

A combined Caucus/Public meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:00 p.m.

Present	Also Present
Councilwoman Andrea Zapcic	Mayor John G. Ducey
Councilman Arthur Halloran	Kevin Starkey, Township Attorney
Councilwoman Heather deJong	Lynnette A. Iannarone, Township Clerk
Councilwoman Lisa Crate	Joanne Bergin, Business Administrator
Councilman Jim Fozman	
Council Vice President Marianna Pontoriero	
Council President Paul Mummolo	

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 8, 2016. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

This meeting began with the salute to the flag led by Boy Scout Troop 6 followed by a moment of silence.

Motion by Vice President Pontoriero and seconded by Councilman Fozman to dispense with the reading of the minutes of January 1 and January 12, 2016 meetings and approve the same.

All Council Members voted AYE on Roll Call.

CDBG Check Recipients

Mayor Ducey explained that social service agencies provide an essential role to the most vulnerable constituents and they do so with care and compassion. He said each year the township receives Community Development Block Grant (CDBG) funds to use specifically for social service projects and they are awarded via grants to those organizations that service Brick Township residents. He announced they received over \$150,000.00 in requests this year but only received \$43,000.00 from the state to give out. He announced the following recipients and a representative from each organization gave a brief overview of their services:

- Community Services, Inc. (Meals on Wheels) \$10,000
- Northern Ocean Habitat for Humanity (A Brush with Kindness Program) \$ 9,250
- Ocean County Hunger Relief \$ 4,000
- Providence House \$ 3,500
- Interfaith Homeless Network \$ 3,000
- Jersey Shore Council Boy Scouts of America \$ 2,000
- ARC Ocean County Chapter \$ 1,500
- Ocean’s Harbor House \$ 1,500
- Caregiver Volunteers of Central New Jersey \$ 1,500
- Visitation Church Soup Kitchen (Community Lunch) \$ 1,250
- Big Brothers/Big Sisters of Ocean County \$ 1,000
- Solutions to End Poverty Soon (STEPS) \$ 1,000
- Dottie’s House \$ 3,500

Monarch Mountains Project – John Zingis

John Zingis explained that Monarch Mountains started with a vision last year. He talked about the need for pollinators because monarch butterflies are in descent. He said that he is asking the Mayor and Council for the ability to work with Eagle Scouts and Girl Scouts to develop a plan where they can have volunteers to enhance the environment at Windward Beach. He feels it is a great opportunity for all residents to get away from their typical mowed lawns and maybe introduce some new plant species. He stated there is little to no cost to the township because once the new plant species are introduced they care for themselves. He thinks it would make a great destination point for residents where they could participate and become educated on monarch butterflies that are pollinators and other species. He is asking Mayor and Council for their support in developing the area.

Mayor's Budget Presentation

Mayor Ducey presented the proposed municipal budget for 2016. He spoke about the continued impact of Superstorm Sandy. He said the township is in its third year of emergency loan repayments that adds up to a \$6.9M budget impact equal to taxes going up 6.7¢. He stated the impact of the sustained \$357M in the loss of ratables accounts for a defacto tax rate increase again of 2.4¢. He noted on top of those two items is the loss of the \$2.1M essential services grant that was provided to the township last year by the federal government was not made available this year. He said the effective loss from the ratables, the loans they have to pay back, and the removal of the grant totaled an 11.3¢ tax increase. He stated the areas that cost the most in the budget are things that are out of our control; group health insurance which increased 9 percent, prescription coverage increased 35 percent, PERS and PFRS increased as a result of the governor's decision not to fund the states pension obligations putting more obligations on the town. He said utility costs went up as did interest due on outstanding notes. He said thanks to the hard work of many in town they were able to decrease a lot of different areas which includes the amounts spent on legal fees, engineering services, liability premiums and workmen's compensation costs. He indicated they negotiated a new animal control contract which saved \$135,000.00 and saved another \$134,000.00 by administering the Community Development Block Grant (CDBG) in house as opposed to using an outside consultant. He said the total township debt was reduced by \$7.8M in 2015, representing a reduced debt service liability. He said this year's budget is fiscally sound and continues the work to put Brick Township on a path towards a more fiscally strong and responsible future. He stated the 2 percent increase represents only the municipal portion of a resident's tax bill; the school district and county government have yet to propose their spending plans for 2016.

