

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 7:00 p.m.

Present

Councilwoman Andrea Zapcic*
 Councilman Vince Minichino*
 Councilwoman Heather deJong*
 Councilman Paul Mummolo*
 Councilwoman Marianna Pontoriero*
 Council Vice President Arthur Halloran*
 Council President Lisa Crate

Also Present

Mayor John G. Ducey
 Kevin Starkey, Township Attorney*
 Lynnette A. Iannarone, Township Clerk
 Joanne Bergin, Business Administrator

(*Present via Zoom)

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 7, 2020. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

President Crate thanked everyone for participating in this evening's Township Council meeting. She said the COVID-19 pandemic prevents them from meeting in the traditional way, but they have adjusted accordingly so that they can continue to conduct the business of the Township, and serve the residents. She said this meeting is available through the Zoom application, where you can see and hear tonight's meeting, and participate during all public comment periods as you would if they were all together in person. She said to ask a question or comment, please click on your device and a bar will appear on the bottom of your screen. One of the icons posted there is a "Raise your hand" button. Click that to indicate you have a question. She said they can see that on their end and will call on people one at a time. Questions and comments are also welcome by email. The address is publicmeetingquestions@bricktownship.net and they will be checking emails throughout the meeting and will read those questions into the minutes and respond accordingly.

This meeting began with the salute to the flag followed by a moment of silence.

Clerk Iannarone was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of May 2020.

Motion by Councilman Mummolo and seconded by Vice President Halloran to dispense with the reading of the minutes of May 12, 2020 and approve the same.

All Council Members voted AYE on Roll Call

Motion by Councilman Mummolo and seconded by Councilwoman Zapcic to adopt the following Resolutions:

All Council Members voted AYE on Roll Call; except:

Councilwoman Pontoriero was absent at 7:18 p.m.

Recognize Dystonia Awareness Month – June

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 Acceptance of Emergency Management Performance Grant – 2020

President Crate stated this resolution authorizes the acceptance of an Emergency Management Performance Grant in the amount of \$10,000 from the New Jersey State Police, Office of Emergency Management. She said the grant is intended to enhance Brick Township's Emergency Management ability to prevent, protect against, respond to and recover from, acts of terrorism, natural disasters and other catastrophic events and emergencies. She advised these funds are used to offset the salary of the Township's Deputy Emergency Management Officer.

Authorize Submission of Grant Application – NJDOT 2021 Municipal Aid Program Roadway Elevation Project

President Crate stated this resolution authorizes the submission of a New Jersey Department of Transportation Municipal Aid Program Grant application for roadway elevations in flood-prone sections of Normandy Beach. She said certain low-lying sections of Normandy Beach neighborhoods in both Brick and Toms River are prone to nuisance-related flooding and can be alleviated by elevating low-lying streets. She advised this is a joint application for both municipalities. She said this project will focus on Broad Street and portions of 5th, 6th and 7th Avenue.

Authorize Receipt of Bids – Purchase & Delivery of Flood Control Valves

President Crate stated this resolution authorizes the receipt of bids for the purchase and delivery of flood control valves at 18 locations in Brick Township. Those include Brower Drive, Vanard Drive, Halsey Drive, Ward Drive, Seagoin Road, Island Drive, Rochester Drive, Lawndale Drive, West Kupper Drive, three on Broad Avenue and at two outfalls on Bretonian and Driftwood. She said these flood control valves were approved as part of the 2020 capital budget. She advised this will be a unit price bid for two years, with approximately 20 different sizes as needed throughout our community.

Authorize Receipt of Bids – Computer & Printer Supplies

President Crate stated this resolution authorizes the receipt of bids for computer and printer supplies. She said currently, the IT department is compiling a list of required supplies they anticipate purchasing in the next contract period. She said the current contract period is for one year and is due to expire on August 27, 2020. She advised to date they have spent approximately \$30,000.00 to maintain the Township's computer system, printers, fax machines, etc.

Authorize Award of Bid – Addition to Access Control System

President Crate stated this resolution authorizes the award of bid for the addition to the access control system to Mr. Keys. She said this is a unit price bid not to exceed \$125,000.00. She advised this is a two-year contract commencing June 10, 2020 and ending June 9, 2022. She said bid packages were picked up by nine prospective bidders and one bid was received, that being Mr. Keys.

