

A Caucus/Public meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:03 p.m.

Present

Councilman Jim Fozman
 Councilwoman Marianna Pontoriero
 Councilwoman Heather deJong
 Councilman Paul Mummolo
 Councilman Arthur Halloran
 Council Vice President Lisa Crate
 Council President Andrea Zapcic

Also Present

Mayor John G. Ducey
 Kevin Starkey, Township Attorney
 Jessica L. Larney, Assistant Township Clerk
 Joanne Bergin, Business Administrator

Assistant Clerk Larney announced adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on February 8, 2019. 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 followed by a moment of silence.

The Assistant Clerk was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of May 2019.

Motion by Councilman Mummolo and seconded by Councilman Halloran to dispense with the reading of the minutes of May 14, 2019 meeting and approve the same.

All Council Members voted AYE on Roll Call.

Students of the Month – May

President Zapcic and Vice President Crate recognized the Students of the Month for May 2019. Vice President Crate named the Brick Township High School Students of the Month and presented certificates to: Penelope Winn, Madison Roshala, Mackenzie Marcus and William Kleissler. She also named and presented certificates to Brick Memorial High School Students of the Month: Tiana Cimino, Cheyenne Severin, Brendan Kozak, Ann Stuart, Jamir Cooper-Chatman, Samantha Viola, Caleb Alvarado and Carly Marotta.

Dystonia Awareness Month

Vice President Crate recognized Marguerite Weiss in her efforts to raise awareness, understanding and support of the disorder of Dystonia. Vice President Crate read the resolution and explained the disorder of Dystonia. Marguerite shared her story about living with Dystonia.

Brick United

Dennis Filippone presented information on the Brick United group. He said they have formed this group from Brick Township High School and Brick Memorial High School to bring the community together and be able to present scholarships to seniors. He stated they had a very successful golf outing fundraiser this year and they gave \$18,000 in scholarships, \$9,000 each to Brick Memorial and Brick High School. He reported their goal is to give at least \$20,000 per year. He announced Brick United night at Blue Claws on July 25 and try to push it through the schools. He stated they hope to have a 50/50 raffle later on in the year. He stated every dime they raise goes to students of Brick Township.

Motion by Councilwoman Pontoriero and seconded by Councilman Halloran to adopt the following resolutions:

All Council Members voted AYE on Roll Call.

Recognize Dystonia Awareness Month – June

Vice President Crate stated this resolution recognizes Dystonia Awareness Month to help raise public awareness, understanding and support of the disorder of Dystonia, a neurological movement disorder similar to Parkinson's disease.

Authorize Cancellation of Stale Dated Checks – Municipal Court

Councilman Halloran stated this resolution authorizes the reconciliation of the Municipal Court's Bail Account and General Account and to cancel outstanding checks that are considered stale dated in the amount of \$431.00 in the Bail Account and \$25.00 in the General Account.

Authorize Increase in Change Fund – Beaches

Councilman Mummolo stated his resolution authorizes an increase in the change fund used by the Recreation Department for Beach 1, Beach 3 and Windward Beach. He said the change fund will be increased from \$1,000.00 to \$1,800.00 in order to ensure enough change for those paying cash for beach badges and parking. He stated the recreation staff has requested this increase based on the volume of cash transactions and the 2019 rate change from \$5 for a daily badge to \$8, which requires more change.

Authorize Receipt of Bids – Ambulance Repairs

Councilwoman deJong stated this resolution authorizes the receipt of bids for ambulance repairs that are no longer under warranty, specifically repairs to the modular body, its life support system and components as well as many mechanical repairs especially where modifications have been made during construction of the modular body to accommodate its life support system and components. She said the Township had an approximate expenditure of \$71,000.00 during this current two-year contract period which will expire on July 14, 2019 with PL Custom Body & Equipment. She reported funding for this contract will be included in the vehicle maintenance operating budget.

Authorize Receipt of Bids – Vehicle Collision & Body Repairs

Vice President Crate stated this resolution authorizes the receipt of bids for vehicle collision and body repairs. This bid is not only for accidents, but also for reconditioning of bodies from normal wear and tear. She said the Township had an expenditure of \$45,500.00 during the current two-year contract period which will expire on July 14, 2019 with Maaco Collision & Auto Painting. She reported funding for this contract will be included in the Vehicle Maintenance and Liability Insurance operating budgets. She said the Township deductible for motor vehicle accidents is \$2,500.00 and the remainder is paid by the Ocean County Joint Insurance Fund.