Motion by Vice President Pontoriero and seconded by Councilwoman deJong to approve the following Resolutions:

All Council Members voted AYE on Roll Call.

Authorize Acceptance of Emergency Management Performance Grant

President Mummolo stated this resolution accepts a grant in the amount of \$7,000.00 from the New Jersey State Police Office of Emergency Management which is used to offset the cost of the Office of Emergency Management Coordinator, Joe Pawlowicz.

Authorize Receipt of Bids – Normandy Beach Roadway & Drainage Improvements

President Mummolo stated this resolution authorizes the receipt of bids for roadway repairs and drainage improvements in the Normandy Beach area. He said project areas include Normandy Drive, Broad Avenue, Ellison Drive, Lake Court, 6th, 7th and 8th Avenues and Ocean Terrace.

Authorize Award of Bid – Curb and Sidewalk & Construction – Various Locations

President Mummolo stated this resolution authorizes award of bid for curb and sidewalk repairs to A-Team Concrete Inc., South River, NJ in the amount of \$570,000.00. He said the scope of work for this project includes concrete curb replacement, concrete curb construction, sidewalk replacement, pavement restoration and driveway restoration as well as replacement of stormwater drainage castings at various locations throughout the Township.

Authorize Award of Bid – Roadway Improvements to Cedarwood Park West

President Mummolo stated this resolution authorizes the award of bid for roadway improvements in the Cedarwood Park West area in the amount of \$728,798.50 to Esposito Construction, Old Bridge. He said the roads included in this project are part of Glenwood Avenue, Monmouth Avenue, Manchester Avenue, Fairfield Avenue, Piel Avenue, Community Drive, Grove Avenue, Pershing Avenue, Sterling Avenue and Lynwood Avenue.

Authorize Award of Re-Bid – Brick Beach 1 Parking Lot Improvements

President Mummolo stated this resolution authorizes the award of contract in the amount of \$251,634.21 to Esposito Construction, Old Bridge, for the mill and overlay of the Brick Beach 1 parking lot.

Authorize Award of Alternative Process Contract – Decision Support Software for Police Department

President Mummolo stated this resolution authorizes the award of contract in the amount of \$42,000.00 to Tyler Technologies, Troy Michigan to provide Decision Support Software Module including implementation and training services for the Police Aegis CAD system. He announced Tyler Technologies and New World Systems recently merged and are transitioning to Tyler. He

said the software they will provide to the Police Department is proprietary and not available for purchase through other companies.

Authorization to Negotiate Contract for Beer and Wine Garden Concession

President Mummolo stated this resolution authorizes the Business Administrator to directly negotiate a contract for the beer and wine concession. He said the Township went out for bids twice and received no responses.

Authorization to Negotiate Contract for Bricktoberfest Amusement Concession

President Mummolo stated this resolution authorizes the Business Administrator to directly negotiate a contract for the amusement concession. He said the Township went out for bids twice and received no responses.

Authorization to Negotiate Contract for ATM Machine

President Mummolo stated this resolution authorizes the Business Administrator to directly negotiate a contract for the ATM machine at township events. He said the Township went out for bids twice and received no responses.

Authorize Rejection of Bids – Municipal Building East Ramp Improvements

President Mummolo stated this resolution authorizes the rejection of bids received last week for the Municipal Building East Ramp Improvements. He said only one bid was received and it exceeded the engineer's estimates. He reported they will review the scope of project and re-advertise as needed.

Authorize Monarch Mountains Project at Windward Beach

President Mummolo stated this resolution authorizes the project that John Zingis presented earlier. He said as Mr. Zingis explained, Windward Beach offers two distinct features that are excellent candidates for restoration and creation of a native pollinator garden that could create Monarch Mountains.

