

May 9, 2023

A meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:00 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
Councilman Vince Minichino
Councilwoman Melissa Travers
Council Vice President Andrea Zapcic
Council President Heather deJong

Also Present

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

The meeting began with the Pledge of Allegiance followed by a moment of silence.

Motion by Councilman Ambrosino and seconded by Councilwoman Pontoriero to dispense with the reading of the minutes from the April 25, 2023 Meeting and approve same.

All Council Members voted AYE on the Roll Call.

Presentations:

Brick Township Bureau of Fire Safety – Fire Prevention Poster Contest Winners

Council President deJong invited Assistant Chief Rick Orlando, Mayor Crate and Councilman Minichino to the front to welcome and congratulate the fire prevention poster contest winners. Assistant Chief Orlando congratulated the winners and thanked their teachers for their help with the students to participate in the contest. Students were from all age groups - pre-school to high school. He explained that this year's theme was, "Fire Won't Wait, Plan Your Escape." There were 22 local winners and five of those were also county winners. Those five will now compete at the State level. Last year they had a State winner whose poster is in the 2023 calendar. Mr. Orlando thanked the businesses for their generous donations that were used as prizes in the goodie bags given to each student. He also thanked the Mayor and Council for the opportunity to attend the council meeting to recognize these students. Mayor and Council presented certificates to each of the students.

Older Americans Month – May 2023

Mayor Crate presented Senior Services Director Zulma Soto with a Mayor's proclamation for Older Americans Month thanking their office for all the work they do to assist the senior population. This year's theme is "Aging Unbound." In addition, and in recognition of Volunteer Month, senior volunteers were presented with a certificate of appreciation from Mayor Crate and Council President deJong. Council President deJong stated that the senior volunteers enhance all of the many activities at the senior center.

Motion by Councilman Albanese and seconded by Council Vice President Zapcic to adopt the following Resolutions:

All Council Members voted AYE on the Roll Call.

Recognize Older Americans Month – May 2023

Council President deJong stated this resolution recognizes May as Older Americans Month. This year's theme is Aging Unbound, which is an opportunity for all to explore the many ways older adults can remain in and be involved in their communities.

Authorize Appointment to the Board of Adjustment

Councilman Minichino advised this resolution appoints Wendy Evegan to the Board of Adjustment to fill an unexpired term expiring December 31, 2024.

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Authorize Acceptance of 2022 Audit

Councilman Albanese said this resolution authorizes the acceptance of the 2022 audit. There were no findings in this audit, which reflects the hard work and acumen of the Chief Financial Officer and the finance department staff.

Authorize Amendment Temporary Capital Budget

Councilman Ambrosino advised this resolution authorizes an amendment to the 2023 capital budget to include the acquisition of real property for open space, specifically 31.6 acres of undeveloped land owned off Mantoloking Road. This property was earmarked for the construction of 59 new homes.

Authorize Submission of Application for DMHAS Grant – Youth Leadership Grant

Council Vice President Zapcic stated this resolution authorizes the submission of a New Jersey Department of Human Services/Division on Mental Health and Addiction Services Youth Leadership Grant. This grant will fund the Brick Municipal Alliance Coalition summer camp program to attend the Lindsey Meyer Teen Institute Summer Leadership Conference.

Authorize Award of Contract - Registration Program for Vacant & Abandoned Properties Subject to Mortgages in Foreclosure

Councilwoman Travers said this resolution authorizes the award of contract to Property Registration Champion, otherwise known as Pro Champs, for the Town Wide Registration program for vacant and abandoned properties. Pro Champs has been administering this program for the Town for several years and has been very successful. The fees remitted to the vendor is based on the number of registrations and is paid out of fees collected.

Authorize Award of Contract Pavement Markings – Various Locations

Councilwoman Pontoriero advised this resolution authorizes the award of contract for pavement markings, otherwise known as striping, at various locations throughout town. The Township Engineer maintains a list of locations on public roads and properties that need fresh striping and will direct the contractor accordingly. The contract is being awarded to Zone Striping located in Glassboro, in the amount of \$128,000.00.

Authorize Award of Contract through the Educational Services Commission of NJ Cooperative Pricing System – Beach Rake

Council Vice President Zapcic stated this resolution authorizes an award of contract for a beach rake to Deere & Company, Cary, NC, in the amount of \$105,322.66. The beach rake is being purchased through the Educational Services Commission of NJ Cooperative Pricing System.

Authorize Agreement for Lifeguard Services – Curtis Point & Ocean Club at Mantoloking

Councilman Albanese said this resolution authorizes agreements with the Curtis Point Property Owners Association and the Ocean Club at Mantoloking to provide lifeguard services for the 2023 summer season. The Township is fully reimbursed for the costs of the lifeguards and their equipment.