Authorize Award of Negotiated Contract – Fireworks Exhibition

Joanne Bergin stated this resolution authorizes the award of a negotiated contract for fireworks exhibitions to Garden State Fireworks, for the total amount of \$33,000.00. She said the contract includes Fourth of July fireworks at the Summerfest concert series kick off as well as the three remaining concerts this summer. She stated the contract also includes a fireworks display at Fall Fest. She reported on May 21, the Township received bids and rejected both due to errors in the submissions. She commented that was the second time they went out for bids for this service; the first time no bids were received. She stated this resolution included authorizing her to directly negotiate and she recommend proceeding with Garden State Fireworks as that vendor submitted for all Township events and whose costs to the Township were lower than the other bidder.

Authorize Sale of Surplus Property – Avaya Telephones - Auction 2019-4

Councilwoman deJong stated this resolution authorizes the sale of surplus property, specifically Avaya telephones no longer used by the Township for public use. She said the Township telephones were recently replaced with a new Avaya IP Office phone system. She reported for this bid, the Township will utilize the services of US Gov Bid, a State approved provider of online auction service for the sale of surplus property. She said as compensation for promoting and conducting the online auction, there is a 4 percent commission which shall be payable by the township and subtracted from the final sale price.

Authorize Acceptance of Donation from Brick Board of Ed to the Brick Historical Society

Councilman Mummolo stated this resolution authorizes the acceptance of a donation of surplus property, specifically a weather vane located at the Laurelton School, which is no longer needed for public use. He said in addition, the Brick Township Historical Society has requested the weather vane for its archives; therefore, this resolution authorizes the sale of the weather vane to the Historical Society for \$1. He said the transfer of the property via sale is necessary in accordance with NJ Procurement Law which does not allow for the Township to offer the weather vane as a donation.

Ed Mangold, President of the Brick Township Historical Society, was in attendance to accept the donation and thanked Mayor Ducey for arranging this donation. He spoke about the history of Laurelton School and his time there.

Authorize Motor Vehicle Sales License – Al's Auto Care – 373 Mantoloking Road

Joanne Bergin stated this resolution authorizes a motor vehicle sales license to Al's Auto Care, Mantoloking Road. She said the license is contingent on a use variance approval by the Township Board of Adjustment.

Authorize 2019-2020 Liquor License Renewals without Restrictions – Consumption, Distribution and Club Licenses

Councilman Halloran stated this resolution renews plenary retail consumption licenses without restrictions to: PJ Sweeney's, Windward Tavern, Arrowhead Inn, Villa Vitoria, River Rock, Beacon 70, Spirit Unlimited, and TGI Fridays, retail plenary distribution licenses without restrictions to: Forbes Liquors, Lenape Buy-Rite Liquors, Brick Town Liquors, Wine Shoppe, NJ Wine Gallery, Brick Liquors, Buy Rite of Brick, Wine World, and Joe Canal's Discount Liquor Outlet; and club liquor licenses without restrictions to: American Legion Post #348, Knights of Columbus, Brick Elks, Metedeconk River Yacht Club, Riviera Beach Boat Club, Shore Acres Yacht Club and VFW Post #8667.

Authorize 2019-2020 Plenary Retail Consumption Liquor License Renewals with Restrictions

Vice President Crate advised the following:

- | | |
|-------------------------------|------------------------------|
| a. Applebee's | h. Mantoloking Road Alehouse |
| b. Bonefish Grill | i. Outback Steakhouse |
| c. Buffalo Wild Wings | j. Quaker Steak & Lube |
| d. Carrabba's Italian Grill | k. Red Robin |
| e. FRIT | l. Tuscany |
| f. Houlihan's | m. Urban Coalhouse |
| g. Jack & Mike's Bar & Grille | |

Authorize Waiver of the Noise Ordinance – BMHS Marching Band

Councilwoman deJong stated this resolution authorizes a waiver of the noise ordinance so that the Brick Memorial High School Marching Band can have practices, rehearsals, and performances from June through November 1st without inadvertently violating the noise ordinance in accordance with the schedule provided by the band director.

