate being issued for each year of maturity, and shall be designated and numbered GI-1 to GI-10, inclusive.

SECTION 6. Pursuant to the provisions of the Local Bond Law, specifically, N.J.S.A. 40A:2-14, and the Local Improvements Law, N.J.S.A. 40:56-1, et seq., as amended and supplemented (the "Local Improvements Law"), the bonds of the Township, authorized pursuant to the bond ordinance of the Township heretofore adopted and described in Section 7 hereof, shall be issued as a single issue of Special Assessment Bonds, Series 2022 in the aggregate principal amount of \$285,000 (the "Special Assessment Bonds").

SECTION 7. The principal amount of bonds authorized by the bond ordinance to be issued as a single issue of Special Assessment Bonds, as provided above, and the bond ordinance authorizing the Special Assessment Bonds described by reference to the ordinance number, description and date of final adoption, amount of bonds to be issued and the annual installments determined for said bond ordinance is, as follows:

\$285,000			
<u>Special Assessment Bonds, Series 2022</u>			
Ordinance Number	Description and Date of Final Adoption	Amount of Bonds to be Issued	Annual Installments
7-22	Dredging of the Nejecho Beach Lagoon (Block 97, Lots 96-114 and Block 98, Lots 1, 2, 83-95), finally adopted 5/10/22	<u>\$ 285,000.00</u>	10 years
		<u>\$ 285,000.00</u>	

SECTION 8. The following matters are hereby determined with respect to the Special Assessment Bonds:

- (a) The annual installments for the Special Assessment Bonds presently authorized to be issued pursuant to the bond ordinance described in Section 7 is not more than 10 years.
- (b) The Special Assessment Bonds shall be designated "Special Assessment Bonds, Series 2022" and shall mature within the annual installments determined in Section 8(a) above.
- (c) The Special Assessment Bonds shall be sold and issued in accordance with the provisions of the Local Bond Law, specifically, N.J.S.A. 40A:2-14, and the Local Improvements Law that are applicable to the sale and issuance of local improvement obligations.
- (d) The Special Assessment Bonds are being issued to finance a portion of the cost of dredging the Nejecho Beach Lagoon (Block 97, Lots 96-114 and Block 98, Lots 1, 2, 83-95) in the amount of \$285,000.

¹ Preliminary, subject to change as described herein.

SECTION 9. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Special Assessment Bonds described in Section 7 hereof have been sold or issued heretofore, and the bond ordinance described in Section 7 has not been rescinded heretofore and now remains in full force and effect as authorization for the amount of bonds set opposite the description of the bond ordinance set forth in Section 7 hereof.

(b) The purpose or improvement authorized by the bond ordinance described in Section 7 hereof is an improvement and purpose for which bonds may be issued lawfully pursuant to the Local Bond Law and the Local Improvements Law.

(c) Any Special Assessment Bonds issued pursuant to this resolution and said bond ordinance described in Section 7 shall be general obligations of the Township, and the Township's full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Bonds and, unless paid from other sources, the Township is required by law to provide for the payment thereof by the levy of *ad valorem* taxes on all the taxable property located within the Township without limitation as to rate or amount.

SECTION 10. The Special Assessment Bonds shall mature in the principal amounts on January 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount²</u>	<u>Year</u>	<u>Principal Amount*</u>
2023	\$ 20,000	2028	\$ 30,000
2024	25,000	2029	30,000
2025	25,000	2030	30,000
2026	25,000	2031	35,000
2027	30,000	2032	35,000

The Special Assessment Bonds are not subject to redemption prior to their stated maturities. The Special Assessment Bonds shall be ten (10) in number, with one bond certificate being issued for each year of maturity, and shall be designated and numbered SA-1 to SA-10, inclusive.

SECTION 11. The General Improvement Bonds and the Special Assessment Bonds are hereinafter collectively referred to as the "Bonds".

SECTION 12. The Bonds will be issued in fully registered book-entry only form, without coupons. One certificate shall be issued for the aggregate principal amount of each series of the Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as Securities Depository (the "Securities Depository") for the Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its Participants ("Participants") or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, except that any Bonds in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its Participants. The Bonds will be dated their date of delivery and shall bear interest from such date, which interest shall be payable semi-annually on the fifteenth (15th) day of January and July in each year (each an "Interest Payment Date"), commencing January 15, 2023, until maturity, at a rate or rates per annum as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Township, or some other paying agent as the Township may designate and appoint, on the maturity dates and due dates listed therein and will be credited on the maturity dates and due dates to the Participants of DTC as listed on the records of DTC as of each January 1 and July 1 (the "Record Dates") preceding an Interest Payment Date. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and Chief Financial Officer of the Township and the official seal of the Township (or facsimile thereof) shall be affixed, imprinted or reproduced thereon and attested to by the

² Preliminary, subject to change as described herein.

manual signature of the Clerk of the Township. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:	Date of Delivery;
Principal Payment Date:	January 15, 2023 and each January 15 thereafter until maturity;
Interest Payment Dates:	Semi-annually on each January 15 and July 15, commencing January 15, 2023, until maturity;
Place of Payment:	Cede & Co., New York, New York.

SECTION 13. The Bonds shall be substantially in the forms set forth in Exhibit A and Exhibit B, respectively, attached hereto with such additions, deletions and omissions as may be necessary for the Township to market and sell the Bonds of each series in accordance with the requirements of DTC, upon the advice of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, in its capacity as Bond Counsel to the Township ("Bond Counsel"), and NW Financial Group, LLC, Hoboken, New Jersey, in its capacity as Municipal Advisor to the Township (the "Municipal Advisor").

