

February 28, 2023

A meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:08 p.m.

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in the Asbury Park Press and The Ocean Star on January 27, 2023. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net)

Present

Councilman Perry Albanese
Councilwoman Marianna Pontoriero
Councilman Derrick T. Ambrosino
Councilwoman Lisa Crate
Councilman Vince Minichino
Council Vice President Andrea Zapcic
Council President Heather deJong

Also Present

Kevin Starkey, Township Attorney
Lynnette A. Iannarone, Township Clerk
Joanne Bergin, Business Administrator

The meeting began with the Pledge of Allegiance led by Daisy Scout Troop #60215 followed by a moment of silence.

Council President deJong directed Clerk Iannarone to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of January 2023.

Motion by Councilwoman Crate and seconded by Councilman Albanese to dispense with the reading of the minutes from the February 14, 2023 Meeting and approve same.

All Council Members voted AYE on the Roll Call.

Presentations

1. High School Students of the Month.
 - a. Brick Township High School – not in attendance but certificates were awarded to Johnathan Clavijo - 9th grade, Kyle DeTata - 10th grade, Dylan Kiarulff - 11th grade and Ever Godoy Elvir - 12th grade.
 - b. Brick Memorial High School. Council Vice President Zapcic presented certificates to: Aidan Murphy & Trevor Sellman. Additional student not in attendance Alexis Colangelo-12th Grade, Logan Lusardi and Nicholas Maribo- 11th grade, Giselle Lizardi and Ereeny Nessem- 10th grade and Jessica Krinsky- 9th grade.
2. Brick United American Youth Cheer Champions – Mayor’s Proclamations were presented to coaches and demonstrators and certificates to were given to each team member by Councilwoman Pontoriero.
 - a. Brick United D8.
 - b. Brick United D10.
 - c. Brick United D14.

Mr. Liloia, 1st Vice President of the Brick PAL and representative for Brick United thanked Mayor Ducey, Ms. Bergin and the Council for recognizing the cheer teams.

Authorize Appointment of Mayor

Council President deJong advised the Clerk was in receipt of a letter of resignation from Mayor Ducey effective February 27, 2023. She asked Attorney Starkey to explain the procedure for replacement.

Attorney Starkey stated Mayor Ducey resigned yesterday as he was confirmed to be a Superior Court Judge. Under the Municipal Vacancy Law, the Democratic Municipal Committee had to provide three names to the Township Clerk and Council. The Council in turn selects one of those names for Mayor and the new Mayor is sworn in immediately. This also triggers a special election in November for the remaining two years of the term.

Council President deJong advised the three names were: Tom Curtis, the current Municipal Utilities Authority (MUA) Chair; Eileen Della Volle, a member on the Board of Adjustment; and Councilwoman Lisa Crate.

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Councilman Ambrosino made a motion to appoint Councilwoman Crate. He stated she is qualified due to her experience on council for the last 8 years and has served faithfully and diligently. Councilwoman Crate was Council President twice and Vice President three times. He said she's been on the Land Use, Recreation and Business & Finance Committees and also chaired the Public Works Committee. She has initiated programs such as: Kids for K-9s events and raised money for the K-9 Narcan program. She is responsible for the council Trunk or Treat displays. Lisa shows respect and has worked with the veterans. She is responsible for the fallen heroes' banners at Windward Beach and the refurbishing of the veterans' memorial in the front of the municipal building. She has deep roots in Brick Township having lived here for three decades. She was a public-school teacher and now serves her colleagues as their union representative. She works tirelessly to give back to her community and has spearheaded programs at her school. She held a coat drive and collected 2000 coats for those in need. She cares about Brick, our kids in school, our seniors, our veterans and she cares about the less fortunate. It is for these reasons that I trust Lisa Crate and the reason the community has elected her twice. He encourages the council to vote for Lisa Crate.

Council Vice President Zapcic seconded the motion.

Council President deJong asked if there were any other nominations. There being none, she closed nominations and asked for roll call to appoint Lisa Crate as Mayor.

All Council Members voted AYE on the roll call.

Council President deJong asked Clerk Iannarone to administer the Oath of Office to Mayor Crate.

