

June 21, 2016

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

Present

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

Also Present

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

Absent

Councilwoman Heather deJong

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

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

The 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 2016.

Motion by Vice President Pontoriero and seconded by Councilman Halloran to dispense with the reading of the minutes of the May 3, 2016 meeting and approve the same.

All Council Members voted AYE on Roll Call.

Students of the Month

Mayor Ducey, President Mummolo along with Councilwoman Crate recognized the Students of the Month for May. Councilwoman Crate named BMHS Students of the Month and presented certificates to: Tyler Rosace, Sarah Sywanycz, Eternity Gawronski, Samantha Jones, Michaela St. George, Nicholas King, Alejandro Cisneros and Chloe LaVallee.

Retirement of Scott Pezarras

Mayor Ducey recognized Scott Pezarras for his 3 plus decades of service to the community and he wished him the best in his retirement. He commented over the past 30 years there have been few if any employees who have played as important a role as Scott has here in the municipal government of Brick. He provided a brief background of Scott's career and presented him with a Proclamation and proclaimed July 1st as Scott Pezarras Day and also presented him with a Key to the City.

President Mummolo read and presented a resolution to Scott on behalf of the Township Council.

Scott Pezarras stated he has spent nearly 32 years with the Township of Brick. He has endured 7 mayors, 41 council members, 22 budgets, 22 audits, 2 revaluations, some 7,000 tax appeals, 2 epic snowstorms, 2 major hurricanes, a non-hurricane known as Sandy, and an earthquake. He stated he has taken 1,050 hours' worth of continuing education credits and has held 8 different positions with the township ranging from entry level clerk to the top management position of Business Administrator. He said he can honestly say he served in each of the positions he held with the same intensity and passion throughout his career. He has enjoyed his tenure with the township and in particular, conversations with residents, but most of all interaction with his fellow employees whether it be solving township problems or just having a friendly chat about what was going on in their lives. He stated Brick Township is full of dedicated people that are committed to being the best they can be. He thanked everyone for 32 years of memories.

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

All Council Members voted AYE on Roll Call.

Recognize Retirement of Scott Pezarras

President Mummolo asked everyone to please join him in honoring Scott Pezarras, who is retiring on June 30 after 32 years of dedicated service to the Township of Brick.

Authorize 2016 Temporary Capital Budget

President Mummolo stated this resolution authorizes the temporary capital budget based upon the completed capital bond ordinances that will be introduced later this evening. He said when it was introduced, the municipal budget included a line item of \$8.5 million in capital, now that they have finalized the capital budget, this resolution is necessary along with the ordinances and the capital expenditure total of \$8,495,003.00.

Authorize Application – Recreational Opportunities for Individuals with Developmental Disabilities Grant

Councilwoman Zapic explained this resolution authorizes the submission to the New Jersey Department of Community Affairs for a \$20,000.00 grant for the Township's winter break camp which provides inclusive recreational opportunities for individuals with developmental disabilities.

Authorize Application – Safe Route to Schools Grant

Councilwoman Crate explained this resolution authorizes the submission of a \$525,000.00 grant to the New Jersey Department of Transportation for the Safe Routes to School program for pedestrian safety improvements along Midstreams and Lanes Mill Road.

Authorize Receipt of Bids – Peterbilt Parts & Repair

Councilman Fozman explained this resolution authorizes the receipt of bids for various repairs to township Peterbilt Trucks that cannot be done in house. He said this is mainly due to the fact that the repairs require specialized equipment and training and/or the purchase of Peterbilt parts.

Authorize Award of Contract – Brick Township's Fair Share Plan

President Mummolo stated this resolution authorizes the award of contract with Homes Now, Inc., Brick, to facilitate the implementation of the Township's Fair Share Housing Plan.

Support NJDOT No Passing Zone – Princeton Post Road

President Mummolo stated this resolution authorizes a request from the NJDOT to designate the Section of Route 88 by Princeton Post Road as a "no passing zone."