Bond Releases/Reductions

Clerk Iannarone advised of the following:

Performance Bond Release – DMT Enterprises in the amount of \$36,605.52.

Tax Collector

Business Administrator Bergin advised of the following:

- 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 1276, Lot 90
- Cancel Taxes/Exemption – Block 210.31, Lot 4
- Tax Overpayments – 2023 – There were a total of 12 properties

Authorize Agreement for Purchase of Real Estate – Breton Woods Property

Mayor Crate stated this resolution authorizes the Township's participation with the County of Ocean on the acquisition of a 31-acre suite 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. It will

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remain open space which greatly benefits all of the residents of Brick. The total acquisition cost is \$8.5 million, of which the Township's portion is \$1.8 million. Of that, the Township will apply for \$1.2 million in funding from the NJDEP Green Acres Program.

Council President deJong opened the public hearing on the Resolutions.

There were no 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 Councilwoman Travers to adopt the following Resolution:

All Council Members voted AYE on the Roll Call with the exceptions of Councilman Minichino abstaining on Teamsters and Council President abstaining on Community Services Inc.

2023 Computer Bill Resolution in the amount of \$20,193,435.80

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 Ambrosino to adopt the following Resolution:

All Council Members voted AYE on the Roll Call

2023 Manual Bill Resolution in the amount of \$1,814,322.76

Ordinance on First Reading: Bond Ordinance – 5 Year Life
Clerk Iannarone read the Title of the Ordinance into the Record.

Councilman Ambrosino gave a combined explanation for all four bond ordinances as follows: The Township's 2023 capital budget totals \$8.5 million. Highlights from the capital budget include a vestibule and covered patio at the new Senior Services location on Aurora Drive; the design of the reconstruction of the T-dock at Windward Beach Park; a structural evaluation of the Ocean Beach 3 concession building; the redesign of the Township web site and the replacement of the video recording system and microphones for Council meetings, Board of Adjustment, and Planning Board; a utility truck and brush hog for parks; and new floating docks at the Marina as well as a large-scale dredge project for the Marina's boat slips. Police capital requests include a dispatch radio console upgrade and five work stations for the temporary dispatch center in the Special Operations Building. There are also costs for a HVAC System for the Special Operations Building, offices and garage heaters. This also includes a fire alarm and everything else needed for a complete interior buildout. Funding is also requested for a new drone. For EMS, 2 Stryker power cots are being requested. This will replace cots that are 9 years old. Also, funding is being requested for 10 portable radios for EMS. This is part of the radio upgrade project to replace portables that Motorola does not support or repair. Public Works requests included in this year's capital budget includes funds for Buildings & Grounds to install air conditioning in the dispatch shed in the back of Town Hall (while the dispatch secondary location will be moved to the new building, this shed remains the location for Township servers). Also, funds for Buildings & Grounds to continue installation of ballistic glaze in public offices including Tax Collector, Tax Assessor and Land Use; 4 (four) 40-yard roll-off containers for the Public Works yard; a new roll off truck for sanitation; a new side arm garbage truck for sanitation; and a new patch truck for the road crew.

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

All Council Members voted AYE on the Roll Call.

**TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$2,492,143 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,367,536 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$2,492,143, said amount being inclusive of a down payment in the amount of \$124,607 now available for said improvements or purposes as required by the Local Bond Law of the State of New Jersey, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,492,143 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,367,536 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$2,367,536 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 motorized and non-motorized non-passenger vehicles and equipment for various departments within the Township, including, but not limited to: (i) **Department of Administration** – the acquisition of a non-passenger vehicle for the Inspections/Code Enforcement Division; (ii) **Police Department** – (a) the acquisition of a non-passenger supervisor patrol vehicle, a Command vehicle for the Police Chief, a DJI M30T drone, three (3) 24/7 chairs and a toolbox for Fleet radio system, (b) the acquisition and installation of office furniture for the temporary dispatch center in the Special Operations Building, and (c) improvements and upgrades to the dispatch radio consoles; (iii) **Department of Emergency Medical Services** – the acquisition of two (2) Stryker battery-powered hydraulic ambulance stretchers; (iv) **Department of Recreation – Beach / Marina** – (a) the acquisition and installation of two (2) new engines to replace existing engines on the Marine 1 boat, (b) the acquisition of a John Deere 6135e beach tractor with cab, a gas pick-up truck with plow attachment and tool box, a storage shed for various beach equipment and pro water bottle fillers for Windward Beach, Brick Beach 3 and Trader's Cove Marina, and (c) improvements and upgrades to the floating docks at the marina; (v) **Department of Public Works – Parks / Buildings and Grounds / Sanitation Department / Fleet Department** – (a) the acquisition of a Toro Workman UTX-D utility vehicle, a skid steer brush hog with attachment and a utility truck for the Parks Department, (b) improvements and upgrades to various parks throughout the Township, including, but not limited to, softball field regrading and sod replacement, improvements and upgrades to the Cherry Quay ball park lighting, and the acquisition and installation, as applicable, of softball field safety netting, tools, picnic tables, benches and bleachers, (c) the acquisition of a 2024 Roll-Off Truck, a 2024 side arm garbage truck and four (4) 40-yard Roll Off containers for the Sanitation Department, (d) the acquisition of a patch truck and asphalt for roadway repairs, (e) the acquisition and installation, as applicable, of air conditioning for the dispatch shed and ballistics for the Building Department, and (f) the