Authorize Donation of Surplus Property to Brick Township Board of Education

President Mummolo stated this resolution authorizes the donation of a 1999 Chevrolet Lumina that is no longer needed for public use to the Brick Township Board of Education.

Authorize Execution of Schedule C Agreement with County of Ocean

President Mummolo stated this resolution authorizes the execution of a Schedule C agreement with the County of Ocean. He said the county provides certain goods and services as needed to Municipalities who are charged labor and equipment rates as outlined in the agreement. He explained these services include mowing, snow plowing, road overlay, traffic signal repair and vehicle maintenance services. He said many of these services are done in-house, so they have not used the county, but they participate each year in the event there is a project that would be a good fit for this program.

Authorize Execution of Shared Services Agreement with County of Ocean for Operation of Pump Out Boats

President Mummolo stated the Township has two pump out boats through this agreement: the Bay Saver and the Bay Defender. He said they participate in this agreement to ensure the quality of our waters in not only Brick, but Barnegat Bay and the County to service the effluent discharge need of boaters in Brick's waters. In this agreement, the Township agrees to operate and maintain the boats and the County contributes \$20,000 for the operation and maintenance of the two vessels. He stated this is a very successful program. He reported to date, about 1,304,400 gallons of effluent have been removed from about 65,000 vessels that may have been discharged directly into the Barnegat Bay.

Authorize Execution of Agreements – Lifeguard Services for Private Beach Associations

President Mummolo stated this resolution authorizes the execution of agreements for lifeguard services at two private beach associations: Ocean Club and Curtis Point. He said in this agreement, the Township provides these Associations will fully certified and trained lifeguards and the township is compensated for the salaries of those guards.

Authorize Exempt Firemen's Certificates – Breton Woods Fire Company

President Mummolo stated the Township has been advised by Breton Woods Fire Company No. 1 that two members have served the required number of years as active firemen pursuant to N.J.S.A. 40A: 14-56. According to Brick Township Code, a member of a voluntary fire company in good standing is entitled to the exempt status and benefits that come to them through the Board of Fire Commissioners. He said to qualify for the exemption, a firefighter must serve a total of 7 years of service and perform 50% of fire duty during that period.

Tax Collector:

Joanne Bergin announced the following overpayments/refunds:

- Tax Overpayments – 2015 Block 271 Lot 38, 138 Vanard Drive, in the amount of \$846.60.
- Refund Overpayment for Automated Garbage Can – Block 701, Lot 9, 109 Spirit Way in the amount of \$60.

President Mummolo opened the public hearing on the Resolutions.

John Sluka, 950 Sylvia Court, asked where the mountains are in Windward Beach.

President Mummolo stated in the parking lot, where you have the walkway that goes to the main pier there are two hills.

President Mummolo closed the public hearing on the Resolutions.

President Mummolo opened the public hearing on the Computer Bill Resolution

There were no comments from the audience.

President Mummolo closed the public hearing on the Computer Bill Resolution.

Motion by Vice President Pontoriero and seconded by Councilman Halloran to adopt the following Resolution:

- All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED on New Jersey Press Media; and
Councilman Fozman ABSTAINED on the BTMUA.

2016 Computer Bill Resolution in the amount of \$20,902,264.85

President Mummolo opened the public hearing on the Manual Bill Resolution

There were no comments from the audience.

President Mummolo closed the public hearing on the Manual Bill Resolution.

Motion by Vice President Pontoriero and seconded by Councilwoman deJong to adopt the following Resolution:

- All Council Members voted AYE on Roll Call.

2016 Manual Bill Resolution in the amount of \$1,571,864.26

Ordinance on First Reading: Refunding Bond Ordinance Series 2010

Clerk Iannarone read the title of the ordinance into the record.

President Mummolo explained this ordinance allows the township to refinance their debt, which will produce a lower payment. He said the purpose of the issuance of the Refunding Bonds is to achieve net debt savings, which is the net of all refinancing costs, by refunding all or a portion of the 2010 Refunded Bonds to realize interest cost savings for property taxpayers residing in the Township. He reported in this refunding bond ordinance the township will hold monies in escrow to pay down the bonds that cannot be taken out or used for any other purpose. He said in this ordinance, the Township will experience a present value savings of \$177,391.45.