Authorize Suspension of Noise Ordinance – BTHS & BMHS Marching Bands

President Mummolo stated this resolution authorizes the suspension of the Township's noise ordinance for the Brick Township and Brick Memorial High School bands for their practices and band festivals in accordance with the schedules as provided by each school.

Mayor Ducey explained in 2014 an ordeal began and he came up with this idea of waiving the noise ordinance for the bands. He said in 2015 they went to the band directors to get them to say what days and times they need to prepare their bands to be award winning bands. He said they then put it on the agenda and council gets to pass that waiver of the noise ordinance. He stated they will continue this every year.

Authorize Placement of Tax Liens for Property Clean-ups

President Mummolo stated this resolution authorizes the placement of a tax lien on 108 Bayview Drive, Block 270, Lot 113 in the amount of \$448.84.

Authorize Special Events Permit – Dick's Sporting Goods Tent Sale

President Mummolo stated this resolution authorizes a special events permit for an outdoor tent sale at Dick's Sporting Goods June 23 through July 11.

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Authorize 2016-2017 Liquor License Renewals without Restrictions – Consumption, Distribution and Club Licenses

President Mummolo stated this resolution authorizes liquor license renewals without restrictions for plenary retail consumption licenses, plenary retail distribution licenses and club licenses. The applicants are qualified to be licensed according to statutory, regulatory and local government ABC laws and regulations.

Authorize 2016-2017 Plenary Retail Consumption Liquor License Renewals with Restrictions:

- | | |
|-----------------------------|-----------------------------|
| a. Applebee's | i. Mantoloking Road Pub |
| b. Bonefish Grill | j. Outback Steakhouse |
| c. Brickhouse Bar & Grill | k. Quaker Steak & Lube |
| d. Buffalo Wild Wings | l. Red Robin |
| e. Carrabba's Italian Grill | m. Tommy's Coal Fired Pizza |
| f. Famous Dave's | n. Tuscany |
| g. Houlihan's | o. Use to Be's |
| h. Mansion on the Plaza | |

Bond Releases/Reductions

Clerk Iannarone advised the following:

- a. Performance Bond Release – Susskind & Almallah – Cedar Bridge Ave. in the amount of \$136,976.11 and the cash performance bond in the amount of \$15,219.61.
- b. Inspection Fund Release – Peter Kearns – Ellison Drive in the amount of \$250.00.

Tax Collector

Joanne Bergin advised the following: Tax Overpayments – 2016: Block 177, Lot 3.01, 503 Mantoloking Road, in the amount of \$1808.16; Block 870.22/ Lot 29.18, 7 Brushy Neck Court, in the amount of \$624.92; Block 1133.03, Lot 7, 47 Cleveland Avenue, in the amount of \$2,255.64.

President Mummolo opened the public hearing on the Resolutions.

George Scott, 16 Queen Ann Road, recognized Scott Pezarras on his retirement and wished him the best. He spoke about Scott. He commended council on going out and getting the grant for special needs.

Councilwoman Zapcic stated \$20,000.00 is the maximum award the agency provides.

Nan Coll, 18 Greenbriar Boulevard, commended Scott Pezarras. She said that she did not have as much interaction with him as others but he always stood ready to help. She expressed her displeasure of timing with respect to the resolutions. She said that she had some questions on some of the resolutions.

President Mummolo responded the NJDOT asked for a resolution for the Route 88 "No Passing Zone" which is already marked as a no passing zone and nothing will change.

There were no further comments from the audience.

President Mummolo closed the public hearing on the Resolutions.

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

There were no further comments from the audience.

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

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

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED on NJ Press Media and
Councilman Fozman ABSTAINED on BTMUA.

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2016 Computer Bill Resolution in the amount of \$2,935,959.38

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

There were no comments from the audience.

