

July 12, 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 7:05 p.m.

Present

Councilwoman Andrea Zapcic
Councilman Arthur Halloran
Councilwoman Heather deJong
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

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 and a moment of silence followed by a prayer by John O'Rourke.

Motion by Council Fozman and seconded by Councilman Halloran to dispense with the reading of the minutes of the May 17, 2016 meeting and approve the same.

All Council Members voted AYE on Roll Call, except:
Councilwoman Zapcic ABSTAINED and
Vice President Pontoriero ABSTAINED

Mayor's Presentation:

50th Anniversary Brick Flotilla 16-05 of the U.S. Coast Guard Auxiliary

Mayor Ducey recognized the members of Brick Flotilla 16-05 for their 50th Anniversary. He said the U.S. Coast Guard Auxiliary was established by Congress in 1939 and the mission of the Auxiliary is to promote and improve recreational boating safety, to provide trained crews and facilities to augment the Coast Guard and enhance safety and security of ports, waterways, and coastal regions and also to support Coast Guard operational, administrative, and logistical requirements. He said the Auxiliary is comprised of thirty-thousand members serving the nation and the communities in one-thousand local units. He presented and proclaimed Wednesday, July 13, 2016 U.S. Coast Guard Auxiliary Brick Flotilla 16-05 Day.

Mr. Bearce, Flotilla Commander, thanked the Mayor and spoke of Flotilla 16-05 and noted they are always looking for new members age 17 and over. He mentioned they hold their safety boating class here at Town Hall. He said one of the big events they participate in with the police department is the fireworks displays.

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

All Council Members voted AYE on Roll Call.

Recognize Brick Township Rotary Club for Bullet Proof Vest Fundraiser

President Mummolo stated this resolution recognizes the 32nd annual Vest Fund Dinner Dance hosted by the Brick Township Rotary Club on Friday, July 22nd.

Authorize Advice & Consent Mayor's Appointment – Municipal Judge

Mayor Ducey gave a brief history on Joseph Grisanti and noted it is a three year appointment beginning on August 22nd.

Authorize Emergency Temporary Appropriations

President Mummolo stated this resolution authorizes emergency temporary appropriations as needed until the municipal budget is adopted.

Authorize Cancellation of Improvement Authorization Balances

President Mummolo stated this resolution authorizes cancellation of inactive funded and unfunded improvement authorization balances in three ordinances totaling \$18,591.25.

July 12, 2016

Authorize Receipt of Bids – Roadway Improvement to Woodland Valley – Phase II

President Mummolo stated this resolution authorizes the receipt of bids for phase two of the Woodland Valley roadway improvement project. He said the roads included in this project are Winding River Road and Rolling Hills Drive. Hill Drive and Winding River Court will be bid as alternates.

Authorize Receipt of Bids – Roadway Improvement to Lakewood Gardens – Phase II

President Mummolo stated this resolution authorizes the receipt of bids for phase two of the Lakewood Gardens roadway improvement project. He said the roads included in this project are portions of Green Grove Road West, Jacqueline Avenue and Jay Avenue.

Authorize Receipt of Bids – 2016 Roadway Paving & Drainage Program – Seaview Meadows

President Mummolo explained that this resolution authorizes the receipt of bids for roadway paving and drainage program in Seaview Meadows. The roads included in this project are Cedar Island Drive, Meadow Run and South View Drive.

Authorize Receipt of Bids – Fall Festival Fireworks

President Mummolo stated this resolution authorizes receipt of bids for fireworks at the Fall Festival scheduled for October 15th at Windward Beach.

Authorize Receipt of Proposals – Solar Renewable Energy Broker

President Mummolo stated this resolution authorizes receipt of proposals for solar renewable energy broker as needed to sell renewable energy credits as generated by the rooftop solar array and parking lot solar panels at Town Hall.

Authorize Receipt of Proposals – Joint Insurance Fund

President Mummolo stated this resolution authorizes receipt of proposals for a Joint Insurance Fund.

Authorize Award of Bid – 2016 Local Roadway Paving & Drainage Program – Northern Cedarcroft

Mayor Ducey stated this resolution authorizes the award of bid for the roadway paving and drainage program in Northern Cedarcroft to Earle Asphalt Company, Farmingdale, in the amount of \$598,713.13. He said the roads to be paved include: North Cherokee Lane (to Tuscaloosa Lane), Shawnee Drive (Cherokee Lane to end), Choctaw Lane, Tuscaloosa Lane and Apache Lane (Cherokee Lane to Lenape Trail).