Authorize Placement of Tax Liens for Property Clean-ups

President Zapcic stated this resolution authorizes the placement of tax lien at 766 Sycamore Drive in the amount of \$367.19; 472 Irisado Drive in the amount of \$367.19 and 221 Squan Beach Drive in the amount of \$298.75.

Authorize Special Events Permit – Relay for Life

Vice President Crate stated this resolution authorizes a special events permit for the American Cancer Society Relay for Life on Friday, June 14 at Windward Beach. She said the event will be held from 9 am on June 14 through 5 am June 15.

Authorize Special Events Permit – Green Cove Marina Family Fun Day

Councilman Mummolo stated this resolution authorizes a special events permit for a Family Fun Day and Green Cove Marina from 1 to 4 pm, Saturday, June 22 at the Marina located on Division Street.

Tax Collector: Business Administrator Reads

Joanne Bergin advised the following:

- 100% DAV Refund & Cancel Taxes – Block 377.01 Lot 58.
- 100% DAV Refund & Cancel Taxes – Block 901.23 Lot 8.
- 100% DAV Refund & Cancel Taxes – Block 902.24 Lot 2.
- 100% DAV Refund & Cancel Taxes – Block 903.01 Lot 1.
- 100% DAV Refund & Cancel Taxes – Block 1327.05 Lot 32.
- Redemption of Tax Sale Certificate – Block 1170.01 Lot 1 – 1662 Route 88.

Councilman Fozman questioned several of the resolutions.

Joanne Bergin responded to Councilman Fozman's questions on the resolutions. She advised him she would get back to him with the answers she did not have.

President Zapcic opened the public hearing on the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, commented the motion and second should be made before even before a council person says a word. She spoke about what a consent agenda means. She made comments on several resolutions.

Councilman Fozman asked the attorney if Nan Coll was correct in stating motion and second should be made before a council person speaks.

Kevin Starkey responded Robert's Rules does apply here but in a small meeting the chairperson has the discretion to apply those means because in a small meeting they are not applied strictly. He said Robert's Rules are strictly applied in a large meeting.

John Sluka, 950 Sylvia Court, suggested they have an ordinance stating if a stale check is below a certain amount just cancel it. He commented it would be nice to know how many accidents they do have. He spoke about the cancellation of taxes for the DAV. He asked if there were any other groups of individuals who do not pay taxes.

Kevin Starkey responded it has to be done this way because the state tells them to.

President Zapcic stated it does not relate to the DAV organization, it's a designation given to an individual because they were a veteran who became disabled during war time.

Kevin Starkey responded he does not think there are any others that are exempt; there are senior citizen discounts, senior freezes and they are established by state law.

Joanne Bergin stated regarding motor vehicle accidents when they take a look at the data, they do well comparable to the size and the number of vehicles. She said they have an accident review committee that meets regularly and they look at and examine all motor vehicle accidents and make a determination of faults or no faults.

Councilwoman Pontoriero stated it might be good to give a quarterly report to the Public Safety Committee with the names redacted, but showing the number of accidents.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Resolutions.

Councilman Fozman had several questions on the Computer Bill Resolution.

Joanne Bergin addressed his concerns.

President Zapcic opened the public hearing on the Computer Bill Resolution

There were no further comments from the audience.

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

Motion by Councilman Mummolo and seconded by Vice President Crate to adopt the following Resolution.

All Council Members voted AYE on Roll Call, except:
President Zapcic ABSTAINED on M. Schwartz & Sons

2019 Computer Bill Resolution in the amount of \$684,364.31

President Zapcic opened the public hearing on the Manual Bill Resolution.

There were no comments from the audience.

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

Motion by Councilman Mummolo and seconded by Councilwoman Pontoriero to adopt the following Resolution.

All Council Members voted AYE on Roll Call, except:
Councilwoman deJong ABSTAINED on CME Associates

2019 Manual Bill Resolution in the amount of \$1,668,091.20

Ordinance on Second Reading: Amend Chapter 145 – Extension of the Waiver of Fees for Construction – Renovation of Existing Vacant Commercial Structures

Assistant Clerk Larney read the Title of the Ordinance into the Record.