Mayor Crate thanked everyone and noted she has big shoes to fill. She thanked the council for placing confidence in appointing her. She thanked Councilman Ambrosino for his kind words. She thanked her parents, her husband and children for their support. Mayor Crate said she is aware it is a big responsibility and she does not take this appointment lightly. She was glad she ran for council when John Ducey asked her because in these last 8 years they have accomplished so many great things together such as: the Farmers Market, the Senior Shuttle Bus, new parks, an expanded Police Department, concerts and family events that have all improved the quality of life in the community. She said that they also met challenges caused by the recovery of Superstorm Sandy and the COVID 19 pandemic but all was done while keeping spending under control and slowing the tax growth of previous administrations. She said it was all possible due to Mayor Ducey, the Council and Administration doing what is best for Brick Township, putting the people first, working for them and not the interest of their political party. Brick Township is the model of unity and cooperation. She said that they worked together to save the 30 plus acres being developed from building 60 homes with Save Breton Woods. They saw tonight the names on the cheerleaders' shirts, "Brick United." She said Brick is better now than 10 years ago thanks to John Ducey. This is due to the policies and initiatives of Mayor Ducey, but their work is not done. She said that this year they will be opening up the new senior center, provide senior citizen dialysis transportation, install EV charging stations, refurbish more parks and welcome the Sports Dome and so much more. All of these programs will continue to give Brick Township that small town feel. Over the next few weeks she will be meeting with the business administrator, police chief, department heads, council and staff to discuss the shared goals to make Brick the best place it can be and said she will provide regular updates at council meetings. Mayor Crate said that she is proud to call Brick Township home and to be raising her family here and as Mayor, she will work tirelessly to ensure everything is done to do what is best for Brick Township. It was Mayor Ducey's guiding philosophy and I plan to follow his lead and continue his legacy. She said thank you and she looks forward to the honor of serving as Mayor.

Motion by Councilman Ambrosino and seconded by Councilman Albanese to adopt the following resolutions.

All Council Members voted AYE on the Roll Call.

Authorize Award of Bid – Purchase & Delivery of Aggregates and Asphalt

Councilman Minichino advised this resolution authorizes the award of bid for the purchase and delivery of aggregates and asphalt to several vendors in accordance with a schedule of prices. These vendors are: American Bituminous Company; Brickwall Corporation; Central Jersey Hot Mix Asphalt; Greenway Industries of NJ; R.W.V. Land and Livestock South; Stavola Construction Materials; Trap Rock Industries; and The Walter R. Earle Corporation. This is a two-year contract commencing on March 24, 2023 and ending on March 23, 2025. Notices were provided

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to 22 prospective bidders from the bidders list and 14 picked up bid packages and 9 bids were received.

Authorize Award of Bid – Purchase & Delivery of Various Doors

Councilwoman Pontoriero stated this resolution authorizes the award of bid for the purchase and delivery of various doors to Mocean Hollow Metal and Hardware, Inc. This bid is for doors used throughout the Township for in-house construction projects. These materials will be needed on various projects during the year including the renovation of the future Senior Center on Aurora Place and the construction of a new Special Operations Garage behind Town Hall. As a re-bid, a notice to bidders was placed in the Asbury Park Press and posted on the Township web site. Two potential bidders picked up bid packages and one bid was received.

Authorize Agreement for Beach Maintenance – Seneca Dunes

Councilman Albanese explained this resolution authorizes the execution of a shared services agreement with the Seneca Dunes Homeowners Association for beach sweeping maintenance for the 2023 summer season. All cost for manpower and equipment will be paid for by the Association including diesel fuel for the beach rake.

Authorize Shared Services Agreement with Mantoloking – Code Enforcement Services

Council Vice President Zapcic advised this resolution authorizes the renewal of a shared services agreement with the Borough of Mantoloking for code enforcement services. In this agreement, Brick Township code enforcement officers will respond to property maintenance violations on a part-time, as-needed basis in the Borough of Mantoloking and will be reimbursed for those services to cover the costs.

Authorize Special Events Permit – Coast the Coast

Councilman Ambrosino stated this resolution authorizes a special event permit for the National MS Society to conduct a Bike MS: Coast the Coast event scheduled for Saturday, May 13 between the hours of 7 am and 6 pm along Route 35, specifically the northbound and southbound bike lanes.

Authorize Special Events Permit – St. Patrick’s Day Celebration

Councilwoman Pontoriero stated this resolution authorizes a special event permit for PJ Sweeney’s to conduct a St. Patrick’s Day Event on March 17th between the hours of 11 am and 1am at the restaurant on Brick Boulevard.