Authorize Award of Bid – Roadway Improvements – Hinslea Manor

Mayor Ducey explained that this resolution authorizes the award of bid for roadway improvements in Hinslea Manor to Earle Asphalt Company, Farmingdale, in the amount of \$420,513.13. He said traditional mill and overlay with base improvements and drainage modifications are scheduled for Schoolhouse Road, Hardean Road, Meadow Run, Sateroja Road, Croy Road and Flagg Road.

Authorize Award of Bid – Forge Pond Tennis Courts Reconstruction

Mayor Ducey stated this project has been a long time coming. He advised they tried to do shared services with the school but they declined. He said the bid is awarded to Classic Turf Company, Woodbury, CT in the amount of \$655,773.60.

Authorize Award of Bid – Vehicle Repair Services

President Mummolo stated this resolution authorizes award of bid for vehicle repair services to Larson Ford, Lakewood.

Authorize Award of Re-Bid – Firing Range – Bullet Trap Installation – Contract 1

President Mummolo stated this resolution authorizes the award of rebid for the firing range bullet trap installation system to Savage Range Systems, Westfield, MA in the amount of \$385,970.00.

Authorize Award of Bid – Firing Range – Site Work Only – Contract 2

President Mummolo stated this resolution authorizes award of bid for the site work needed as part of the firing range construction to Compass Construction, New Egypt, NJ, in the amount of \$635,394.00.

July 12, 2016

Authorize Award of Contract through NJPA National Cooperative – One Peterbilt Chassis
President Mummolo stated this resolution awards a contract to National Auto Fleet Group, Watsonville, CA, in the amount of \$86,739.00 for the delivery of one new 2017 Peterbilt Chassis available through the NJPA National Cooperative.

Authorize Award of Contract through NJPA National Cooperative – One Hot Patch Box
President Mummolo stated this resolution awards a contract to Stepp Manufacturing, North Branch, MN, in the amount of \$73,437.00 for the purchase and delivery of one 5.0 Stepp Hot Patch Box available through the NJPA National Cooperative.

Authorize Award of Re-Bid – HVAC Services for Municipal Complex
President Mummolo stated this resolution awards a contract to Jersey State Controls, Brick, NJ, for HVAC services at the Municipal Complex at a labor rate bid of \$105.00 per hour.

Authorize Award of Bid – Pedestrian Improvements – Lanes Mill and Midstreams Roads – NJDOT Safe Routes to School Project
Councilwoman Crate gave some statistics on how many children walk and ride the bus to the various schools in these neighborhoods.

President Mummolo said the bid is awarded to S. Batata Construction, Inc., Parlin, NJ for the total bid amount of \$583,270.00 which is the base bid with two alternates. He said this project is being funded through a grant from the NJDOT.

Authorize Change Order No. 1 – Beer & Wine Garden Concession
President Mummolo stated this resolution authorizes a change order in the beer and wine concession contract with Windward Tavern to eliminate the annual car show from the events listed and instead include the Fall Fest.

Authorize Special Events Permit – Stronger than the Storm Car Show
President Mummolo stated this resolution authorizes the 4th Annual Stronger than the Storm Car Show from 4:30 to 9:00 pm August 24 at the Kennedy Mall/Riverwalk on Brick Boulevard.

Authorize Placement of Tax Liens for Property Clean-ups
President Mummolo stated this resolution authorizes placement of tax liens for property cleanups at 130 Woodland Drive in the amount of \$70.65 and 634 Duquesne Boulevard in the amount of \$245.87.

Bond Releases/Reductions:

Clerk Iannarone advised the following:

- Performance Bond Release – Sean Spinello – Toledo Drive, a performance bond in the amount of \$10,000.

Tax Collector:

Joanne Bergin advised the following:

- Tax Overpayments – 2007 Block 643.01/Lot 191, 566 Baxter Street, in the amount of \$1082.40
- Tax Overpayments – 2016. Block 878.01/Lot 47, 32 Island Drive, in the amount of \$3,754.24; Block 755.06/Lot 61, 63 Pinewood Drive, in the amount of \$455.92.
- State Tax Appeal Granted – Block 1447.02 Lot 23 – 8 Lanes Mill Road, Wawa Inc., in the amount of \$1,081.06, which is a 4-year appeal.
- State Tax Appeal Granted – Block 1447.02 Lot 25 – 6 Lanes Mill Road, WaWa Inc., in the amount of \$11,875.80, which is a 4-year appeal.
- County Tax Board Appeals Granted to Exempt Status. 832 Shannon Court, NJ Housing & Mortgage Finance Agency, in the amount of \$1,863.66; 340 18th Avenue, NJ Housing & Mortgage Finance Agency, in the amount of \$2,623.03; 310 Georgia Drive, Police and Firemen's Retirement, in the amount of \$2,956.67.