SECTION 14. The Bonds shall be sold upon receipt of electronic bids on **Wednesday, June 1, 2022** (the "Bid Date") at 11:00 a.m. by the Chief Financial Officer of the Township on i-Deal's Bidcomp®/PARITY® electronic competitive bidding system ("PARITY"), in accordance with the Notice of Sale authorized and set forth in Exhibit C attached hereto, which Notice of Sale may be adjusted prior to the Bid Date by the Chief Financial Officer, upon consultation with the Municipal Advisor and Bond Counsel. The use of the services provided by PARITY and the fees associated therewith are hereby approved. Bond Counsel, on behalf of the Clerk of the Township, is hereby authorized and directed to arrange for (i) the publication of a summary of such Notice of Sale to be published not less than seven (7) days prior to the Bid Date in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York; (ii) the publication of the full text of such Notice of Sale to be published not less than seven (7) days prior to the Bid Date in The Asbury Park Press; and (iii) the posting of the full text of the Notice of Sale on www.munihub.com, the website provided by or for PARITY. Pursuant to N.J.S.A. 40A:2-34, the Township hereby designates the Chief Financial Officer of the Township as the financial officer authorized to sell and award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to the Township Council at its next regularly scheduled meeting thereafter. The Chief Financial Officer of the Township is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Bonds.

The Notes (as defined in Section 18 hereof) shall be sold upon receipt of electronic bids on **Wednesday, June 1, 2022** at 11:15 a.m. by the Chief Financial Officer of the Township on PARITY, in accordance with the Notice of Sale authorized herein. Bids for the Notes may also be submitted, in accordance with the Notice of Sale set forth in Exhibit D attached hereto, via facsimile or electronic mail.

SECTION 15. The Notice of Sale for the Bonds shall be substantially in the form set forth in Exhibit C attached hereto with such additions, deletions and omissions as may be necessary for the Township to market and sell the Bonds, upon the advice of Bond Counsel and the Municipal Advisor.

The Notice of Sale for the Notes shall be substantially in the form set forth in Exhibit D attached hereto with such additions, deletions and omissions as may be necessary for the Township to market and sell the Notes, upon the advice of Bond Counsel and the Municipal Advisor.

SECTION 16. The Bonds and the Notes shall, respectively, have attached a copy thereto of the written opinions with respect to such Bonds and Notes that are to be rendered by Bond Counsel. The Clerk of the Township is hereby authorized and directed to file a signed duplicate of such written opinions in the office of the Clerk of the Township.

SECTION 17. Bond Counsel is hereby authorized and directed to arrange for the printing of the Bonds and the Notes and for the printing and electronic posting of the Preliminary Official Statement (as hereinafter defined) and the Final Official Statement (as hereinafter defined), which Preliminary Official Statement and Final Official Statement are

each hereby authorized and directed to be prepared by Bond Counsel, the Municipal Advisor, Fallon & Company LLP, Hazlet, New Jersey, auditor to the Township (the "Auditor"), and other Township officials. Bond Counsel, the Municipal Advisor and the Auditor are also authorized and directed to arrange for the distribution of the Preliminary Official Statement on behalf of the Township to those financial institutions that customarily submit bids for such Bonds and Notes. The Mayor, Chief Financial Officer and Clerk of the Township are each authorized and directed to execute and deliver any certificates necessary in connection with the distribution of the Preliminary Official Statement and the Final Official Statement. Bond Counsel, the Municipal Advisor and the Auditor are hereby further authorized and directed to obtain ratings on the Bonds and Notes and to prequalify the Bonds for municipal bond insurance and to prepare and submit financial and other information on the Township to rating agencies and municipal bond insurers.

SECTION 18. Bond Anticipation Notes in the principal amount of \$15,211,155 (the "Notes") are hereby authorized by, and shall be issued pursuant to, and within the limitations prescribed by, the Local Bond Law, this resolution and various bond ordinances duly adopted by the Township Council of the Township, approved by the Mayor, and published as required by law, to (i) refund, on a current basis, an \$8,454,400 principal portion of the remaining Prior Bond Anticipation Notes; and (ii) temporarily finance the cost of various capital improvements and purposes in and by the Township in the amount of \$6,756,755, including paying the costs associated with the issuance of the Notes.

The bond ordinances authorizing the Notes and the improvements or purposes for which the Notes are to be issued described by reference to the ordinance number, description and date of final adoption, and amount of Notes to be issued for such improvements or purposes are, respectively, as follows:

\$15,211,155 Bond Anticipation Notes		
Ordinance Number	Description and Date of Final Adoption	Amount of Notes to be Issued
12-16	Various Capital Improvements and Acquisitions – Class C Buildings and Grounds Improvements, finally adopted 7/12/16	\$ 715,159.92
8-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	97,236.31
9-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	103,214.79
11-17	Various Capital Improvements and Acquisitions, finally adopted 6/27/17	15,747.52
12-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	49,870.00
13-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	496,848.29
14-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	\$ 100,000.00
15-18	Various Capital Improvements and Acquisitions, finally adopted 5/22/18	236,106.82
6-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	800,608.74
7-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	43,338.10
8-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	2,595,368.90
9-19	Various Capital Improvements and Acquisitions, finally adopted 6/11/19	1,489,113.26
5-20	Various Capital Improvements and Acquisitions, finally adopted 6/9/20	1,744,481.55

Ordinance Number	Description and Date of Final Adoption	Amount of Notes to be Issued
6-20	Various Capital Improvements and Acquisitions, finally adopted 6/9/20	161,150.00
7-20	Various Capital Improvements and Acquisitions, finally adopted 6/9/20	2,279,897.34
8-20	Various Capital Improvements and Acquisitions, finally adopted 6/9/20	466,266.50
15-20	Various Capital Improvements and Acquisitions, finally adopted 11/10/20	667,432.39
16-20	Various Capital Improvements and Acquisitions, finally adopted 11/10/20	235,000.00
17-20	Various Capital Improvements and Acquisitions, finally adopted 11/10/20	564,314.57
9-21	Various Capital Improvements and Acquisitions, finally adopted 7/13/21	1,250,000.00
10-21	Various Capital Improvements and Acquisitions, finally adopted 7/13/21	450,000.00
11-21	Various Capital Improvements and Acquisitions, finally adopted 7/13/21	300,000.00
12-21	Various Capital Improvements and Acquisitions, finally adopted 7/13/21	<u>350,000.00</u>
		<u>\$15,211,155.00</u>

The following matters in connection with the Notes are hereby determined, declared and recited:

A) All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no Notes shall mature later than one (1) year from its date of issuance, or more than three (3) years from the date of the first note issued pursuant to said bond ordinances referred to in this section, unless the Township shall have paid and retired amounts of such Notes sufficient to allow it, in accordance with the provisions of Section 8.1 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first issuance of such Notes.