Mayor Ducey explained this program has been working very well in filling empty storefronts in town because this waives the permit fees to encourage mom and pop start-up businesses to go into those empty storefronts rather than building new. He said it is 5,000 square feet or less that has been vacant for at least a year and if those two things are there then the fees can be waived and it really encourages those type businesses. He advised that this has been well received around the State and other towns have asked him how to do it. He said they went to the DCA to allow the Township to do this program and noted Brick Township was the first ones in the State to do this. He advised that he has spoken at various seminars on this topic. He advised they would like to continue this program.

Councilman Fozman commented when Sandy hit they borrowed \$5M from the federal government to balance the budget and waived the fees for people trying to get back in their homes, but it actually hurt us and the government stated they were giving away the fees for free so they must not need the money. He stated they did this for two years and thought it was great to get the businesses; he stated his displeasure that now they have a tax increase this year and now they are giving away taxpayer money to start a business in town for someone else.

Mayor Ducey reiterated they only do this for small mom and pop stores under 5,000 square feet and the storefront has to be vacant for a year.

President Zapcic stated they have seen numerous tax appeals and asked if it's a commercial property the tax assessment is related to the vacancy rate? She stated that when these vacant properties are filled then the tax assessment would go up and realize this as a ratable. She said the ratables are still not back to where they were. She stated they collect more taxes when they fill up the storefronts.

Joanne Bergin commented it absolutely is and as a result also the lease amount.

Kevin Starkey responded the analysis for commercial properties is different from residential; residential is usually done by comparable sales, commercial is often done by an income approach. He stated more tenants in these spaces increases the assessed value which then increases the income to the municipality through property taxes. He said when a tenant comes in the assessment changes because the nature of the property changes.

President Zapcic opened the public hearing on the Ordinance.

Nan Coll, 18 Greenbriar Boulevard, asked for clarification on the Ordinance. She commented we are losing money on this.

Mayor Ducey reiterated his explanation of the ordinance.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Halloran to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call, except:
Councilman Fozman voted NO on the Ordinance.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 145-6 OF THE TOWNSHIP CODE TO EXTEND THE TIME FOR THE WAIVER OF FEES FOR CONSTRUCTION TO PROMOTE THE RENOVATION OF EXISTING VACANT COMMERCIAL STRUCTURES

Ordinance on Second Reading: Amend Chapter 288 – Designate a Portion of East View Drive – One Way Street

Assistant Clerk Larney read the Title of the Ordinance into the Record.

President Zapcic stated explained the Township Engineer and Police Traffic Safety Unit have recommended that East View Drive and Reservation Row be added to Township Ordinance, Section 288 Vehicles and Traffic, Section 16 One Way Streets, Schedule 41. She said last fall, engineering received a resident complaint regarding the intersection of Tall Timber Drive and East View Drive in Eagle Point with a request that a stop sign be installed. She stated Traffic Safety investigated and provided a report that indicated the roads are very narrow with a 9-foot paved surface; the angle of the intersection is acute; the intersection is obstructed by overgrown vegetation; and the intersection is at the top of a hill with a grade change, further limiting sight distances.

President Zapcic stated Traffic Safety endorsed the one-way recommendation on the basis that in addition to improving site safety, the limited pavement surface of 9-feet in width meets the Residential Site Improvement Standards classification of a One Way Alley. She said since Traffic Safety issued the report, engineering inspectors had several opportunities to evaluate the intersection and speak with residents and association representatives. She reported the request was discussed twice by the Public Safety Committee: in February and October of 2018.

President Zapcic stated based upon the angle of the intersection, the changes in grade, and limited site distance, engineering supports Traffic Safety's recommendation to make East View Drive and Reservation Row a one-way street. She said township professionals speculate that this is how the circulation was intended when the development was first established. She stated that she was out there recently and it was brought to her attention that there are many year-round residents but they also have a lot of seasonal residents. She said in the summertime when the traffic is heavier through there, Tall Timber is the access road to the beach so those three roads come together and it tends to create many problems. She stated the residents she spoke to are happy to see this change.

President Zapcic opened the public hearing on the Ordinance.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilwoman Pontoriero and seconded by Councilman Mummolo 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 CHAPTER 288 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, TO DESIGNATE A PORTION OF EAST VIEW DRIVE AS A ONE-WAY STREET

Ordinance on Second Reading: Bond Ordinance – 5 Year Life.

Assistant Clerk Larney read the title of the Ordinance into the record.