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acquisition of a V-Box salt spreader for a Tandem dump truck, a tire changer and a brake lathe machine for the Fleet Department; and (vi) the acquisition and installation of office furniture for the Municipal courtroom.

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

(c) The aggregate estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$2,367,536.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$2,492,143, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$124,607 available for said 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 by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (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 budget 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.

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, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, 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 Department of Community Affairs of the State of New Jersey, 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

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by \$2,367,536. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$523,822 for items of expense listed in and 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 hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. 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 Regulation §1.150-2) or abandoned, but in no event more than three (3) 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 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 12. This bond ordinance shall take effect twenty (20) days after the first publication of this bond ordinance after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Ordinance on First Reading: Bond Ordinance – 7 Year Life

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

Motion by Councilwoman Pontoriero and seconded by Councilman Ambrosino to adopt the following Ordinance on First Reading and Said Ordinance be published as provided by law:

All Council Members voted AYE on the Roll Call.

**TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$473,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,205 BONDS OR NOTES OF THE TOWNSHIP 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:

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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 \$473,900, said amount being inclusive of a down payment in the amount of \$23,695 now available for said improvements or purposes as required by the Local Bond Law of the State of New Jersey, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$473,900 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$450,205 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$450,205 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for: (i) the acquisition and installation, as applicable, of various hardware and software technology and related computer equipment, including, but not limited to, laptops, personal computers (PC's), security cameras, desk phones, microphones for the Municipal courtroom, televisions and wall mounts for the senior center, scanners and Toughbook computers; (ii) upgrades and redesign of the Township's website; (iii) upgrades or replacement of the Township's TV studio system; (iv) the acquisition and installation of additional doors to the Access Control System in the tax collector's office and the EMS Department annex and air conditioning for the emergency shed; (v) improvements and upgrades to the Solacom 911 dispatch system and the BWC server storage and backup system; and (vi) installation and construction costs for Comcast service at the Police Department Special Operations Building, Bayside Park and Pinewood Park, all for various departments within the Township, including, but not limited to, the Department of Information and Technology, the Department of Recreation, the Department of Emergency Medical Services (EMS), the Department of Administration and the Police Department.

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

(c) The aggregate estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$450,205.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$473,900, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$23,695 available for said 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 by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (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

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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 budget 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.

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, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, 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 Department of Community Affairs of the State of New Jersey, 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 \$450,205. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$71,085 for items of expense listed in and 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 hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. 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 Regulation §1.150-2) or abandoned, but in no event more than three (3) 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.

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SECTION 11. 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 12. This bond ordinance shall take effect twenty (20) days after the first publication of this bond ordinance after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Ordinance on First Reading: Bond Ordinance – 10 Year Life.

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

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

All Council Members voted AYE on the Roll Call.

**TOWNSHIP OF BRICK
COUNTY OF OCEAN, STATE OF NEW JERSEY**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$4,770,957 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,532,409 BONDS OR NOTES OF THE TOWNSHIP 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 \$4,770,957, said amount being inclusive of a down payment in the amount of \$238,548 now available for said improvements or purposes as required by the Local Bond Law of the State of New Jersey, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$4,770,957 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$4,532,409 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$4,532,409 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for: (i) various Class B roadway repairs and improvements at various locations throughout the Township, including, but not limited to, milling, paving, tarring, striping, curbs, aprons, ADA walkways and driveways; (ii) improvements and upgrades to sidewalks at various locations throughout the Township; (iii) drainage project of Bay View Drive flood zone in the Township; (iv) improvements and upgrades to the senior center vestibule and covered patio; (v) the design phase of Windward Beach dock reconstruction; (vi) evaluation study of the Ocean Beach 3 Concession Building; (vii) the acquisition and installation, as applicable, of APX portable two-way radios with extended life batteries, four (4) Automated License Plate Recognition (ALPR) cameras for police vehicles, emergency lighting for new Polaris all-terrain vehicle (ATV), and ten (10) radio communications headsets with built-in hearing protection, all for use by the Police Department; (viii) the acquisition and installation of air conditioner mini splits for the Police Department offices; (ix) improvements and upgrades, including the extension of, the range wall where impounded cars are located; (x) the acquisition of five (5) self-contained breathing apparatus (SCBA) bottles for use by the Emergency Medical Services (EMS) Department; and (xi) improvements, upgrades or the replacement of various portable communication radios, as part of the radio upgrade project for the EMS Department.