Authorize Award of Bid – Printing Services

President Crate stated this resolution authorizes and award of bid for printing services on a per item basis to: American Envelope; Centurion Printing; Concept Print; Premier Printing Solutions; and Ridgewood Press. She said this is a unit price bid not to exceed \$45,000.00. She advised this is a two-year contract commencing June 10, 2020 and ending June 9, 2022. She said bid notices were provided to 52 prospective bidders from the bidders list of which twenty-one vendors picked up bid packages and eight bids were received. She advised there is a tie bid for six items and a coin toss was performed to break the tie with the winning award for Item #13: Business cards to Premier Printing Solutions; Item #18: Proclamation paper to Premier Printing Solutions; Item #61: UCC F-350B Cut in card to Ridgewood Press; Item #63: Occupancy Notice to Ridgewood Press; Item #94: BT-104 Voluntary Statement Form to Ridgewood Press and Item #110: Drug Enforcement Unit Field Information Card to Ridgewood Press.

Authorize Award of Bid – Summerfest Food Truck Vendors

President Crate stated this resolution authorizes an award of bid for Summerfest food truck vendors to the following vendors: It's All Greek to Me and Shore Shake. Both items are in category 5 for specialty foods. She said no responsive bids were received for category 1 pizza or category 2 hot food. She advised this resolution also provides the Business Administrator to directly negotiate for these categories. She said bid notices were provided to 98 prospective bidders and eight picked up bid packages of which two bids were received.

Authorize Award of Bid – Fireworks Exhibitions

President Crate explained that this resolution authorizes the award of bid for fireworks exhibitions to Schaefer Fireworks, Ronks, PA, for the total amount of \$22,000.00 which is \$4,400.00 per event. She advised this contract includes four Summerfest concerts and Fall Fest. She said bid notices were provided to nine prospective bidders and five picked up bid packages of which two bids were received with Schaefer Fireworks being the lowest responsive, responsible bidder.

Authorization to Negotiate Contract – Beer & Wine Garden Concession

President Crate stated the Township has gone out for bids twice for the beer and wine garden concession and received no bids, therefore, this resolution provides the Business Administrator with the authority to negotiate a contract for a beer and wine garden concession.

Authorization to Negotiate Contract – Fall Fest Food Vendor Concession

President Crate stated the Township has gone out for bids twice for Fall Fest vendor concession and received no bids, therefore, this resolution provides the Business Administrator with the authority to negotiate a contract for a Fall Fest vendor concession.

Authorize Disposal of Surplus Property – 37' Egg Harbor Boat

President Crate stated this resolution authorizes the disposal of surplus property, specifically a 37' Egg Harbor wooden boat. She advised the Township has been unsuccessful in all attempts to identify the boat owner or responsible party and noted the boat is not seaworthy and is a safety risk in dry dock.

Authorize Waiver of Noise Ordinance – J.F. Kiely – Route 88

President Crate stated this resolution authorizes J.F. Kiely to work overnight for utility connections on Route 88 and Jordan Road for June 11 through June 16 during the hours of 8 pm and 5 am. She advised the contractor is working to complete a repair of a natural gas line and will need to shut down the westbound lane to access the gas line. She said working overnight will limit traffic impact. She said the Township's Traffic Safety division requested the Council consider the waiver to allow work overnight.

Authorize Use of Havens Farm for Organized Recreation Activities

Mayor Ducey stated the Council's Recreation Committee is presenting this resolution for approval as a way to help local gyms, fitness clubs and other exercise programs find a way to hold classes during the pandemic. The effects of the COVID pandemic are crippling local businesses and as restrictions slowly begin to lift, there is likely to remain social distancing guidelines in place that are less restrictive outdoors than indoors. He said people need to be outdoors and exercising and local businesses do not have the ability to offer classes outdoors in their parking lots, which are often shared with other businesses. He explained this resolution is intended to be pro-active in allowing for outdoor classes as a way to assist businesses in providing appropriate social distancing while maximizing the number of residents that can be served at any given time. He advised the committee identified Havens Farm as an ideal location to offer for exercise classes via permit from the Recreation Office. He said this location has ample parking and has a natural buffer for residential properties. He said the area can be split into four fields. And a permit process is in place. He said this will be similar to the process when people rent the parks for sports teams. He advised applicants will be required to provide a hold harmless agreement and insurance certificate and they will also be required to comply with whatever social distance guidelines are currently in place.

Authorize Modification to the Outside Dining Areas

Mayor Ducey said they are modifying the outside dining area the council passed at the last meeting. He said the reason is because when the Governor was speaking about opening restaurants the original conversation was when restaurants were allowed to open there would be 25, 35 or 50 percent capacity and that is why they came up with the idea to help supplement with the outdoor to make up the other percentage. He said when the Governor announced it he did not talk at all about allowing any inside dining – so the outdoor dining will be the only seating areas for restaurants. He said with the result of this change from Governor's office they are modifying the approval that seating areas may be covered but not enclosed.