Mayor Ducey stated this explanation covers all of the bond ordinances. He said the following ordinances reflect the expected useful life of a variety of capital items for all Township departments totaling \$8.5 million which is consistent with the capital budget approved by this Council for the past 5 years. He stated the budget started at over \$25 million but was reduced and prioritized by the various department heads including police, engineering, parks, recreation, public works and IT. He stated highlights of the proposed capital requests include one new automated garbage truck, one rear loader, one single axel dump truck and a bucket truck for

DPW. He said three new vehicles for the fleet are included for the Township's inspectors, IT, and code enforcement officers. He stated the commitment to safety continues with ballistic glaze barriers budgeted for the Tax Collector's office and the Land Use department. He said these improvements mirror what's been done in the Clerk's office. He reported the budget also includes equipment needed to provide for a Senior Services outreach office at Civic Plaza, enabling the Township's seniors to have access to services on both sides of town. He stated roads scheduled to be constructed are those already designed and ready to build. He noted these projects include Brower Drive & Cranberry Cove Road, North Lake Shore Drive, Lawrence Drive, and continuation of the township's isolated streets program, including part of Midstreams, Beverly Beach and Old Silverton Road. He said the engineering department will also continue with the microsurfacing program. Laurelhurst and Glen Ridge Estates will also be completed this year. Mayor Ducey announced the replacement of the synthetic fields at Drum Point Sports Complex is also scheduled this year. He said the Municipal Building roof will be replaced this year. He stated in terms of drainage projects, reconstruction is scheduled at the Duquesne Boulevard intersection; funding is in place for the design and permitting for the Channel Drive bulkhead; funds are also allocated for the Dredging Master Plan and Upland Planning Analysis, overall concrete repairs, and road work in Breton Woods via shared service agreement with the MUA who is completing a water main replacement. He stated that in terms of sports organizations, a drainage project at the Senior field is budgeted for Brick American, parking lot improvements at Pinewood Park is budgeted for Brick Township Soccer Association, and replacing the score board on the 60/90 and 40/60 fields is included for Brick Little League.

President Zapcic opened the public hearing on the Ordinance.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Halloran to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

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 \$1,506,314 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,430,999 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 \$1,506,314, said sum being inclusive of a down payment in the amount of \$75,315 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 \$1,506,314 appropriation not provided for by application hereunder of said \$75,315 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,430,999 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 \$1,430,999 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various items of motorized and non-motorized equipment for various Township Departments, including, but not limited to, the Department of Public Works, the Police Department, the

Department of Information and Technology, Department of Inspections, the Department of Administration and Department of Recreation.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$1,430,999.

(d) The estimated cost of said improvements and purposes is \$1,506,314, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$75,315 available for such improvements and purposes.

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

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

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

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,430,999, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$353,447 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township 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 obligations of the Township 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 Code the interest on all bonds and notes issued under this bond ordinance.

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

Ordinance on Second Reading: Bond Ordinance – 7 Year Life

Assistant Clerk Larney read the title of the Ordinance into the record.

President Zapcic opened the public hearing on the Ordinance.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Vice President Crate to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

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 \$489,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$464,550 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 \$489,000, said sum being inclusive of a down payment in the amount of \$24,450 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 \$489,000 appropriation not provided for by application hereunder of said \$24,450 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$464,550 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 \$464,550 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various items of data processing and technology equipment for various departments within the Township, including, but not limited to, the Department of Information and Technology.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$464,550.

(d) The estimated cost of said improvements and purposes is \$489,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$24,450 available for such improvements and purposes.

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

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

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

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 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 New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$464,550, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township 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 obligations of the Township 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 Code the interest on all bonds and notes issued under this bond ordinance.

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

Ordinance on Second Reading: Bond Ordinance – 10 Year Life

Assistant Clerk Larney read the title of the Ordinance into the record.

President Zapcic opened the public hearing on the Ordinance.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Halloran to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

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 \$3,489,635 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,315,153 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 \$3,489,635, said sum being inclusive of a down payment in the amount of \$174,482 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 \$3,489,635 appropriation not provided for by application hereunder of said \$174,482 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$3,315,153 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 \$3,315,153 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 improvements at various locations throughout the Township, including, but not limited to, milling, paving, striping, curbs, aprons, ADA walkways, and driveways, (ii) the acquisition and installation, as applicable, of various items of equipment, including non-data processing equipment for the Police Department, (iii) electrical upgrades and repairs at the Marina, and (iv) tree replacements for the Department of Public Works.