Motion by Vice President Pontoriero and seconded by Councilwoman Zapcic to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

- All Council Members voted AYE on Roll Call.

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

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

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

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

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

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

SECTION 1. The refunding of all or a portion of the 2010 Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the 2010 Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue one or more series of Refunding Bonds in an aggregate principal amount not to exceed \$6,300,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds", with such series designation as may be necessary to identify such bonds.

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

SECTION 4. An aggregate amount not exceeding \$75,000, may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. The purpose of the issuance of the Refunding Bonds is to realize net present value interest cost savings for property taxpayers residing in the Township ("net" meaning savings after payment of all costs of issuance of the Refunding Bonds). Applicable State requirements mandate that such net present value interest cost savings equal at least three percent (3%) of the principal amount of the 2010 Refunded Bonds. In addition, the issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within ten (10) days of the date of the closing on the Refunding Bonds, the Township Chief Financial Officer shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the 2010 Refunded Bonds' debt service, which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; and (d) a certification of the Township Chief Financial Officer that (i) all of the conditions of Section (b) of N.J.A.C. 5:30-2.5 have been met, and (ii) a resolution authorizing the issuance of the

Refunding Bonds, adopted pursuant to the applicable provisions of the Local Bond Law, was approved by a two-thirds vote of the full membership of the Township Council.

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

SECTION 7. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

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

Ordinance on Second Reading: Amend Chapter 245 – Land Use – Temporary Sleeping Quarters

Clerk Iannarone read the title of the ordinance into the record.

President Mummolo explained this ordinance will extend permission for places of assemblies to provide temporary encampment accessory use so that volunteers coming in from out of state to assist with rebuilding efforts can be housed by local churches.

President Mummolo opened the public hearing on the Ordinance.

There were no comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

Motion by Councilman Fozman and seconded by Councilwoman Zapcic to adopt the following Ordinance on Second Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

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

Ordinance on Second Reading: Refunding Bond Ordinance Series 2009A

Clerk Iannarone read the title of the ordinance into the record.

President Mummolo explained this ordinance allows the township to refinance debt, which will produce a lower payment. He said the purpose of the issuance of the Refunding Bonds is to achieve net debt savings, which is the net of all refinancing costs, by refunding all or a portion of the 2009 Refunded Bonds to realize interest cost savings for property taxpayers residing in the Township. He reported in this refunding bond ordinance the township will hold monies in escrow to pay down the bonds that cannot be taken out or used for any other purpose. He said in this ordinance, the Township will experience a present value savings of \$748,058.00.

President Mummolo opened the public hearing on the Ordinance.

Larry Reid, 475 Normandy Drive, stated reading through this it says you cannot really start refunding those bonds until 2019 and asked if that is correct.

Joanne Bergin responded no they will start refunding them in 2016.

Larry Reid commented that is not the way it reads.

Kevin Starkey said that's the dates the bonds can be redeemed. He said their maturity dates are 2020 through 2028.

Larry Reid commented they are borrowing \$18M to refinance the remaining portion of the \$32M 2009 series bonds, but the way it reads is you cannot start redeeming those until 2019; that's

the way it's worded so he asked what they would do with the money between now and 2019.

Kevin Starkey responded there is no money; it is a refinancing of existing debt. He said there is not new money coming in but a refinancing of a debt that is already out there. He said they will check with the CFO and get back to him.

President Mummolo closed the public hearing on the Ordinance.

Motion by Councilman Fozman and seconded by Councilwoman Zapcic to adopt the following Ordinance on Second Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING AND PREPAYABLE GENERAL IMPROVEMENT BONDS, SERIES 2009A OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,800,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

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

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

WHEREAS, the Township Council has an opportunity to refund all or a portion of the 2009 Refunded Bonds through the issuance of one or more series of General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$18,800,000 (the "Refunding Bonds"), to provide for net debt service savings; and

WHEREAS, the Township Council now desires to adopt this Refunding Bond Ordinance (the "Refunding Bond Ordinance") authorizing the issuance of one or more series of Refunding Bonds in an aggregate principal amount not exceeding \$18,800,000, a portion of the sale proceeds of which shall be used to refund the 2009 Refunded Bonds.