B) All Notes issued hereunder shall bear interest at such rate as shall be determined by the Chief Financial Officer of the Township.

C) The Chief Financial Officer of the Township, in consultation with Bond Counsel, the Municipal Advisor and the Auditor, is hereby authorized and directed to provide for the renewal of such Notes from time to time in accordance with the provisions of the Local Bond Law, said bond ordinances and this section, without further authorization from the Township Council of the Township.

D) The Notes will be issued in fully registered book-entry only form. Both principal of and interest on the Notes will be payable in lawful money of the United States of America. The Notes will be registered in the name of Cede & Co., as nominee of DTC, which will act as Securities Depository for the Notes. The Notes will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its Participants or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Notes on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, except that any Notes in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its Participants. The principal of and interest on the Notes will be paid to the Securities Depository by the Township or a duly designated paying agent on the maturity date of the Notes.

E) Any such Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer of the Township and the seal of the Township (or a facsimile thereof) shall be affixed, imprinted or reproduced thereon and the signatures of such officials on the Notes shall be attested by the manual signature of the Clerk of the Township, as set forth in Section 25 of the Local Bond Law.

F) The Chief Financial Officer of the Township is hereby authorized and directed to sell said Notes, pursuant to the terms of the Notice of Sale to be distributed in connection therewith, at a public sale on or about Wednesday, June 1, 2022 or at some other mutually convenient date and time at not less than par and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest thereon, if any, from their dated date to the date of the delivery thereof and payment therefor. The sale of such Notes may be conducted by receipt of electronic proposals via PARITY, facsimile or electronic mail, as described above in Section 14 hereof. The use of the services provided by PARITY and the fees, if any, associated therewith are also hereby approved with respect to the Notes. The Mayor and Chief Financial Officer of the Township are further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Notes in accordance herewith.

G) Any Notes issued pursuant to this resolution and said bond ordinances shall be general obligations of the Township, and the Township's full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Notes and, unless paid from other sources, the Township is required by law to provide for the payment thereof by the levy of *ad valorem* taxes on all the taxable property located within the Township without limitation as to rate or amount.

H) The Chief Financial Officer of the Township is hereby authorized and directed to report in writing to the Township Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution are made, such report to include the description, principal amount, interest rate and maturity of the Notes sold, the prices obtained and the name of the purchaser.

SECTION 19. The Township hereby covenants that it will comply with any condition subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), to preserve the exemption from taxation of interest on the Bonds and the Notes, including the requirement to rebate all net investment earnings on the gross proceeds above the arbitrage yield on the Bonds and the Notes, if necessary.

SECTION 20. The Township is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary, to provide that the Bonds and the Notes will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

SECTION 21. In the event DTC may determine to discontinue providing its services with respect to the Bonds or the Notes or is removed by the Township, and if no successor securities depository is appointed, the Bonds or Notes which were previously issued in book-entry only form shall be converted to Registered Bonds or Registered Notes, as applicable (collectively, the "Registered Obligations"), in denominations of \$5,000 each or any integral multiple thereof, except that those Registered Obligations in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds and/or the Notes held in the beneficial owner's name, will become the registered owner of the respective Registered Obligations. The Township shall be obligated to provide for the execution and delivery of the respective Registered Obligations in certified form.

SECTION 22. The Chief Financial Officer of the Township is hereby authorized and directed to "deem final" the Official Statement (the "Official Statement") prepared with respect to the issuance of the Bonds and the Notes and pursuant to the provisions of the Rule (as hereinafter defined) and to execute a certificate regarding same. The Chief Financial Officer of the Township is hereby authorized and directed to authorize and approve the use and distribution of the Official Statement in preliminary form (the "Preliminary Official Statement") in connection with the offering and sale of the Bonds and the Notes. Upon the sale of the Bonds and the Notes, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel, the Municipal Advisor and the Auditor, to reflect the effect of the sale of the Bonds and the Notes and said modified Preliminary Official Statement shall constitute the final Official Statement (the "Final Official Statement"). The Chief Financial Officer of the Township is hereby authorized and directed to execute and deliver the Final Official Statement to the respective purchasers of the Bonds and the Notes in accordance with the provisions of the Rule (as hereinafter defined), for its use in the sale, resale and distribution of the Bonds and the Notes, where and if applicable.

SECTION 23. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the respective Continuing Disclosure Certificates for the Bonds and the Notes (the "Certificates"), which will set forth the obligations of the Township to file, as applicable, budgetary, financial and operating data on an annual basis and notices of certain enumerated events with respect to the Bonds and the Notes, in accordance with the provisions of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented. The Chief Financial Officer of the Township is hereby authorized and directed to execute and deliver the respective Certificates to the respective purchasers of the Bonds and the Notes evidencing the Township's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Township to comply with the Certificates shall not be considered a default on the Bonds or the Notes, as applicable; however, any Bondholder or Noteholder, as applicable, 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.