Tax Collector:

Joanne Bergin advised the following:

- Authorize Extension of Grace Period for 2nd Quarter Property Taxes to June 1, 2020 this resolution clarifies the extension and covers anyone who paid on June 1st and those who paid on June 1st who were charged interest will receive a credit on the next quarter's taxes.
- Tax Overpayments – 2020 there are two: Block 1210.22, Lot 11 in the amount of \$1,383.97 and Block 1340.17, Lot 48 in the amount of \$6.77.

President Crate opened the public hearing on the Resolutions.

There were no comments from the public.

President Crate closed the public hearing on the Resolutions.

President Crate opened the public hearing on the Computer Bill Resolution.

There were no comments from the public.

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

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

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

2020 Computer Bill Resolution in the amount of \$1,829,492.16

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

There were no comments from the public.

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

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

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

2020 Manual Bill Resolution in the amount of \$1,683,507.18

Ordinance on First Reading: Amend Chapter 288-52 Vehicles & Traffic – Title 39 Enforcement

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

President Crate explained Township Engineer Elissa Commins requested the Council review and amend the Schedule XXII list of properties. She said most statutes that pertain to motor vehicle laws and Motor Vehicle Commission are in Title 39 of the New Jersey Statutes Annotated. She explained when property owners with property located outside of a public right of way wants to enforce the provisions of Title 39, an application is made to the Township to include the property in the Township Code Section 288-52, Schedule XXII. She said this gives the police the ability to enforce motor vehicle rules and regulations on private property. She said the engineer provided the Committee with a list of sites that have applied to the Township for inclusion in the private property enforcement areas. She advised these sites have all been inspected by the Division of Engineering to insure the traffic signs and markings are properly installed in accordance with the Manual on Uniform Traffic Control Devices. She noted while the police will have the ability to enforce motor vehicle regulations, the Township will have no liability or obligation with respect to site maintenance.

Motion by Councilman Mummolo and seconded by Vice President Halloran 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.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, TO DESIGNATE CERTAIN PROPERTIES AS SUBJECT TO TITLE 39 ENFORCEMENT

Ordinance on Second Reading: Bond Ordinance – 5 Year Life

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

President Crate stated the following ordinances reflect the expected useful life of a variety of capital items for all Township departments totaling \$6,620,439.20. She explained this first round of ordinances includes projects that are essential and top priorities. The remainder of the capital projects approved as part of the total \$8.5 million capital budget will be approved at a later date. She advised 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. She advised essential projects include infrastructure projects (roads, storm drain retrofits, flapper valves, etc.), tools and equipment for the department of public works, sanitation trucks and other essential services vehicles, security projects, technology needs, and the continuation of dredge master plan and flooding analysis. She noted roadway elevation projects are also included.

President Crate opened the public hearing on the Ordinance.

There were no comments from the public.

President Crate closed the public hearing on the Ordinance.

Motion by Councilwoman Pontoriero and seconded by Councilwoman Zapcic 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 \$2,003,345 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,903,177 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$2,003,345, said sum being inclusive of a down payment in the amount of \$100,168 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,003,345 appropriation not provided for by application hereunder of said \$100,168 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,903,177 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 \$1,903,177 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 vehicles and equipment including, but not limited to, air conditioning units, power tools, fire alarms, lighting, power inverters, paving materials, trailers, mowers, maintenance equipment, sanitation trucks, garbage trucks, dump trucks, backhoes, tractors, and other non-passenger vehicles for various Township Departments, including, but not

limited to, the Department of Public Works, 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 engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, tools, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$1,903,177.

(d) The estimated cost of said improvements and purposes to the Township is \$2,003,345, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$100,168 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 \$1,903,177, 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 \$300,502 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, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

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

SECTION 11. The Township, if applicable, 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

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

President Crate opened the public hearing on the Ordinance.

There were no comments from the public.

President Crate closed the public hearing on the Ordinance.

Motion by Councilman Mummolo and seconded by Councilman Minichino 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 \$657,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$624,482 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 \$657,350, said sum being inclusive of a down payment in the amount of \$32,868 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 \$657,350 appropriation not provided for by application hereunder of said \$32,868 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$624,482 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 \$624,482 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various hardware and software technology and computer equipment including, but not limited to, desktop computers, laptops, telephones, telephone poles, conduits, wiring, cameras, FOB systems, monitors, recording systems, servers, and related 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 engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$624,482.