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

Motion by Councilwoman Zapcic and seconded by Councilman Halloran to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

2016 Manual Bill Resolution in the amount of \$1,630,011.03

Ordinance on First Reading: Amend Chapter 245 – Wireless Telecommunication Towers and Antennas

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

President Mummolo stated this ordinance came out of the Land Use Committee. He said the federal government enacted a law that municipalities have to let wireless antennae companies replace and repair their equipment. He reported only substantial changes require a hearing before the board of adjustment; it is a requirement for municipalities to comply. He stated in October of 2014, the Federal Communications Commission issued a Report and Order, which overrides and preempts state and local land use law with respect to wireless collocation applications, such as applications to mount or install additional transmission equipment to existing wireless towers or base stations. He said subject to limited exceptions, local governments must, within 60 days, approve any application which does not substantially change the size of existing structures. He explained the Order would force each municipality to change its review procedures and its ordinances relating to such applications.

Motion by Vice President Pontoriero and seconded by Councilman 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 AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, SO AS TO AMEND CHAPTER 245, ENTITLED “WIRELESS TELECOMUNICATION TOWERS AND ANTENNAS”

Ordinance on First Reading: Bond Ordinance – 5 Year Life

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

Mayor Ducey stated the capital budget is always a difficult time for him because he is fiscally conservative; he does not like to spend a lot of money but he still recognizes the need to fund projects and equipment. He said with Scott's help when he first became mayor they instituted a debt reduction plan. He explained the plan. He stated this year's capital budget is right in line with his debt reduction plan. He said it will be a \$2.3M reduction in 2016 and there was also a \$7.8M reduction in 2015. He reported between his first two years as being mayor the total reduction has been \$13.2M and does not include the \$2.3M from this year so by the end of this year there will be a reduction of \$15.5M taken off the debt since he became mayor. He commented the main priority of the approved capital request is to continue to address the infrastructure needs. He thanked council for considering these ordinances and the department heads, Scott Pezarras and Joanne Bergin for their hard work on developing budgets and prioritizing needs.

Motion by Councilwoman Zapcic and seconded by Vice President Pontoriero 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.

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BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$5,279,295 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,938,837.75 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 \$5,279,295, said sum being inclusive of a down payment in the amount of \$1,340,457.25, which down payment is comprised of \$207,307.25 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, plus an additional \$1,133,150 to be transferred to this bond ordinance from available capital surplus funds.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$5,279,295 appropriation not provided for by application hereunder of said \$1,340,457.25 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$3,938,837.75 pursuant to 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 \$3,938,837.75 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 various Class C roadway improvements at various locations throughout the Township, and the acquisition and installation, as applicable, of various items of motorized and non-motorized equipment for various Township departments.

(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 \$3,938,837.75.

(d) The estimated cost of said improvements and purposes is \$5,279,295, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$1,340,457.25 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.

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

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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 Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements 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 \$3,938,837.75, but such amount shall constitute a deduction from gross debt to the extent permitted by law, 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 \$975,000 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. Unless paid from other sources, 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. 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 Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$3,938,837.75. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in

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service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. 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 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor and Council President, as provided by the Local Bond Law.

Ordinance on First Reading: Bond Ordinance – 7 Year Life

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

President Mummolo stated the mayor's explanation on the capital budget will fall under the 5-year, 7-year, 10-year and 15-year ordinances.

Motion by Vice President Pontoriero and seconded by Councilman 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.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$592,595 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$562,965.25 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 \$592,595, said sum being inclusive of a down payment in the amount of \$29,629.75 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 described in Section 3 hereof and to meet the part of said \$592,595 appropriation not provided for by application hereunder of said \$29,629.75 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$562,965.25 pursuant to 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 \$562,965.25 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 Township departments.

(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 \$562,965.25.

(d) The estimated cost of said improvements and purposes is \$592,595, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$29,629.75 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

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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.