SECTION 24. The Chief Financial Officer of the Township is hereby authorized and directed to sell the aforesaid Bonds and Notes and to determine all matters in connection with the Bonds and the Notes (including adjusting the maturity schedule or any other matters set forth in this resolution that are deemed necessary and advisable to change by the Chief Financial Officer of the Township, prior to the sale or closing of the Bonds and the Notes, all in consultation with Bond Counsel, the Municipal Advisor and the Auditor), and the manual or facsimile signature of the Chief Financial Officer of the Township upon any documents, agreements or certificates shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer, the Clerk of the Township and any other Township Official or professional, including, but not limited to, Bond Counsel, the Municipal Advisor, the Auditor, the Township Engineer and the Township Attorney (collectively, the "Township Officials"), are each hereby authorized and directed to execute and deliver such documents, certificates, agreements and opinions as are necessary to consummate the sale and closing of the Bonds

and the Notes, respectively, and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds and the Notes, respectively, and all such actions or inactions taken by the aforesaid Township Officials and professionals heretofore are hereby ratified and confirmed.

SECTION 25. Neither the Bonds nor the Notes are “qualified tax-exempt obligations” for purposes of Section 265(b)(3)(B)(ii) of the Code.

SECTION 26. This resolution shall take effect immediately.

CERTIFICATION

I, LYNNETTE A. IANNARONE, Clerk of the Township of Brick, in the County of Ocean, State of New Jersey (the “Township”), DO HEREBY CERTIFY that the annexed resolution entitled, “RESOLUTION (A) PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF NOT TO EXCEED \$11,395,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2022, CONSISTING OF NOT TO EXCEED \$11,110,000 GENERAL IMPROVEMENT BONDS, SERIES 2022, AND NOT TO EXCEED \$285,000 SPECIAL ASSESSMENT BONDS, SERIES 2022, OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE “TOWNSHIP”) AND PROVIDING FOR THEIR SALE, AND (B) AUTHORIZING THE SALE AND ISSUANCE OF \$15,211,155 BOND ANTICIPATION NOTES OF THE TOWNSHIP”, was duly adopted by the Township Council of the Township at a regular meeting of the Township Council duly called and held on May 24, 2022 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended and supplemented, at which meeting a quorum was present and acting throughout, which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within, and the aforesaid resolution has not been amended, modified or rescinded and remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this 24th day of May, 2022

(SEAL)

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

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

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

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

NOW, THEREFORE BE IT RESOLVED, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2022 in the amount of \$8,750.00 which is now available from the State of New Jersey – Department of Law and Public Safety – Division of Highway Traffic Safety for Click it or Ticket Grant in the amount of \$ 8,750.00.

BE IT FURTHER RESOLVED that the like sum of \$ 8,750.00 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – Click It or Ticket 2022.

BE IT FURTHER RESOLVED, that the above is the result of funds received from the State of New Jersey – Department of Law and Public Safety – Division of Highway Traffic Safety – Click It or Ticket Grant in the amount of \$8,750.00.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/ Date
4-3	24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Printing Services on Wednesday, April 27, 2022; and

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

WHEREAS, the Township received two (2) tied bids for item #7 (Department Address Envelopes, No Window); and

WHEREAS, the Local Public Contracts Law states the Township may choose to award tied bids to the vendor whose response is the most advantageous, price and other factors considered; and

WHEREAS, the Purchasing Agent has recommended the tied item be awarded to Concept Print due to the Township's positive experience with the vendor based on the quality of the items received and the timeliness of services under the current contract; and

WHEREAS, the Purchasing Agent has recommended the award of the remaining items on said bid be made on an item per item basis to the lowest responsive and responsible bidder.

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

1. That the contract for Printing Services is hereby awarded on per item basis to the following vendors as per the attached Schedule of Prices:
 - Concept Print, Inc., 40 Lydecker Street, Nyack, NY 10960
 - Ridgewood Press, 609 Franklin Turnpike, Ridgewood, NJ 07450
 - TC Squared, LLC, dba Centurion Printing, 352 Market Street, Kenilworth, NJ 07033
2. That this is a unit price bid with not to exceed amount of \$45,000.00 per year; therefore, funds shall be certified prior to each order. Sufficient funds are available in 2022 budget and pending adoption of the future budgets under individual departments' appropriations entitled Printing, Binding, Photo Materials, accounts ending with -256.
3. That this will be a two (2) year contract commencing on June 10, 2022 and ending on June 9, 2024.
4. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the Office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendors, Chief Financial Officer, Business Administrator and Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 24th day of May, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township 24th day of May, 2022.

Agenda #	5/24/22
44	
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Nejecho Lagoon Dredge and Windward Beach Nourishment Project on Friday, April 29, 2022; and

WHEREAS, the bids have been reviewed by ACT Engineers, Inc.; 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 contract for the Nejecho Lagoon Dredge and Windward Beach Nourishment Project is hereby awarded to Spectraserv, Inc., 75 Jacobus Avenue, Kearny, NJ 07032 for a total amount of \$298,870.00.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following are the line item appropriations and ordinances which constitute the availability of funds for this contract:
Ordinance #7-22 – account C-04-55-879-405 – \$275,000.00
Ordinance #7-22 – account C-04-55-879-605 – \$23,870.00
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. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to the contractor, ACT Engineers, Inc., Business Administrator, Chief Financial Officer, Township Engineer, Superintendent 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 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-5	/24/22
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 Brick Township Police Department Special Operations Garage on Tuesday, May 10, 2022; and

WHEREAS, the bids have been reviewed by Colliers Engineering & Design; 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 contract for the Brick Township Police Department Special Operations Garage is hereby awarded to Gavan General Contracting, Inc., 92 Forest Drive, Lakewood, NJ 08701 for a total bid amount of \$1,057,881.69 for base bid, minus deduct alternate A, plus add-alternates B and C.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following are the line item appropriations and ordinances which constitute the availability of funds for this contract:
Ordinance #12-16 – account C-04-55-853-401 – \$717,831.06
Ordinance #11-17 – account C-04-55-858-401 – \$194,450.63
Ordinance #8-20 – account C-04-55-870-401 – \$145,600.00
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. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to the contractor, Colliers Engineering & Design, Business Administrator, Chief Financial Officer, Township Engineer, Chief of Police, Superintendent 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 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-6	24/22
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 Automated Chest Compression Devices on Wednesday, May 11, 2022; and

WHEREAS, one (1) bid was received at the indicated time and place, that being from ZOLL Medical Corporation, 269 Mill Road, Chelmsford, MA 01824-4105; and

WHEREAS, on May 17, 2022 ZOLL Medical Corporation requested withdrawal of their bid proposal stating pricing errors; and

WHEREAS, the Chief Emergency Medical Technician recommends that the Township Council authorize the Division of Purchasing and Contracting to rebid 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 bid for Automated Chest Compression Devices.
- 2. The Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned service.