Tax Collector – Business Administrator Bergin advised of the following:

- 100% DAV/Widow of Veteran – Block 1179, Lot 25
- Tax Overpayment 2023 – Block 701, Lot 9.05
- Tax Overpayments 2021 & 2022 Appeals – Block 446.19, Lot 7
- Tax Overpayment 2022 Appeal – Block 670, Lot 4

Council President deJong opened the public hearing on the Resolutions.

Sam Foster questioned the special events permits and whether the town received any revenue.

Clerk Iannarone advised there is a \$100 application fee.

There were no further comments from the public.

Council President deJong closed the public hearing on the Resolutions.

Council President deJong opened the public hearing on the Computer Bill Resolution.

There were no comments from the public.

Council President deJong closed the public hearing on the Computer Bill Resolution.

Motion by Councilman Ambrosino and seconded by Councilman Minichino to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2023 Computer Bill Resolution in the amount of \$12,167,230.58

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Council President deJong opened the public hearing on the Manual Bill Resolution.

There were no comments from the public.

Council President deJong closed the public hearing on the Manual Bill Resolution.

Motion by Councilwoman Pontoriero and seconded by Councilman Albanese to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2023 Manual Bill Resolution in the amount of \$1,865,117.12

Ordinance on First Reading – Amending Chapter 245 to Establish Maximum Accessory Building Height and Setback Requirements

Clerk Iannarone read the Title of the Ordinance into the Record.

Councilman Minichino explained this ordinance was recommended by the Council Land Use Committee. Currently there is no height limit in place for accessory structures (garage, sheds, pole barns, etc.) in residential zones. The proposed ordinance limits the height of an accessory structure in residential zones which varies from 18 feet in a small residential zone to 33 feet in a rural residential zone.

Motion by Council Vice President Zapcic and seconded by Councilman Albanese to adopt the following Ordinance on First Reading and said Ordinance by published as provided by law:

All Council Members voted AYE on the Roll Call.

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 245 ATTACHMENT 5 CAPTIONED “SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS” TO ESTABLISH MAXIMUM ACCESSORY BUILDING HEIGHT AND SETBACK REQUIREMENTS

Ordinance on First Reading – Amending Chapter 168 to Authorize and Establish Requirements and Fees Applicable to Municipal Dredging Permits

Clerk Iannarone read the Title of the Ordinance into the Record.

Councilman Ambrosino explained that the Township has invested significant money into the development of a permit application (that was recently approved by the State) to allow for individual property owners to contract for dredging. This permit application alone saves each and every lagoon property owner significant time and money. The table has been set for individual property owners to proceed with dredging their slips with the simple process of receiving a permit to do so from our engineering department. This ordinance establishes the requirements for a dredge permit and applicable fees.

Motion by Councilman Minichino and seconded by Councilman Albanese to adopt the following Ordinance on First Reading and said Ordinance by published as provided by law:

All Council Members voted AYE on the Roll Call.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 168 TO AUTHORIZE AND ESTABLISH REQUIREMENTS AND FEES APPLICABLE TO MUNICIPAL DREDGING PERMITS

Ordinance on First Reading – Creating Chapter 277 Entitled “Mercantile Licenses”

Clerk Iannarone read the Title of the Ordinance into the Record.

Council President deJong advised in August, Governor Murphy signed into law a bill requiring all business owners and multifamily rental units to maintain certain levels of liability insurance through a Business and Insurance Registry. The new law requires that all business owners and multifamily rental units annually register a certificate of insurance with the municipality where the

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business or rental unit is located. The State does not make an appropriation for the cost municipalities will incur to enforce this policy. A municipality is, however, authorized to charge a reasonable administrative fee for the certificate of registration. The Council's Business and Finance Committee is recommending this ordinance to ensure compliance with the State law. Committee members met with the Chamber of Commerce, who supported the need for the license at the minimal fee of \$25.

Motion by Councilman Ambrosino and seconded by Council Vice President Zapcic to adopt the following Ordinance on First Reading and said Ordinance by published as provided by law:

All Council Members voted AYE on the Roll Call.

AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE TO CREATE A NEW CHAPTER 277 TO BE ENTITLED "MERCANTILE LICENSES"

Ordinance on Second Reading – Bond Ordinance for Acquisition of Property for Open Space Preservation

Clerk Iannarone read the Title of the Ordinance into the Record.