July 12, 2016

President Mummolo opened the public hearing the Resolutions.

Nan Coll, 18 Greenbriar Boulevard, expressed her displeasure of timing with respect to the resolutions and not receiving enough information on the resolutions.

John Sluka, 950 Sylvia Court, questioned if the school is charged for use of the Forge Pond tennis courts.

Mayor Ducey responded they have a shared services agreement with the BOE which includes the use of the high school basketball courts for BMAC, senior busing along with the gasoline for Township vehicles.

George Scott, 16 Queen Ann Road, questioned when the budget would be adopted. He stated his displeasure with some of the roadway project resolutions.

Mayor Ducey said with regards to the budget, they are still waiting to hear from the State on the outcome of the Essential Services Grant.

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.

George Scott, 16 Queen Ann Road, asked questions on several of the bill items for clarification and explanations.

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 Councilwoman Zapcic to adopt the following Resolution:

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

2016 Computer Bill Resolution in the amount of \$10,745,210.62

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

There were no comments from the audience.

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

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

All Council Members voted AYE on Roll Call.

2016 Manual Bill Resolution in the amount of \$1,605,941.06

Ordinance on Second Reading: Bond Ordinance – 5 Year Life

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

Mayor Ducey explained his debt reduction plan. He said the Capital Budget is \$8.5M. He reported between his first two years as being mayor the total reduction has been \$13.2M and there is going to be another \$2.3M this year and so by the end of this year there will be a reduction of \$15.5M taken off the debt. He highlighted some of the Capital Projects.

President Mummolo opened the public hearing on the Ordinance.

There were no comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

July 12, 2016

Motion by Vice President Pontoriero and seconded by Councilwoman deJong 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, 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

July 12, 2016

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 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

July 12, 2016

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: Bond Ordinance – 7 Year Life

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

President Mummolo opened the public hearing on the Ordinance.

There were no comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

Motion by Vice President Pontoriero and seconded by Councilman Fozman 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, 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.

July 12, 2016

(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 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

July 12, 2016

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 \$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 Second Reading: Bond Ordinance – 10 Year Life

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

President Mummolo opened the public hearing on the Ordinance.

There were no comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

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

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, 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

July 12, 2016

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 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.

July 12, 2016

(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* 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 Second Reading: Bond Ordinance – 15 Year Life.

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

President Mummolo opened the public hearing on the Ordinance.

George Scott, 16 Queen Ann Road, questioned if money can be saved by not doing bond anticipation notes.

Joanne Bergin explained the BAN's allows you to put money in place so that you can get started on a project such as roads and other projects that involve design and then you can bond when you know the true cost, so you are not basically over borrowing.

There were no further comments from the audience.

President Mummolo closed the public hearing on the Ordinance.

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

All Council Members voted AYE on Roll Call.

July 12, 2016

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 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

July 12, 2016

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 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.

July 12, 2016

President Mummolo opened the public hearing portion of the meeting.

Leah Palmer-Lee, 236 Oranewood Drive, questioned if there are any programs that would help lower her taxes.

Mayor Ducey advised her of some of the programs that are available, but some of them have stipulations such as age and the length of residency. He advised the Senior Services Department would be able to help her with various programs.

Melanie Briggs, Summit Avenue, said she watched the last meeting on BTV and mentioned that Brick did have a Cracker Barrel, but it was general store off Princeton Avenue.

John Sluka, 950 Sylvia Court, read his letter regarding the parkway construction project.

Roxanne Jones, W. Princeton Avenue, commented there are not any affordable apartments in Brick and asked if something can be done to encourage more affordable apartments in Brick. She asked if a Golden Corral would be coming to Brick.

President Mummolo responded it is difficult because there is not rent control in Brick. He mentioned the Housing Authority which is controlled. He said that he was not aware of a Golden Corral Restaurant coming to Brick.

Steve Brill, Jenny Court, commented on the amount of money that has been spent on many projects in the southern part of Brick. He suggested Bernard Cook Park be sold and used for residential/retail business so the township would at least recoup tax money to pay down debt; he stated the park is hardly used.

Nan Coll, 18 Greenbriar Boulevard, provided some information about the Senior Property Tax Freeze.