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 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-7	24/62
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, N.J.S.A. 40A:11-4.3 et seq. requires the procurement of certain specialized goods and services through a competitive contracting process; and

WHEREAS, on October 13, 2020, the Township Council adopted a resolution authorizing the utilization of competitive contracting procedures for the procurement of Administration of Police Extra-Duty Assignments; and

WHEREAS, sealed proposals in accordance with the competitive contract process pursuant to N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:34-4.1 et seq. were received by the Division of Purchasing and Contracting on March 30, 2022; and

WHEREAS, the award of a competitive contract proposal shall be made to the respondent whose proposal is the most advantageous to the Township, price and other factors considered; and

WHEREAS, the proposals have been reviewed by the evaluation committee and the committee has deemed Hart Halsey, LLC dba Extra Duty Solutions, to be the highest ranked proposal; and

WHEREAS, the contract for the administration of off-duty police details has no budgetary impact on the Township and therefore does not require a certification of availability of funds approved by the Chief Financial Officer.

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

1. That the contract for Administration of Police Extra-Duty Assignments is hereby awarded to Hart Halsey, LLC dba Extra Duty Solutions, 1 Waterview Drive, Suite 101, Shelton, CT 06484 at a cost of 7% of the invoice totals payable by the customers.
2. That this will be a seven (7) year contract commencing on May 25, 2022 and ending on May 24, 2029.
3. That all terms, rates, guarantees and offers shall remain firm fixed for the duration of the contract.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Brick.
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
6. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief of Police, 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 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

Agenda #	5/24/22
4-8	
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

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

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

WHEREAS, Stafford Township as the lead agency for the Stafford Township Cooperative Pricing System has awarded a two (2) year contract #33-OCCPS-2022-003 for Purchase and Delivery of Office Supplies to W.B. Mason Company, Inc., 59 Centre Street, Brockton, MA 02301 on April 26, 2022; and

WHEREAS, the Township of Brick desires to join the above-mentioned contract; and

WHEREAS, it is the recommendation of the Purchasing Agent to utilize this contract on the grounds that it represents the best price available.

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

- 1. That a subsidiary contract for the Purchase and Delivery of Office Supplies is hereby awarded to W.B. Mason Company, Inc., 59 Centre Street, Brockton, MA 02301 in accordance with the attached Stafford Township Resolution #2022-194.
- 2. That this contract shall not to exceed \$35,000.00 per year with funds to be encumbered prior to each order. Sufficient funds are available in 2022 budget and pending adoption of the 2023 and 2024 budgets under appropriations entitled Office Materials & Supplies.
- 3. This shall be a two (2) year contract commencing on May 19, 2022 and ending on May 18, 2024 as awarded by the lead agency.
- 4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
- 5. That a certified copy of this resolution shall be forwarded to vendor, Stafford Township, Business Administrator, Chief Financial Officer, and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 24th day of May 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

Agenda #	5/Date
4-9	24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Township of Brick has determined that the personal property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Township of Brick intends to utilize the online auction services of Municibid, 395 Circle of Progress Drive, Suite D, Pottstown, PA 19464 with website located at www.municibid.com; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notices 2019-15 and 2021-18.

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 is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.municibid.com.
2. That the auction shall be identified as "Auction 2022-3" and will comprise of various Public Works vehicles and other equipment.
3. That the terms and conditions of the agreement entered into between Municibid and the Township of Brick are available at www.municibid.com.
4. That the auction will begin on Monday, June 6, 2022 at 9:00 a.m. and conclude on Friday, June 17, 2022 at 4:00 p.m.
5. That Township of Brick reserves the right to reject all bids if it determines such rejection to be in the public interest.
6. That in the event there are no bidders, unsold items will be automatically relisted for sale after the close of an online public auction.
7. That a certified copy of this resolution shall be forwarded to Municibid, Business Administrator, Chief Financial Officer, Superintendent of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on the 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

Agenda #	5/	Date
4-10		24/22
Agenda #		Date
Agenda #		Date
Agenda #		Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to Mecco, Inc., P.O. Box 536, Clarksburg, NJ 08510 on August 10, 2021 for the project known as "Roadway Improvements to Vanard Drive, Mathis Drive & Waterway Court" for a total contract price in the amount of \$287,882.50; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.7 the consulting engineer CME Associates has recommended the approval of Change Order #1 replacing reinforced concrete pipe for ductile iron pipe and HDPE; and

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

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

- 1. That Change Order #1 is hereby authorized for installation of ductile iron pipe and HDPE in lieu of reinforced concrete pipe. This change order also reflects the reduction in project quantities that no longer remain in the project's remaining scope of work.
- 2. That Change Order #1 results in no change in the contract amount.
- 3. That the Township Clerk shall forward a certified copy of the resolution to the contractor, CME Associates, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-11	24/02
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

CHANGE ORDER #1

WHEREAS, the Township of Brick previously awarded a contract to Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510 on May 12, 2020 for the project known as "Cedarwood Park East Roadway Improvements" for a total contract price in the amount of \$429,287.38; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.7 the consulting engineer Colliers Engineering & Design has recommended the approval of Change Order #1 decreasing the contract by (\$33,378.30) from \$429,287.38 to \$395,909.08 as a result of as-built quantities and supplemental items; and