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

(c) The aggregate estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$4,532,409.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$4,770,957, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$238,548 available for said 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 by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (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 budget 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.

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, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, 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 Department of Community Affairs of the State of New Jersey, 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 \$4,532,409. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$2,340,323 for items of expense

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listed in and 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 hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. 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 Regulation §1.150-2) or abandoned, but in no event more than three (3) 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 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 12. This bond ordinance shall take effect twenty (20) days after the first publication of this bond ordinance after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Ordinance on First Reading: Bond Ordinance – 15 Year Life

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

Motion by Council Vice President Zapcic and seconded by Councilwoman Travers to adopt the following Ordinance on First Reading and Said Ordinance be published as provided by law:

All Council Members voted AYE on the Roll Call.

TOWNSHIP OF BRICK COUNTY OF OCEAN, STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$763,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$724,850 BONDS OR NOTES OF THE TOWNSHIP 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

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improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$763,000, said amount being inclusive of a down payment in the amount of \$38,150 now available for said improvements or purposes as required by the Local Bond Law of the State of New Jersey, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$763,000 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$724,850 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$724,850 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for: (i) the relocation of the satellite receiver at Route 35 to Laurelton in the Township; (ii) dredging of various boat slips located throughout the Township; and (iii) improvements and upgrades to the Police Department Special Operations Building, including, but not limited to, a complete interior buildout of the existing structure, and the acquisition and installation of an HVAC system, fire alarm and area heaters in the offices and garage.

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

(c) The aggregate estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$724,850.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$763,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$38,150 available for said 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 by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (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

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that the purposes authorized herein are inconsistent with the adopted capital budget 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.

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, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, 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 Department of Community Affairs of the State of New Jersey, 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 \$724,850. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$381,500 for items of expense listed in and 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 hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. 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 Regulation §1.150-2) or abandoned, but in no event more than three (3) 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 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 12. This bond ordinance shall take effect twenty (20) days after the first publication of this bond ordinance after final adoption and approval by the Mayor, as provided by the Local Bond Law.

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

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John Sluka read his letter about the parkway construction and also stated that they recognize various groups but not those with illnesses caused by air pollution. The British Journal of Medicine claims this has caused millions of deaths including low levels with long term exposure. He said the Parkway expansion was done 11 years ago and he asks for the council to join the Board of Education to demand action from the New Jersey Turnpike Authority as various areas in the Township are affected.

Michele Spector of Evergreen Woods also read a letter she wrote to the press and is hopeful it will be printed. She said its been almost 12 years since the Parkway expansion at Exit 91 which created excessive noise for nearby residents. She said Cherrywood Farms got a wall but Evergreen Woods did not. It has minimized their quality of life with the deafening noise created by trucks, cars and motorcycles 24/7. She has contacted Senator Holzapfel and urged others to do the same. She also gave out his email and office addresses. She said that she and Mr. Stephen Brill attended a meeting in Toms River to warn and advise them how to protect themselves from the Turnpike Authority and their widening projects.

There were no further comments from the public.

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

Mayor Crate advised she attended the PBA Helping Hands Basketball Game Fundraiser, proclaimed May 2023 Water Safety Month at the NJ Swim School, dancing at the Senior Citizen Prom held on Cinco de Mayo, she attended the Brick Little League Volunteer Day honoring Tom Merrill who has coached and volunteered with them for 50 years. She and the council also went to the flag raising ceremony at the Metedeconk River Yacht Club and wished everyone a Happy Mother's Day.

Attorney Starkey wished his mother a Happy Mother's Day.

Councilman Albanese and Councilman Minichino also wished Happy Mother's Day to all.

Councilwoman Pontoriero advised that there is a critical need for foster parents. If any resident is interested in being a foster parent, they are provided free training. She said that she's been involved with the program for ten years and adopted her three children through the program. She said the children will appreciate your help. She also wished everyone a Happy Mother's Day.

Councilman Ambrosino congratulated all of the fire safety poster contest winners and wished all a Happy Mother's Day.

Council Vice President Zapcic congratulated all of the senior volunteers that were recognized. She said they donate a lot of time to their peers and without their help they could not deliver all of the programs they offer to the senior residents. She also wished everyone a Happy Mother's Day.

Council President deJong thanked the finance team for the work they do all year and great audit report. She wished everyone a Happy Mother's Day and advised the next meeting will take place on May 23rd at 7:00 p.m.

Motion by Councilman Ambrosino and seconded by Council Vice President Zapcic to Adjourn the meeting at 7:56 p.m.

All Council Members voted AYE.

Heather deJong
Council President

Lynnette A. Iannarone
Township Clerk