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

SECTION 1. The refunding of all or a portion of the 2009 Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the 2009 Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue one or more series of Refunding Bonds in an aggregate principal amount not to exceed \$18,800,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 *et seq.*, and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds", with such series designation as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve net debt service savings (*net of all refinancing costs*) by refunding all or a portion of the 2009 Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$250,000, may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. The purpose of the issuance of the Refunding Bonds is to realize net present value interest cost savings for property taxpayers residing in the Township ("net" meaning savings after payment of all costs of issuance of the Refunding Bonds). Applicable State requirements mandate that such net present value interest cost savings equal at least three percent (3%) of the principal amount of the 2009 Refunded Bonds. In addition, the issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within ten (10) days of the date of the closing on the Refunding Bonds, the Township Chief

Financial Officer shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the 2009 Refunded Bonds' debt service, which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; and (d) a certification of the Township Chief Financial Officer that (i) all of the conditions of section (b) of N.J.A.C. 5:30- 2.5 have been met, and (ii) a resolution authorizing the issuance of the Refunding Bonds, adopted pursuant to the applicable provisions of the Local Bond Law, was approved by a two-thirds vote of the full membership of the Township Council.

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

SECTION 7. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

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

Stefanie Argyris, 228 Knoll Crest Avenue, stated she has had trouble with her property since Sandy. She understands there is a plan to raise Knoll Crest Avenue and she is concerned that there will be more water pouring into the south end of the street. She said she has over 3" of water in the front yard and over 3' of water in the back yard that hasn't been resolved since the storm. She said she has had problems with flooding since she bought the property because of the bulkheading that was put in at the end of the street. She spoke with engineering 4 years ago and they said maybe they could put some holes that go through the bulkhead so water from the street could drain into the bay and not come from the bay up the street but nothing has been done. She said the other problem she has is that the 4 properties that surround her land are all angled downwards draining into her yard. She commented Rochester Drive is 2' higher than Knoll Crest and the properties behind start at Rochester but slope downwards. She spoke with Elissa Commins, Councilman Halloran and President Mummolo and hopes they can work with her to solve the problem.

President Mummolo responded they are looking into what can be done and will be in touch.

Bernie Brody, 227 Knoll Crest Avenue, stated his concern with the water flooding around them. He said if they are going to do something to Knoll Crest, the south end of Knoll Crest is already under water. His child had to walk through 8 inches of water from the school bus stop to get to home. He commented everyone raising their homes has to fill under their homes according to the rules from the federal government and they are not only filling under the houses but their whole property so their properties are about a foot higher than they were before and the water runs down.

President Mummolo responded he knows the town is going to be working with the government because they cannot just raise a road; it's got to be NJDEP, CAFRA. He said it is a very sensitive area that Knoll Crest runs through.

Bernie Brody asked if he is allowed to fill under his house to raise the level under his house.

President Mummolo commented he knows Elissa Commins was looking into it but he does not know all of the details about that. He said she would be able to tell him whether he can or cannot.

Councilman Halloran added they were looking at developing some sort of plan with Ms. Argyris and he is not sure if Mr. Brody spoke with Elissa Commins as well. He said it's a complicated situation and they are trying to look at to see what they can do.

Dr. Catherine Hanlon MD, 21 Rochester Drive, stated her property abuts the edge of Ms. Argyris' property. She commented she is not an alarmist but she is deeply concerned over this flooding. She said they have had the first confirmed death in Monmouth County from West Nile Virus which has no current treatment. She stated the water problem on Ms. Argyris' property also affects

herself and Mr. Phil Hayes is a problem because of the standing water. She urged the township to look into the problem.