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 Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements 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 \$562,965.25, but such amount shall constitute a deduction from gross debt to the extent permitted by law, 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 \$180,000 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. Unless paid from other sources, 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. 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 Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue

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Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$562,965.25. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. 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 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor and Council President, as provided by the Local Bond Law.

Ordinance on First Reading: Bond Ordinance – 10 Year Life

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

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

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$195,715 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$185,929.25 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 \$195,715, said sum being inclusive of a down payment in the amount of \$9,785.75 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 described in Section 3 hereof and to meet the part of said \$195,715 appropriation not provided for by application hereunder of said \$9,785.75 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$185,929.25 pursuant to 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 \$185,929.25 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 police equipment (non-data processing).

(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

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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 \$185,929.25.

(d) The estimated cost of said improvements and purposes is \$195,715, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$9,785.75 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.

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 Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements 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 \$185,929.25, but such amount shall constitute a deduction from gross debt to the extent permitted by law, 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 \$20,000 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. Unless paid from other sources, 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*

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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. 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 Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$185,929.25. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. 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 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor and Council President, as provided by the Local Bond Law.

Ordinance on First Reading: Bond Ordinance – 15 Year Life

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

Motion by Vice President Pontoriero and seconded by Councilman Fozman 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.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$3,560,548 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,382,520.60 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 \$3,560,548, said sum being inclusive of a down payment in the amount of \$178,027.40 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 described in Section 3 hereof and to meet the part of said \$3,560,548 appropriation not provided for by application hereunder of said \$178,027.40 down payment, negotiable bonds of the Township are hereby authorized to be issued

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in the aggregate principal amount of \$3,382,520.60 pursuant to 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 \$3,382,520.60 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 various Class B buildings and grounds improvements, and recreational park improvements (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 \$3,382,520.60.

(d) The estimated cost of said improvements and purposes is \$3,560,548, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$178,027.40 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.

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 Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements 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

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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 \$3,382,520.60, but such amount shall constitute a deduction from gross debt to the extent permitted by law, 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 \$800,000 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. Unless paid from other sources, 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. 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 Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$3,382,520.60. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. 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 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor and Council President, as provided by the Local Bond Law.

Ordinance on Second Reading: Amend Chapter 445 – Trailers and Storage Containers

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

President Mummolo stated this ordinance came out of the Land Use Committee. He said in this ordinance, trailers will be permitted for a period of one year, renewable for one-year periods. He reported currently, Township code does not allow for the use of trailers and storage containers. He said this ordinance only regulates the use of trailers in the M-I Light Industrial Zone and the maximum number of permitted trailers and/or storage containers used as outdoor storage facilities is based on existing square footage. He said trailers will require initial inspections and annual inspections thereafter. He reported the contents of the trailer shall be directly related to the approved use and operations of the business on the developed site. He stated storage of materials unrelated to the normal operation of the business is considered a violation. He explained an initial registration fee of \$300 per trailer is required, as is a renewal fee of \$150.00 which is necessary to offset the inspection costs.

President Mummolo opened the public hearing on the Ordinance.

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There were no comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

Motion by Vice President 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.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF BRICK, SO AS TO AMEND CHAPTER 445 "TRAILERS" WHICH SHALL NOW BE ENTITLED "TRAILERS AND STORAGE CONTAINERS"

President Mummolo opened the public hearing portion of the meeting.

Walter Campbell, 655 Mark Manor Drive, commented there are two advisory committees set up for the stabilization of the barrier island and secondly for the Foodtown site so they can get that developed. He said these two advisory committees would have co-chairs from the council and then get some volunteers. He commented on the sand that was trucked in. He stated there should have been snow fences placed in front of the sand that was added. He reiterated the need for the two advisory committees. He expressed his concerns with what they are doing at the beach and with the Foodtown site.

Mayor Ducey responded they made sure the state was going to pay \$450,000.00 for sand and trucked in as much as was needed to enable the building up of the beaches. He said they have a 50-year project guarantee from the Army Corps of Engineers; it's an engineered beach. He stated what they have now is a sand pile, it's not engineered.