Mayor Crate stated this is an exciting one and advised this bond ordinance secures the funds needed to acquire a 31-acre site on Laurel Avenue in Breton Woods. Thanks to the participation and support from the Ocean County Natural Lands Trust, the Township is now protecting this property from a proposed 59-home subdivision, not only today but in perpetuity. It will remain open space, which greatly benefits all of the residents of Brick. She said that they are looking forward to working with the Trust for Public Lands on the 6 acres the Township is carving out of the project to allow for a small playground and better access to the Osbornville School.

Council President deJong opened the public hearing on the Ordinance.

David Panebianco asked how this bond was being supported.

Council President deJong advised it would be out of this year's Capital Program.

Business Administrator Bergin advised a large portion of the acquisition is being funded by the Ocean County Lands Trust and they are bonding for the municipal portion and will be reimbursed from the NJ DEP Green Acres. She said that they are also working with the Public Lands Trust for funding for the improvements.

David Panebianco was concerned about contamination on the property and said he is against purchasing property.

Business Administrator Bergin advised there was a Phase I study done and there is no contamination on the site.

Sam Foster asked if the Ocean County Board of Commissioners could partner with us for the funding.

Business Administrator Bergin advised the Ocean County Lands Trust is a division of the Board of Commissioners.

Council President deJong added that Green Acres will also be reimbursing the Township.

Cheryl Olsen stated she attended all Planning Board meetings and thanked the council for their support. She said some people were for this and some against but that's how democracy works and she is in favor of it. She inquired about the plans for the playground and whether or not there would be public hearings on same.

Business Administrator Bergin advised the property needs to be subdivided and will be for active recreation. They will be replacing the existing playground and allow for reconfiguration at the school for better access but it will be a public park.

Adam Anderson said he lives next to Angela Hibbard Park and asked if they could move the

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pickleball courts there because they create a lot of noise behind his home.

Council President deJong replied unfortunately not.

Willie deCamp stated the Breton Woods neighbors are quiet tonight but they are all grateful. Saving this land will help with the water quality of the Barnegat Bay.

Vic Fanelli reiterated his comments from last meeting regarding the loss of tax revenue and added he failed to include annual tax increases and estimated losses in the millions over the forty-year bond ordinance. He also stated that they gave the sports complex a tax deal too.

There were no further comments from the public.

Council President deJong closed the public hearing on the Ordinance.

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

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE PRESERVATION PURPOSES, BY AND IN THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROPRIATING \$1,800,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM IN THE AMOUNT OF \$1,200,000) AND AUTHORIZING THE ISSUANCE OF \$1,800,000 IN BONDS OR NOTES OF THE TOWNSHIP TO FINANCE 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 the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$1,800,000, said amount being inclusive of a "Green Acres Grant" in the amount of \$1,200,000 received or expected to be received from the State of New Jersey Department of Environmental Protection Green Acres Program (the "Grant"). Pursuant to N.J.S.A. 40A:2-11(c) of the Local Bond Law of the State of New Jersey (the "Local Bond Law"), no down payment is required for the improvements or purposes set forth in Section 3(a) hereof, as such improvements or purposes are being funded by the Grant, which is provided by the State of New Jersey.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not exceeding \$1,800,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,800,000 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 purposes for the financing of which said obligations are to be issued include, but are not limited to, the acquisition of real property for open space preservation, recreation and conservation purposes, which consists of a 20% portion, or approximately 6.32708 acres, of vacant land totaling approximately 31.6354 acres located at 443 Laurel Avenue in the neighborhood of Breton Woods in the Township and being designated as Block 646, Lot 21 on the Official Tax Map of the Township (the "Property"), which portion of the Property will be developed by the Township to build, among other things, a playground, driveways and parking lot. The remaining 80% portion of the Property, or approximately 25.30832 acres, will be acquired by the County of Ocean for open space preservation, recreation and conservation purposes.

(b) The improvements and purposes set forth in Section 3(a) above shall also include, as applicable, all legal fees, title search fees, closing costs, appraisal fees, advertising fees, survey

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fees, environmental and soil testing and remediation, bid documents, contract administration, work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$1,800,000.

(d) The estimated cost of said improvements and purposes is \$1,800,000.