(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, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$3,315,153.

(d) The estimated cost of said improvements and purposes is \$3,489,635, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$174,482 available for such improvements and purposes.

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to

time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,315,153, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,010,945 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township 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 obligations of the Township 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 Code the interest on all bonds and notes issued under this bond ordinance.

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

Ordinance on Second Reading: Bond Ordinance – 15 Year Life

Assistant Clerk Larney read the title of the Ordinance into the record.

President Zapcic opened the public hearing on the Ordinance.

There were no further comments from the audience.

President Zapcic closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Halloran to adopt the following Ordinance on Second and Final Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

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 \$3,015,051 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,864,298 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 \$3,015,051, said sum being inclusive of a down payment in the amount of \$150,753 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 \$3,015,051 appropriation not provided for by application hereunder of said \$150,753 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,864,298 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 \$2,864,298 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 improvements to Class B buildings and grounds, (ii) drainage and dredging improvements, and (iii) recreational park improvements to existing parks and beaches at various locations throughout 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, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$2,864,298.

(d) The estimated cost of said improvements and purposes is \$3,015,051, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$150,753 available for such improvements and purposes.

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

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

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

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

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,864,298, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$797,490 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township 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 obligations of the Township 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 Code the interest on all bonds and notes issued under this bond ordinance.

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

President Zapcic opened the public hearing portion of the meeting.

John Sluka, 950 Sylvia Drive, read his letter regarding the parkway construction project and the many areas needing reforestation and a sound wall for Evergreen Woods. He spoke of the health and safety issues in this area.

Jamie Prioli, 4 Morey Lane, asked if there was a 200 ft. notification list in reference for any application for a street vacation in Brick. She stated there are only eight houses on her street and they buffer right up to the river. She said half of their houses have in their deed language states they have open access to the beach area and the newer residents who have recently moved in that are on the water they have not formally submitted a request to have this property vacated to them. She stated as a home owner she is hoping to find out more information about how she can protect her access to what she bought 14 years ago.

Joanne Bergin stated she is familiar because there has been some dialog back and forth with some of the residents. She said there is a public access at the end of that street; there has been no street vacation request submitted. She stated the only discussion was regarding a potential adopt-a-spot. She stated a street vacation that included a public access point would probably not get to the land use committee because they do not give up public access points.

Lefty Grimes, Bayonne, spoke about his brother-in-law who passed away due to opiate abuse. He stated it was because he did not have access to cannabis in order to get off of the opiates. He commented Brick is going to be giving out many doses of Narcan this summer and pharmacies will be selling thousands of oxycodone and fentanyl with no cannabis available in this town. He expressed the need for cannabis in Brick.

Councilwoman Pontoriero stated it is offensive to her as a stage 4 cancer victim who would qualify for the use of medical marijuana if she elected to and would be able to utilize same in Brick because the Township allows the use of medical marijuana.

Crystal Bennett, 367 Church Road, commented if the township is so compassionate to cancer patients who need to use medical marijuana, then why can't it be sold in Brick, why is there a ban on it.

Councilwoman Pontoriero stated she is a stage 4 cancer patient and she wanted to indicate that as a cancer patient who qualifies for the use of medical marijuana if she chose to utilize medical marijuana there is no ban preventing her from using it in Brick. She said if you are issued a medical marijuana card in this State you are able to utilize medical marijuana in the Township of Brick.

Roxanne Jones, W. Princeton Avenue, commented she marched in the Memorial Day Parade and said her boss who lives in Howell attended as well and he likes to come to the Brick parade because of how pleasant the people are and because of how he and other veterans are treated so well. She stated when it comes to drug abuse she feels they should stick to tried and true methods whatever they may be. She feels they need more rehab facilities.

Michele Spector, 808 Jenny Court, stated there has not been any word from the Governor's office as yet. She urged administration to write another letter regarding the parkway project.

Sydney Nimbus, 634 Summit Avenue, thanked President Zapcic for getting back to her regarding the BMX bikes in the skatepark. She shared information she received from the people who built the skatepark. She stated the company said the township made the rules for the skatepark. She reported collisions are going to happen no matter whether you are using a bike, skateboard or skooter and asked council to reconsider the use of the skatepark for BMX bikes. She asked if they could repair/update the skatepark at Emma Havens and use it for BMX bikes.