Joanne Bergin stated that would require us to be using heavy equipment and operating on the beach all summer long to do that project and that is not what the residents who have homes there nor the beachgoers want. She said what they did this year was truck in sand that they already had available with the state reimbursing us with the goal to give people a safe beach this summer only; not a long term plan for an engineered beach that will come next summer. She said the goal was for this summer. She stated if the sand washes away the sand washes away which is not something they were comfortable with but if the state was going to reimburse us they were willing to do that in order to give everyone a safe beach access this summer.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project and spoke of the trees at Evergreen Woods.

Michele Spector, 808 Jenny Court, expressed her concerns with the parkway construction project, the percentage of trees that died and the report from the sound study.

Joanne Bergin stated what was provided to Michele was not through an OPRA request; they made the request on her behalf and were able to facilitate that for her. She said in this case they would be happy again to facilitate. She explained to Michele what would be helpful as if she could email her the points that she wants clarified in the sound study she would be more than happy to facilitate that inquiry to the TPA.

Nan Coll, 18 Greenbriar Boulevard, expressed her concerns that there is no place for seniors to go for coffee after mass on Sunday or after a group meeting and a place like Cracker Barrel would be a great addition to the town.

Mayor Ducey said when he first became mayor one of the places he contacted was Cracker Barrel and he was told they are too far away from an interstate.

Walter Campbell, 655 Mark Manor Drive, expressed his concerns for the Foodtown property.

President Mummolo closed the public hearing portion of the meeting.

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Mayor Ducey reported the entrance ramp project should be completed by the end of July. He announced all of the blue lights are for Police Appreciation Week from June 19 through June 25, basically a way for the town to say thank you to the police department. He reported tax bills will be going out shortly. He mentioned the 5th grade DARE graduations. He announced this year's Grand Marshal for the Columbus Day Parade is Michael Blandina. He congratulated all of the high school graduates.

Councilwoman Zapcic thanked the students of the month for coming out with their families and wished them luck. She wished Scott Pezarras much luck, good health and happiness in his retirement.

Councilman Halloran congratulated the students of the month and wished Scott Pezarras all the best for a relaxing and long retirement. He said that he attended the grand opening of the Spanish Olive and commented the food was excellent. He mentioned the farmer's market just keeps getting bigger and better every week. He wished everyone a safe 4th of July. He commented on what needs to be done on the Barrier Island and asked people to be patient.

Councilwoman Crate congratulated the students of the month and wished Scott Pezarras well with his retirement. She spoke about Safe Routes to Schools Grant which will expand the opportunity for students to walk to school. She urged residents to go to Lake Riviera Park; it's a great family park. She wished everyone a Happy 4th of July.

Councilman Fozman attended the Herbertsville Park Community Day. He wished Scott Pezarras a happy retirement and commented he always helped him when he had questions. He said that he attended the Neighborhood Watch at Wedgewood Senior Village. He said it was good to see the Department of Public Works got a good share of capital.

Vice President Pontoriero commented it's bittersweet with the retirement of Scott Pezarras. She stated not only is Brick losing a wonderful employee but a great person and thanked him for his service. She congratulated the students of the month. She said that she attended the Columbus Day Parade Committee Dinner honoring Grand Marshall Michael Blandina. She attended the meeting with residents of Wedgewood for the Neighborhood Watch Program and talked about the grant they are using for the program.

President Mummolo thanked Scott Pezarras and said he will be missed. He thanked the students of the month. He looks forward to Michael Blandina being Grand Marshall of the Columbus Day Parade. He urged people to attend the Farmer's Market at Windward Beach. He stated he appreciates the help of all of the professionals in town.

Motion by Councilman Halloran and seconded by Councilman Fozman to Adjourn the meeting at 8:35 p.m.

All Council Members voted AYE.

Paul Mummolo
Council President

Lynnette A. Iannarone
Township Clerk