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), 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 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 N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average 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 forty (40) 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 Department of Community Affairs of the State of New Jersey, and such statement shows that there shall be deducted from the gross debt of the Township the \$1,800,000 amount of bonds or notes authorized herein to the extent the debt service on said bonds or notes is paid solely by the Township's Open Space Trust Fund, as prescribed by said Local Bond Law under N.J.S.A. 40A:2-44(h), and if not so paid, the gross debt of the Township shall be increased by the \$1,800,000 authorization of bonds or notes provided for in this bond ordinance 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 \$90,000 for items of expense listed in and

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permitted under N.J.S.A. 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal 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 Regulation Section 1.150-2. 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 by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township authorized herein and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of the holders and beneficial owners of the obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township is hereby authorized to acquire a portion of the Property and to negotiate an agreement of purchase and sale for the acquisition of a portion of the Property. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and Township Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of purchase and sale and any and all documents, instruments, affidavits, certificates and agreements necessary to acquire a portion of said Property.

SECTION 12. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Council President deJong opened the public hearing portion of the meeting.

Sam Foster congratulated Mayor Crate and asked about the empty council seat and suggested appointing Kathy Russell. He also questioned what happens if it's a tie vote.

Council President deJong advised it would be the same process as selecting the Mayor. The Democratic Municipal Committee has 15 days to present the Clerk and Council with 3 names.

Attorney Starkey advised a tie is governed by State Law and the seat would remain vacant until the next election.

Sam Foster then asked why Deputy Chief Ling was not promoted to Chief when Chief Riccio retired.

Council President deJong replied that Deputy Chief Ling retired as of December 1st and they have a new Deputy Chief – Steven Gerling.

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John Sluka read his letter dated February 24 and said he mentioned a few things last meeting that he hoped would be addressed regarding the Sports Complex and the recent bullying incidents happening inside and outside of schools. He said this is getting national attention. He said more resources are needed and that he would bring this up at the next Board of Education meeting too. He then read his letter regarding his concerns with the parkway expansion project and the toxins being produced as a result. He stressed the need for large walls being installed and the replanting of trees in the area that were impacted.

Vic Fanelli, congratulated Mayor Crate on her appointment. He questioned the procedure for the vacant council seat and why they are recognizing Students of the Month again when only 2 out of 12 attend.

Council President advised the vacant council seat will be the same procedure as for Mayor appointment. The Democratic Municipal Committee has 15 days to submit 3 names to the Clerk and Council to consider. With regards to Students of the Month, it was on hold due to COVID.

There were no further comments from the public.

Council President deJong closed the public hearing portion of the meeting.

Ms. Bergin thanked the two Special Police for their work tonight with the numerous screenings they had to do with all the attendees at the meeting. She welcomed Mayor Crate and offered her assistance.

Attorney Starkey, Clerk Iannarone, Ms. Murphy and Councilman Albanese all congratulated and welcomed the new mayor.

Mayor Crate thanked the Council for entrusting her with the Mayor position and said she looks forward to working with Ms. Bergin and the Department Heads. She mentioned a couple of upcoming events: the Mayor's Mock Trial on March 21 at 6pm and the Brick Hero Awards on March 31 at 7pm at BTHS, which celebrates the everyday heroes, the citizens.

Councilwoman Pontoriero also congratulated Mayor Crate and thanked her family for the sacrifices they may face on a regular basis. She congratulated the Students of the Month, the Cheerleaders and the Breton Woods residents.

Councilman Ambrosino congratulated Mayor Crate and also thanked the Daisy Troop for leading the Pledge of Allegiance tonight.

Councilman Minichino congratulated Mayor Crate and looks forward to working with her.

Council Vice President Zapcic said that Lisa was her council colleague for the past eight years. She is an educator, a wife, a mom, an animal enthusiast, an artist and baker extraordinaire and now Mayor. Lisa throws herself into everything fully and she expects this to be no different. She is smart, funny and compassionate and is absolutely the perfect person to be the Mayor of Brick. Congratulations Mayor.

Council President deJong congratulated the new Mayor and said she will maintain the budget and the small-town feel. She will strive to make Brick better.

Motion by Councilman Ambrosino and seconded by Council Vice President Zapcic to Adjourn the meeting at 8:44 p.m.

All Council Members voted AYE.

Heather deJong
Council President

Lynnette A. Iannarone
Township Clerk