(d) The estimated cost of said improvements and purposes to the Township is \$657,350, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$32,868 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 \$624,482, 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 \$98,603 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, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

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

SECTION 11. The Township, if applicable, 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

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

President Crate opened the public hearing on the Ordinance.

There were no comments from the public.

President Crate closed the public hearing on the Ordinance.

Motion by Vice President Halloran and seconded by Councilwoman Zapic 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 \$2,816,745 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,675,909 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$2,816,745, said sum being inclusive of a down payment in the amount of \$140,836 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,816,745 appropriation not provided for by application hereunder of said \$140,836 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,675,909 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 \$2,675,909 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 rehabilitation of the a boat for the Police Department and (iii) the acquisition and installation, as applicable, of various items of equipment, including, but not limited to, ballistic vests, radios, defibrillators, furniture, lockers, and non-data processing equipment for the Police Department.

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

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$2,675,909.

(d) The estimated cost of said improvements and purposes to the Township is \$2,816,745, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$140,836 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 \$2,675,909, 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 \$772,574 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, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

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

SECTION 11. The Township, if applicable, covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, 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

Ordinance on Second Reading: Bond Ordinance – 15 Year Life

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

President Crate opened the public hearing on the Ordinance.

There were no comments from the public.

President Crate closed the public hearing on the Ordinance.

Motion by Councilwoman Pontoriero and seconded by Vice President 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 \$1,193,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,133,350 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 \$1,193,000, said sum being inclusive of a down payment in the amount of \$59,650 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 \$1,193,000 appropriation not provided for by application hereunder of said \$59,650 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,133,350 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 \$1,133,350 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, grounds, and roads, (ii) drainage, bulkhead, and dredging improvements to various locations throughout the Township including, but not limited to, pipe replacements, valve replacements, pump installations, roadway elevations, and bulkhead replacements, (iii) the acquisition of a pre-fabricated Special Operations Building, and (iv) recreational park improvements to existing parks and beaches at various locations throughout the Township including, but not limited to, Windward Beach Park including, but not limited to, design of ADA Improvements, paving, signage, striping, ramps and handrails.

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

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$1,133,350.

(d) The estimated cost of said improvements and purposes to the Township is \$1,193,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$59,650 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 \$1,133,350, 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 \$217,650 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, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

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

SECTION 11. The Township, if applicable, covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, 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 Crate opened the public hearing portion of the meeting.

George Scott, 16 Queen Ann Road, stated his displeasure with Queen Ann Road not being one of the roads included in the flood control valves resolution. He said this street has had a problem for many, many years with flooding and asked for an explanation.

Joanne Bergin advised this is the first list and more will be coming along the way. She advised that Bay Harbor is one of the 13 low lying areas they are looking into with the engineers.

Mayor Ducey advised these streets were the only ones that were recommended at this time. He advised there's \$200,000.00 worth of flapper valves in the budget and believes they will be buying them in phases.

There were no further comments from the public.

President Crate closed the public hearing portion of the meeting.

Mayor Ducey advised the playgrounds will be open shortly; he mentioned the Farmer's Market is every Saturday from 9am to 2pm at Windward Beach Park; he gave particulars on the Drive-In Movies at Drum Point Sports Complex; he congratulated the Mayor's Student Advisory Counsel 2020 graduates; he said he had the opportunity to attend the BMHS "Stang" Stampede and said tomorrow is the BTHS "Dragon" Drive; he said he has gotten a lot of questions why some parks are not open like the Reservoir – he explained the Reservoir is owned by the BTMUA and they have said because they are a water source, not really a park and they do not have the staff to enforce social distancing or clean the bathrooms as often as they need to be cleaned during this time; he said Forsythe Wildlife Reserve Trail is owned by the Federal Government and he has not heard when it will reopen but noted F-Cove is open.

Councilwoman Zapcic said as our lives start to go back to something looking a little bit closer to normal then what we have experienced for the last several months – she urged everyone to take the necessary precautions wear masks, stand six feet apart and continue to wash your hands.

Councilwoman deJong said stay safe and be well.

Councilwoman Pontoriero said with the end of the school year approaching she would be remiss not to thank the extraordinary efforts of all the teachers who despite extenuating circumstances have really rallied to give the kids the best education that they could obtain remotely.

Motion by Vice President Halloran and seconded by Councilwoman Zapcic to Adjourn the meeting at 7:45 p.m.

All Council Members voted AYE.

Lisa Crate
Council President

Lynnette A. Iannarone
Township Clerk