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

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

1. That the above-mentioned Change Order #1 is hereby authorized decreasing the contract amount previously awarded to Meco, Inc. for Cedarwood Park East Roadway Improvements project to \$395,909.08, refunding \$33,378.30 to NJDOT 2018 Cedarwood Park East, account G-02-40-786-259.
2. That the Township Clerk shall forward a certified copy of the resolution to the contractor, Colliers Engineering & Design, Business Administrator, Township Engineer, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on the 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-12	5/24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the American Cancer Society, 2310 Route 34, Manasquan has applied for a special event permit to conduct a Relay for Life Event on Friday, June 10, 2022 in accordance with Chapter 393 of the Code of the Township of Brick; and

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

WHEREAS, the Mayor and Council desire to approve the American Cancer Society's request for special event application to conduct a Relay for Life Event at Windward Beach Park on June 10, 2022 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 the American Cancer Society's request for special event application to conduct a Relay for Life Event from 1:00 pm to 11:00 pm on June 10, 2022 is approved with the conditions and restrictions as follows:

- 1) All fire lanes and fire access must remain open and accessible at all times.
- 2) A permit for the tent shall be obtained from the Bureau of Fire Safety for the tent at least ten (10) days prior to the event. A certificate of flame resistance should be included for tent with the application.
- 3) No open flames permitted in luminaria bags.
- 4) Any signage advertising this event (if applicable), and portable sanitation facilities shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
- 5) The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
- 6) 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.
- 7) Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police and the American Cancer Society.

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 May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township, this 24th day of May, 2022.

Agenda #	Date
4-13	5/24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Green Cove Marina, 37 Division Street, Brick has applied for a special event permit to conduct a Family Fun Day Event on Saturday, June 25, 2022 in accordance with Chapter 393 of the Code of the Township of Brick; and

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

WHEREAS, the Mayor and Council desire to approve Green Cove Marina's request for special event application to conduct a Family Fun Day Event on June 25, 2022 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 Green Cove Marina's request for special event application to conduct a Family Fun Day Event on June 25, 2022 between 1:00 pm and 4:00 pm at 37 Division Street is approved with the conditions and restrictions as follows:

1. A tent/outdoor cooking permit must be obtained from the Brick Township Bureau of Fire Safety (if applicable).
2. All fire lanes and fire access and areas must remain open and accessible at all times.
3. Any signage advertising this event (if applicable), and portable sanitation facilities shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
4. Any overflow parking (if applicable) shall not obstruct vehicle travel on Division St. and shall not be along the area of the access gate where the fire lane is noted.
5. The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
6. 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.
7. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statutes or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police and the Green Cove Marina.

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 May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

Agenda #	Date
4-14	5/24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Jersey Shore Marina, 841 Route 70, Brick has applied for a special event permit to conduct a Private Wedding Event on October 1, 2022 in accordance with Chapter 393 of the Code of the Township of Brick; and

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

WHEREAS, the Mayor and Council desire to approve Jersey Shore Marina's request for special event application to conduct a Private Wedding Event on October 1, 2022 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 Jersey Shore Marina's request for special event application to conduct a Private Wedding Event on October 1, 2022 at 841 Route 70 East is approved with the conditions and restrictions as follows:

1. A tent/outdoor cooking permit must be obtained from the Brick Township Bureau of Fire Safety (if applicable).
2. All fire lanes and fire access and areas must remain open and accessible at all times.
3. No open flame or cooking to be under tents.
4. All areas around the volleyball court to remain open and accessible at all times.
5. Any signage advertising this event (if applicable), and portable sanitation facilities shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
6. The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
7. 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.
8. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police and the Jersey Shore Marina.

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 May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

Agenda #	5/Date
4-15	24/22
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, AUTHORIZING A PARTIAL RELEASE OF PERFORMANCE GUARANTEE FOR ZAMPETTI MINOR SUBDIVISION PROJECT, BLOCK 1113, LOTS 3.01, 3.02 & 3.03

WHEREAS, the applicant for the project known as Zampetti Minor Subdivision, Case No. PB-2674, located on property designated as Block 1113, Lots 3.01, 3.02 & 3.03, has requested a partial release of performance guarantee for the project; and

WHEREAS, the Township Engineer, CME Associates, has reviewed the request and has conducted an inspection of the site; and

WHEREAS, the Township Engineer has determined, by letter dated May 5, 2022, that a majority of the bonded improvements are complete, but there is outstanding punch list work that remains to be completed, including the removal and replacement of the deficient sidewalk on the site; and

WHEREAS, the developer has agreed to let the Township retain the cash portion of the performance guarantee, in the amount of \$4,585.29, which will be sufficient to cover the cost of the remaining punch list work; and

WHEREAS, the Township Engineer recommends that the performance bond for the project (Surety Bond No. 116710 in the amount of \$45,852.88) be released to the developer, conditioned upon the Township retaining the cash guarantee amount of \$4,585.29; and

WHEREAS, the developer has consented in writing for the Township to retain the cash portion of the performance guarantee; and

WHEREAS, the Township desires to adopt the recommendation of the Township Engineer;

NOW, THEREFORE, be it resolved by the Council of the Township of Brick, County of Ocean, State of New Jersey as follows:

1. The request of the applicant for a partial release of performance guarantees for the project known as Zampetti Minor Subdivision, Case No. PB-2674, located on property designated as Block 1113, Lots 3.01, 3.02 & 3.03, is hereby granted.
2. The Township shall release the performance bond for the project (Surety Bond No. 116710 in the amount of \$45,852.88) to the developer.
3. The Township will retain the cash guarantee amount of \$4,585.29.
4. Township Clerk is authorized to provide a certified true copy of this Resolution to:
 - a. Chief Financial Officer
 - b. Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting held on May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

Agenda #	Date
4-16a	5/24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, GMP Construction Co., Inc, 1101 Richmond Avenue, Unit #105, Pt. Pleasant, NJ 08742 had posted a cash bond in the amount of \$12,521.46 to guarantee site improvements to Block 923 Lot 12 (Off Princeton Avenue PB-2635) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated May 16, 2022 has advised that the improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$12,521.46 (plus interest if applicable) be returned 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 cash performance bond in the amount of \$12,521.46 (plus interest if applicable) be returned to the applicant; and
2. That the Municipal Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, 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 May 24, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-166	5/24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Township of Brick is requesting authorization to prepare and mail Estimated tax bills in accordance with Chapter 72, PL 1994.