Councilman Fozman stated he called the township insurance company and was told as long as the skatepark was meant to have bicycles days could be scheduled when bikes, skooters or skateboards can use the facility.

Joanne Bergin stated if a skatepark was built with the specific intent of including bicycles then it would be permitted. She said this skatepark was not. She stated this was designed specifically for skateboards. She stated beside the vendor who was subcontracted to build the park, there are two other pieces to it; one being the warrantee for the park which was built for skateboards so if they start allowing a practice that is outside the allowable use they risk the warrantee; the second part is that our insurance company has to sign off on that use.

President Zapcic reported they had a recreation committee meeting and they are going to find out what it would cost to repurpose the original park next to Emma Havens School for bikes and skooters. She will keep in touch with Sydney. She stated the earliest would be in next year's capital budget.

Rob Canfield, spoke about the former superintendent issue. He asked where the money is coming from for the civil court fees.

Kevin Starkey stated the defendants in that case were allowed admission into a pre-trial intervention program that was approved by the prosecutor and the court which is a probationary period. He said at the end of that period if there are no issues the charges are formally dropped. He stated there is a civil law suit starting but for the township's purposes, the township is protected in that law suit by the township's insurance company which will pay for attorneys or any judgment.

Nan Coll, 18 Greenbriar Boulevard, passed around a picture of Walter Pruiksmas. She expressed her opinion/concerns on several issues.

Max Flores, 110 Altier Avenue, questioned who pays the premium on liability covered by insurance. He asked if it be fair to assess that if they were to lose the civil case that premiums would be raised.

Kevin Starkey responded every year the township pays premiums for liability insurance to the Ocean County Joint Insurance Fund that is also paid by every other town in the county. He responded on a single law suit it would be highly unlikely because there is so much risk spread out around the county.

Councilman Fozman questioned how many lawsuits the township has right now.

Kevin Starkey responded 3 or 4 pending which is not an unusual number. He stated there could be more than that because sometimes people sue the town for motor vehicle accidents although the town has nothing to do with it. He said 99 percent are handled by the Ocean County Joint Insurance Fund. He said the average lawsuits are 3 to 5 a year.

There were no further comments from the audience.

President Zapcic closed the public hearing portion of the meeting.

Mayor Ducey stated he is calling for resumes for those interested in serving on various boards; he announced upcoming events.

Councilman Fozman asked if the engineering report was completed for Greenbriar I and the dredging done at Trader's Cove. He spoke several issues that residents have contacted him about. He announced People's Pantry is in need of donations. He congratulated students of the month, thanked Marguerite Weiss for her informative presentation and thanked Dennis Filippone for speaking about Brick United.

Joanne Bergin responded they have not received any further information on Greenbriar I and permits will not be issued on the dredging project until the test results come back.

Councilwoman Pontoriero spoke of Marguerite Weiss and her presentation on Dystonia Awareness. She congratulated students of the month.

Councilwoman deJong gave an update on the Buy-in-Brick program. She announced the monies brought into the Buy-in-Brick merchants, the number of sales and the number of families who have joined.

Councilman Mummolo commented he is happy to be part of council/administration that does not believe in using one-shot revenue to balance a budget. He stated this has been done in the past and has failed. He is happy that most of council agreed on small businesses. He congratulated all the students of the month.

Councilman Halloran stated that the students of the month should keep up the good work. He stated Marguerite Weiss is certainly a courageous spokesperson for Dystonia Awareness, her story is moving and he hopes people who suffer from that take her as an example as to how hard she worked to get herself back to good health. He wished Dennis Filippone good luck with Brick United.

Vice President Crate announced some activities from the Brick Library.

President Zapcic reiterated Councilman Mummolo's comments on small businesses and added they are an integral part of the community. She spoke of the bond ordinances and said Mayor Ducey put a cap on spending in 2014. She stated she looked at her 2013 transition team notes on recreation department and stated there was a recommendation in that report to provide senior buses. She gave kudos to Zulma Soto on completing the grant applications for one of these buses.

Motion by Councilman Mummolo and seconded by Councilman Halloran to Adjourn the meeting at 9:45 p.m.

All Council Members voted AYE.

Andrea Zapcic
Council President

Jessica L. Larney
Assistant Township Clerk