Steve Brill, 806 Jenny Court, stated his concerns with the parkway project. He spoke of a Freeholder meeting next week with homeowners of Evergreen Woods and asked that someone from the township attend.

Joanne Bergin responded they will make sure someone is there.

Larry Reid, 475 Normandy Drive, thanked council for putting the Normandy Beach roadway situation on the agenda. He said it has been ongoing like these other streets for at least 5 years. He said it is a common problem throughout Ocean County; sea level has come up and the only way to fix the situation is to raise the roads and properties as well as beach replenishment.

Joanne Bergin thanked Mr. Reid for all of his comments. She said they have applied through the federal government, through FEMA, through the state office of Emergency Management, through the HGMP program, anywhere they can they are trying to get funds for roadway elevation in town so they agree 100 percent and are working diligently towards that. She spoke briefly about the sand and stated they are doing everything they can do to protect the beaches.

Larry Reid said that he agrees. He said the beach replenishment project is the only long term solution that will save money in the long run.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project. He spoke of a recent accident on the parkway.

Nan Coll, 18 Greenbriar Boulevard, is looking for the township to enforce regulations that are put into place and in particular requirements of the Planning Board. She spoke of her drainage issue in her neighborhood and stated her concerns with her association.

Michele Spector, 808 Jenny Court, spoke of the parkway accident 100 feet in front of their neighborhood and stated they need a wall to protect them from the parkway.

Steve Cancel, Sawmill Road, commended on an article he read that was written by Chief Riccio.

James Cancel, Sawmill Road, stated his concerns with the drug epidemic and commented the majority is coming from Lakewood.

Liam Bergin thanked everyone for addressing Monarch Mountains which he decided recently to make his Eagle Scout project which is a very big and important step in his life like graduating high school or getting a good career. He said this will go on his resume basically putting a stamp on his forehead saying this guy is an Eagle Scout, he worked for it. He thanked everyone for allowing him to do this for himself and the butterfly population to make a comeback.

Mayor Ducey provided an update on the easement project stating they will not have much of a beach this season. He mentioned the rabies clinic had to be rescheduled from January 24 to January 31 and Lynnette and her staff did a great job with a record number of 467 shots given. He thanked the Pavillion for hosting a Mayor's Night Out. He attended two Mayor's events in Trenton – one with NJ Conference of Mayors and the other with the League of Municipalities. He announced the Relay for Life Kick-Off and said that he will be hosting a team – Mayor's Miracle Marchers.

Councilwoman Zapcic attended the Brick South Dragon's Football and Cheer Banquet and congratulated them. She said they recognized a number of scholar athletes who had a minimum of a 96 grade point average who had done community service. She urged the public to check identification on utility workers who may knock at their doors. She spoke of the Monarch Mountain project at Windward Beach.

Councilman Halloran thanked the Boy Scouts for their great work and Liam Bergin for taking on the Monarch Mountain project. He thanked the various organizations who received the CDBG grants. He spoke about the outstanding easements; he said that it is time they look at the bigger picture and get this resolved quickly.

Councilwoman deJong thanked the Boy Scouts and service organizations. She wished Liam Bergin luck in his quest for Eagle Scout. She commented the Mayor's Budget is in good shape. She thanked Joanne Bergin, Scott Pezarras for answering all of her questions regarding the budget.

Councilwoman Crate thanked everyone for coming out tonight. She congratulated all of the CDBG recipients and said that she has had the opportunity to work with some of the groups.

Councilman Fozman thanked the Boy Scouts for leading the pledge. He thanked the mayor on his budget presentation. He attended the grand re-opening of the Dollar Tree store.

Vice President Pontoriero wished everyone a Happy Valentines Day.

President Mummolo thanked all of the grant recipients for coming out. He thanked Boy Scout Troop #6 for leading the pledge. He thanked Mr. Zingis and Mayor Ducey for their presentations.

Motion by Councilwoman deJong and seconded by Councilman Halloran to Adjourn the meeting at 9:10 p.m.

All Council Members voted AYE.

Paul Mummolo
Council President

Lynnette A. Iannarone
Township Clerk