WHEREAS, due to the delayed adoption of budgets, the Ocean County Board of Taxation is unable to certify tax rates throughout the County and the Tax Collector will be unable to mail bills on a timely basis;

WHEREAS, the Brick Township Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with NJSA 54:4-66.3, and they have both signed a certification showing tax levies for the previous year, the tax rates, and the range of permitted estimated tax levies.

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

The Brick Township Tax Collector be authorized to prepare and mail estimated tax bills for the Township's third quarter installment of 2022 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, PL 1994, (NJSA 54:4-66.2-66.3).

The entire estimated Tax Levy for 2022 is hereby set at \$257,309,900.51.

In accordance with law, third quarter 2022 taxes shall be due and payable on August 1st, 2022. Taxes shall not be subject to interest until August 10th or the Twenty-fifth calendar day after the date the estimated bills were mailed.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk for the Township of Brick, County of Ocean and State of New Jersey, certify that the foregoing Resolution was duly passed by the Township Council this 24th day of May, 2022.

IN WITNESS, WHEREOF, I have hereunto set my hand and the seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-17a	24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2022.

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>
55/53/101173 207 Route 35 No.	CoreLogic Refunds Dept.	\$3,910.59
1016/17/518276 164 Algonquian Trail	CoreLogic Refunds Dept.	\$1,530.79

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 this 24th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 24th day of May, 2022.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	5/Date
4-176	24/22
Agenda #	Date
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A DEED OF EASEMENT TO THE BOARD OF EDUCATION FOR USE OF TOWNSHIP PROPERTY DESIGNATED AS BLOCK 902 LOT 5 FOR PARKING AND ACCESS TO MIDSTREAMS SCHOOL

WHEREAS, the Township owns property on Midstreams Road, designated as Block 902, Lot 5 ("Township Property"), which adjoins property owned by the Brick Township Board of Education, located at 500 Midstreams Road, and designated as Block 902, Lot 5, also known as the location of Midstreams School ("School Property"); and

WHEREAS, the Board of Education has a need to use a portion of the Township Property, consisting of approximately 24,573 square feet, for purposes of parking for the school, installation of a parking lot and access; and

WHEREAS, the Township desires to approve a formal Deed of Easement for such purposes, which is permitted for nominal consideration to a Board of Education under the Local Lands and Building Law, N.J.S.A. 40A:12-19; and

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

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

SECTION 1.

- A. The Township Council hereby authorizes a Deed of Easement, on file in the Township Clerk's Office, to the Brick Township Board of Education, over and across Block 902, Lot 5, and consisting of approximately 24,573 square feet, for nominal consideration, for purposes of parking for the school, installation of a parking lot and access.
- B. The Mayor and Township Clerk are authorized to execute any necessary documentation to effect the recording of such Deed of Easement with the County Clerk, in accordance with the provisions of this Ordinance.

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 24th day of May, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 14th day of June, 2022 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 #	5/24/22
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE CHAPTER 86, ENTITLED "ALCHOLIC BEVERAGES"

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 86 entitled "Alcoholic Beverages," to add the following new subsection:

§ 86-5.1 Required Training.

Each licensee is required to ensure that every employee involved in the selling and serving of alcoholic beverages is certified and keeps current a certification in alcohol management. TIPS (Training for Intervention Procedures) and TAMS (Techniques of Alcohol Management) certifications will be accepted. Additional programs may be accepted to be determined on an individual basis. All such employees must obtain the certification within ninety (90) days of beginning employment. The licensee shall keep on record a copy of employee certification numbers and expiration dates as part of employee files and, upon request, shall attach all TIPS or TAMS program current cards to their E141A forms for inspection.

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 10th day of May, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 24th day of May, 2022 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

Revised

Agenda #	5/Date
5-1	5/10/22
Agenda #	5/Date
6-1	5/24/22
Agenda #	Date
Agenda #	Date

TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$2,375,677 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,256,894 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$2,375,677, said amount being inclusive of a down payment in the amount of \$118,783 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 *et seq.*) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,375,677 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,256,894 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$2,256,894 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various motorized and non-motorized vehicles and equipment for various departments within the Township, including, but not limited to: (i) *Department of Recreation / Beach/Marina* – the acquisition of an ATV quad, jet-ski, gas-powered pressure washer and trailer, fifty (50) vehicle jack stands for the marina, a wrestling mat, the re-installation of floating docks and jet ski ports, repairs to the marina dock pedestals and the replacement of six (6) jet ski docks; (ii) *Department of Administration / Inspections and Code Enforcement Division* – the acquisition of a 2022 Ford Escape SE Hybrid SUV, two (2) electric vehicles and four (4) electric vehicle charging stations; (iii) *Police Department* – the acquisition of a non-passenger supervisor vehicle, a Polaris Ranger 500 utility vehicle, five (5) dry suits, three (3) lockers, and five (5) radar units; (iv) *Department of Emergency Management Services* – the acquisition of a Dodge 4500 4x4 Ambulance; (v) *Department of Public Works / Buildings and Grounds / Parks* – the acquisition of a Ford F-550 Rack Body Truck, two (2) side arm garbage trucks, two (2) rear loading garbage trucks (30 yard and 14 yard), a pick-up truck, two (2) lawn and leaf vacuum catchers for Z-Turns, a backhoe, a skidsteer, panel and table saws, a work shed, picnic tables, metal barricades for events, and a decorative outdoor landscape visitors apron; improvements, repairs and/or upgrades to the lighting controls at Bayside Park; improvements, repairs or the replacement of the window in the tax collector's office, including, but not limited to, architectural services and window glazing; (vi) *Land Use Department, Engineering Department and Administration Department / Inspections and Code Enforcement Division* – architectural services to design security upgrades to the customer service/counter areas in the Land Use, Engineering and Inspections offices; and (vii) the acquisition of a 2022 Ford Escape SE SUV and 2022 Ford Transit Connect Passenger Wagon XLT for transporting the seniors in the Township.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, tools, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$2,256,894.