Richard Gross, 29 Greenbriar Boulevard, commented about the doors in the court room. He spoke of the freeze on all highway construction and expressed his concerns of Lanes Mill Road.

Mayor Ducey commented Lanes Mill Road is a County Road and the township is not allowed to touch them.

Vic Fanelli, 24 Meadow Point Drive, commented on the Senior Freeze for taxes. He spoke of a couple of articles that were in the newspaper this week. He said that benefit contracts should be better negotiated in order to keep costs down.

George Scott, 16 Queen Ann Road, asked what was being done on Mantoloking Road across from Traders Cove.

Mayor Ducey responded they are allowed to pump gas, they obtained a permit for a helipad and they are rebuilding the marina.

George Scott asked where they are with the Foodtown Site.

Mayor Ducey replied that the discovery end date is in July and the legal team will do whatever it has to do.

Kevin Starkey stated on a bigger picture the town is the defendant in that law suit; the township terminated the redevelopment agreement it had with Jack Morris who then sued the township to get that reinstated. He said while that litigation is still pending there is not an option to do something there. He expects shortly there will be either a motion for a judgment which is a way to dismiss the case or if that doesn't happen it will go to trial with a conclusion that way. He said hopefully the township will be able to do something with that property towards the end of the year.

George Scott commented he sits on the Property Maintenance Board and there is a house near him that he has brought up several times that is a detriment to the area. He did not attend the meeting where this property was discussed because he did not want to influence anyone. He spoke to several people about this property and thought a summons was to be issued. He wants

July 12, 2016

to know why Code Enforcement is not doing their job.

Mayor Ducey stated he thought there were summonses issued.

President Mummolo stated he would look into it.

President Mummolo closed the public hearing portion of the meeting.

Mayor Ducey spoke of the unvailing of the giant clam for Reclam the Bay at Traders Cove Park. He announced the building department will be working Wednesday nights to do inspections so people don't have to take days off to wait for the inspectors. He said they were able to complete 119 inspections in a month; because of these nights building inspections are only 9 days out, electrical inspections are 1 week out and plumbing inspections are 2 weeks out. He spoke of the Garden Club beautification at Brick Boulevard and Route 70; the NJDOT has decided they do not want plants there anymore. He asked people to contact the NJDOT to keep the plantings.

Councilwoman Zapcic stated the Recreation Autism Surf Day was held today and said it was a wonderful day. She thanked all of the sponsors for their support as well as all volunteers who helped. She announced the Bobby Byrne concert at Traders Cove on August 3. She announced the concert series is paid for in part by a grant from the Ocean County Cultural & Heritage Commission so it is free. She spoke about the Safe Routes to School Project.

Councilman Halloran wished a happy anniversary to the Brick Flotilla of the US Coast Guard Auxiliary 16-05. He said they do a great job on keeping the waterways safe. He urged residents to contact the NJDOT regarding the plantings. He attended the Brick Garden Club house tour today and said it was excellent.

Councilwoman deJong announced two new members of Buy in Brick Program, Brick Tile and Stone along with Ocean Fitness Equipment. She thanked Parks and Department of Public Works along with Safety Joe for cleaning up after the recent storm.

Councilwoman Crate thanked Councilwoman Zapcic for mentioning the sidewalk project and the need for them that will keep children safe.

Councilman Fozman congratulated the Coast Guard Auxiliary. He commented on the appointment of Joe Grisanti, the new municipal judge. He stated he is on the MUA and pushed for the water at the Garden Club site; they submitted permits to the NJDOT and were approved for the water so they put the hydrant in, now the NJDOT wants it removed. He spoke of the Neighborhood Watch Program and said this is a good way for the community to get to know each other and be aware of what's going on around and keeping in contact with one another.

Vice President Pontoriero congratulated the Coast Guard Auxiliary. She congratulated Mr. Grisanti. She thanked Business Administrator, Joanne Bergin who is available 24/7 to answer any questions council has.

President Mummolo congratulated the Coast Guard Auxiliary. He thanked Mr. John O'Rourke for leading them in prayer this evening. He congratulated Joseph Grisanti. He spoke about Reclam the Bay. He said that he attended the Garden Club Tour and asked people to contact the NJDOT in support of the Garden Club. He mentioned the Autism Surf Day and said they all had a good time and thanked the life guards and volunteers for their support.

Motion by Councilwoman deJong and seconded by Councilman Halloran to Adjourn the meeting at 9:27 p.m.

All Council Members voted AYE.

Paul Mummolo
Council President

Lynnette A. Iannarone
Township Clerk