(d) The estimated cost of said improvements and purposes to the Township is \$2,375,677, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$118,783 available for said improvements and purposes.

Agenda #	5/Date
5-2	10/22
Agenda #	5/Date
6-2	24/22
Agenda #	Date

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is five (5) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,256,894. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$456,352 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes

authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township authorized herein and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of the obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 10th day of May, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 24th day of May, 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.


LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$452,320 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$429,704 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$452,320, said amount being inclusive of a down payment in the amount of \$22,616 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$452,320 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$429,704 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$429,704 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various hardware and software technology and related computer equipment, including, but not limited to, laptops, personal computers (PC's), monitors/TVs, cameras, two (2) uninterruptible power supply (UPS) battery backup power systems and additional storage for the UPS backup systems; high-end PC's for body worn camera editing, Panasonic Toughbook F255 laptops, and an additional New World software application for exporting Computer Aided Dispatch (CAD) call data to Emergency Medical Services ("EMS") charts, all for use by various departments within the Township, including, but not limited to, the Information and Technology Department, the EMS Department and the Police Department.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, tools, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$429,704.

(d) The estimated cost of said improvements and purposes to the Township is \$452,320, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$22,616 available for said improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

Agenda #	5/10/22
5-3	
Agenda #	5/24/22
6-3	
Agenda #	Date

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is seven (7) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$429,704. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$67,848 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township authorized herein and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the

Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of the obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 10th day of May, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 24th day of May, 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.


LYNNETTE A. HANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$3,286,303 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,121,987 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$3,286,303, said amount being inclusive of a down payment in the amount of \$164,316 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 *et seq.*) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,286,303 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$3,121,987 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$3,121,987 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for: (i) various Class B roadway repairs and improvements at various locations throughout the Township, including, but not limited to, milling, paving, tarring, striping, curbs, aprons, ADA walkways and driveways; (ii) the acquisition of ten (10) Sure Fire Sound Suppressor Rifles, twelve (12) radio communication headsets with built-in hearing protection, a Remington 700 Bolt Action Rifle with Leupold Mark 6 Scope, ten (10) Colt CR6933 EPR 5.56MM 11.5 Inch Short Barreled Rifles, and a Jamar Technologies vehicle radar traffic counter, all for use by the Police Department; (iii) improvements and upgrades to various traffic lights/generators within the Township, all as part of the Township's Traffic Light Program; and (iv) the acquisition of a Stryker battery-powered hydraulic ambulance stretcher, and improvements and upgrades to various portable communication radios for use by the Emergency Medical Services Department.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, tools, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$3,121,987.

(d) The estimated cost of said improvements and purposes to the Township is \$3,286,303, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$164,316 available for said improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

Agenda #	5/	Date
5-4	10/	22
Agenda #	5/	Date
1-1	12/	22

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,121,987. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,565,696 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township authorized herein and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for

the benefit of holders and beneficial owners of the obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 10th day of May, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 24th day of May, 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.



LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR

TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER _____

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$3,885,700 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,691,415 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$3,885,700, said amount being inclusive of a down payment in the amount of \$194,285 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,885,700 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$3,691,415 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$3,691,415 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for: (i) the acquisition and installation of tidal check values at various low lying areas throughout the Township; (ii) drainage, bulkhead, and dredging improvements, as applicable, to various locations throughout the Township, including, but not limited to, Fletcher Drive, Channel Drive, Birch Bark Drive, Club House Plaza, Scheiber Drive and Hamilton Drive; (iii) a master site plan for the construction of a new Department of Public Works ("DPW") building; (iv) recreational park improvements and upgrades to existing parks and beaches at various locations throughout the Township, including, but not limited to, Mallard Point Park and beachfront fencing; (v) the acquisition and installation of a Plymovent system for the Police Department to be used for the extraction and filtration of polluted indoor air, as well as visible and invisible air pollutants, such as welding fumes, oil mist, vehicle emissions and dust; (vi) improvements and upgrades to the dispatch radio consoles for the Police Department to provide a vital link between dispatchers and field personnel, helping to coordinate operations, monitor the safety of personnel and respond to emergencies, all as part of the Township's radio project; (vii) construction of a new Police Department Special Operations Building to be located behind the Township's Municipal Building; (viii) the acquisition and installation, as applicable, of a lightning warning alert system, a landfill monitoring system, new carpeting in the Tax Collector's and Mayor's offices, a new flag pole at Bayside Park, and loft/pallet racks and an enclosed trailer for the DPW; (ix) improvements and upgrades to the radio/Global Positioning System (GPS) for the DPW; and (x) improvements, repairs and upgrades, as applicable, to the Emma Havens Young Elementary School.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, tools, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$3,691,415.

(d) The estimated cost of said improvements and purposes to the Township is \$3,885,700, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$194,285 available for said improvements and purposes.

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

Agenda #	5/	Date
5-5	10/22	
Agenda #	5/	Date
6-5	24/22	

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is fifteen (15) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,691,415. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,622,860 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the

expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township authorized herein and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of the obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 10th day of May, 2022, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 24th day of May, 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.


LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR