



Brick Township Council  
Caucus/Public Meeting  
May 9, 2023  
7:00 PM  
Agenda No. 1

1. Call to order.
2. Adequate notice of this meeting was provided and published in 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).
3.
  - a. Roll Call.
  - b. Salute to the Flag/Pledge of Allegiance/Moment of Silence.
  - c. Approve Minutes from April 25, 2023 Meeting.
  - d. Presentation:
    1. Fire Prevention Poster Contest Winners – Brick Township Bureau of Fire Safety.
    2. Recognize Older Americans Month.

**Consent Agenda**

***“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”***

4. Resolutions:
  - \_\_\_ 1. Recognize Older Americans Month – May 2023.
  - \_\_\_ 2. Authorize Appointment to Board of Adjustment.
  - \_\_\_ 3. Authorize Acceptance of 2022 Audit.
  - \_\_\_ 4. Authorize to Amend Temporary Capital Budget.
  - \_\_\_ 5. Authorize Submission of Application for DMHAS Grant – Youth Leadership Grant.
  - \_\_\_ 6. Authorize Award of Contract - Registration Program for Vacant & Abandoned Properties Subject to Mortgages in Foreclosure.
  - \_\_\_ 7. Authorize Award of Contract Pavement Markings – Various Locations.
  - \_\_\_ 8. Authorize Award of Contract through the Educational Services Commission of NJ Cooperative Pricing System – Beach Rake.
  - \_\_\_ 9. Authorize Agreement for Lifeguard Services – Curtis Point & Ocean Club at Mantoloking.
  - \_\_\_ 10. Bond Releases/Reductions:
    - a. Performance Bond Release – DMT Enterprises.
  - \_\_\_ 11. Tax Collector:
    - a. 100% DAV/Widow of Veteran Cancel & Refund Taxes – Block 1276, Lot 90.
    - b. Cancel Taxes/Exemption – Block 210.31, Lot 4.
    - c. Tax Overpayments – 2023.

\*\*\*\*\*End of Consent Agenda\*\*\*\*\*

- \_\_\_ 12. Bill Resolution – Computer 2023.
- \_\_\_ 13. Bill Resolution – Manual 2023.

5. Ordinances on First Reading.
  - \_\_\_ 1. Bond Ordinance – 5 Year Life.
  - \_\_\_ 2. Bond Ordinance – 7 Year Life.
  - \_\_\_ 3. Bond Ordinance – 10 Year Life.
  - \_\_\_ 4. Bond Ordinance – 15 Year Life.

6. Public Comments.  
**Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.**

7. Council Comments.

8. Motion to Adjourn.  
**And any other matters which may come before Council.  
Formal Action may be taken at all meetings.**

**\*\*Next scheduled Caucus/Public Meeting will be held on Tuesday, May 23, 2023 at 7:00 p.m.\*\***

**RESOLUTION**

**WHEREAS**, the month of May 2023 has been designated throughout the nation as "Older Americans' Month"; and

**WHEREAS**, Brick Township has a sizeable population of older Americans with more than 21,000 residents over the age of 60; and

**WHEREAS**, the theme for this year's recognition is "*Aging Unbound*" which is an opportunity for all of us to explore the many ways older adults can remain in and be involved with their communities: and

**WHEREAS**, the Township of Brick has an excellent Senior Services Department that provides our seniors with guidance, activities, events and much more to help all individuals live longer, healthier lives; and

**WHEREAS**, older adults deserve recognition for the contributions they have made and will continue to make to our culture, economy and character of our community and our nation.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. We hereby urge all citizens to join us in celebrating Older Americans Month by recognizing and celebrating the contributions of our older generations.
2. We further call upon all citizens to make a commitment to this year's theme by encouraging older loved ones and friends to connect, create and contribute.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-1	5/9/23
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Township of Brick has created a Zoning Board of Adjustment in accordance with the provisions of N.J.S.A.40:55D-69; and

**WHEREAS**, the Township Council of the Township of Brick has been advised that there is a vacancy on the Zoning Board of Adjustment effective May 3, 2023; and

**WHEREAS**, the Township Council is desirous of filling such position.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, as follows:

1. That Wendy Evegán, 95 Laurelwood Road, Brick, NJ be and hereby is appointed by the Township Council as a member of the Board of Adjustment to fill an unexpired term effective May 9, 2023 and expiring December 31, 2024.
2. That a certified copy of this resolution shall be forwarded to the following:
  - a. Secretary to the Board of Adjustment
  - b. Wendy Evegán

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
42	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum the sections of the annual audit entitled:

General Comments  
Comments and Recommendations  
Auditor's Opinions

and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Comments and Recommendations  
Auditor's Opinions

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

"R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED**, That the Township Council of the Township of Brick, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

Agenda #	Date
43	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**WHEREAS**, the Township of Brick desires to amend the 2023 capital budget of said municipality by inserting therein various projects; and

**WHEREAS**, the temporary capital budget was adopted at a meeting of the Township Council on February 14, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Township of Brick amend the 2023 capital budget as follows:

Section 1. The 2023 capital budget of the Township of Brick is hereby to be amended and constituted by the adoption of a schedule to read as follows:

Projects No. 1 thru 9  
Capital Budget of  
the Township of Brick  
County of Ocean, New Jersey

Projects Scheduled for 2023  
Various Projects

	Project	Estimated Cost	Budget Appropriation	Capital Improvement Fund	General Bonds
1	Motorized Equipment (Admin., DPW, Police, Rec., EMS)	\$ 1,640,645.00	\$ -	\$ 82,032.00	\$ 1,558,613.00
2	Non-Motorized Equipment	\$ 851,498.00	\$ -	\$ 42,575.00	\$ 808,923.00
3	Data Processing Technology (all departments)	\$ 473,900.00	\$ -	\$ 23,695.00	\$ 450,205.00
4	Police Equipment (non-data processing)	\$ 129,017.00	\$ -	\$ 6,451.00	\$ 122,566.00
5	Road Improvements	\$ 4,641,940.00	\$ -	\$ 232,097.00	\$ 4,409,843.00
6	Radio Infrastructure - Satellite Receiver	\$ 140,000.00	\$ -	\$ 7,000.00	\$ 133,000.00
7	Special Ops Building Buildout	\$ 173,000.00	\$ -	\$ 8,650.00	\$ 164,350.00
8	Dredge Slips 5000yds	\$ 450,000.00	\$ -	\$ 22,500.00	\$ 427,500.00
9	Acquisition of Real Property for Open Space Preservation	\$ 1,800,000.00	\$ -	\$ -	\$ 1,800,000.00
	<b>Totals</b>	<b>\$ 10,300,000.00</b>	<b>\$ -</b>	<b>\$ 425,000.00</b>	<b>\$ 9,875,000.00</b>

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2022 capital budget.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 9, 2023

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-4	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

Governor's Council on Alcoholism and Drug Abuse  
FORM 1B – DMHAS Youth Leadership Grant

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

**WHEREAS**, The Township Council of the Township of Brick, County of Ocean, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Ocean.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Brick, County of Ocean, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of an application for DMHAS Grant funding for the Brick Municipal Alliance for the Grant Term 9/1/23 – 9/30/25 in the amount of:  
DMHAS Grant Funding \$7,670.69
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
Lisa Crate, Mayor

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-5	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, N.J.S.A. 19:44A-20.5 et seq. provides for the procedure for soliciting proposals through a fair and open process; and

**WHEREAS**, there is a need to retain professional services for the Town-Wide Registration Program for Vacant and Abandoned Properties Subject to Mortgages that are in Foreclosure; and

**WHEREAS**, the Township of Brick has solicited proposals for said service through a fair and open process on April 27, 2023; and

**WHEREAS**, the Business Administrator and Construction Official have reviewed the proposals and are satisfied with the qualifications, experience and responsiveness of the firm which is the subject of such an award; and

**WHEREAS**, the Business Administrator and Construction Official recommend award to Property Registration Champion, 6300 North Wickham Road, Suite 130-172, Melbourne, FL 32940.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the Township Clerk to attest to agreement for Town-Wide Registration Program for Vacant and Abandoned Properties Subject to Mortgages that are in Foreclosure with Property Registration Champion, 6300 North Wickham Road, Suite 130-172, Melbourne, FL 32940.
2. That this contract is being awarded as a professional service in accordance with N.J.S.A. 40A:11-5 pursuant to a fair and open process.
3. That services for this contract shall be rendered to the Township at a fixed rate of \$100.00 per property registered with an aggregate amount not to exceed \$50,000.00.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2023 and future 2024 operating budget under appropriation entitled Other Code Enforcement – Expert Services, account 3-01-22-196-207.
5. That this resolution shall take effect May 10, 2023 for the duration of one (1) year.
6. That such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
7. That a certified copy of this resolution shall be provided to the firm, Business Administrator, Chief Financial Officer, Construction Official and the Office of Purchasing & Contracting.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

Agenda #	Date
4-6	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**WHEREAS**, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for the Pavement Markings, Various Locations on Thursday, April 27, 2023 and

**WHEREAS**, the bids have been reviewed by Township Engineer; and

**WHEREAS**, the Township Engineer has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. That the contract for the Pavement Markings, Various Locations is hereby awarded to Zone Striping, Inc., 718 Jacob Harris Lane, P.O. Box 568, Glassboro, NJ 08028 for a total amount of \$128,800.00.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
Ordinance #11-21 – account C-04-55-877-601 – \$128,800.00
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Division of Purchasing and Contracting is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Township Engineer, Superintendent of Public Works and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on May 9, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-7	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date



**RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH  
THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY  
COOPERATIVE PRICING SYSTEM**

**WHEREAS**, N.J.S.A. 40A:11-4 requires that every contract for the provision of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

**WHEREAS**, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids; and

**WHEREAS**, the Township of Brick is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System, organized pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, the Township of Brick desires to contract services for the purchase and delivery of one (1) John Deere Cab Tractor through the Educational Services Commission of NJ contract #65MCECCPS – ESCNJ 22/23-12; and

**WHEREAS**, the Chief Financial Officer has certified to the Township Clerk that funds are available.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, AND STATE OF NEW JERSEY, as follows:**

1. That the contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-10 of the Local Public Contracts Law.
2. That the Purchasing Agent is hereby authorized to execute a purchase order to Deere & Company, 2000 John Deere Run, Cary, NC 27513 in the total amount of \$101,104.64 for the purchase and delivery of one (1) John Deere Cab Tractor through contract #65MCECCPS – ESCNJ 22/23-12.
3. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:  
Ordinance #9-21 – account C-04-55-875-601 – \$101,104.64
4. That the Township Clerk shall further forward a certified copy of this resolution to vendor, Business Administrator, Chief Financial Officer, Superintendent of Recreation and the Office of Purchasing & Contracting.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on May 9, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-8	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, the Township of Brick contains several private beaches, which are obligated under the laws of the State of New Jersey to provide a certain quality of LIFE GUARDING services for 2023; and

**WHEREAS**, Curtis Point Property Owners Association and Ocean Club at Mantoloking Condominium Association have requested that the Township of Brick provide certified lifeguards and equipment and have offered to reimburse, hold harmless and indemnify the Township of Brick for the provision of such services; and

**WHEREAS**, the Township of Brick has an interest in providing a safe beach bathing environment for all beach goers in the Township, including those on private beaches, especially as the parameters of the public trust doctrine permitting some public beach access on all beaches in New Jersey continue to be expanded by the Court and the New Jersey Department of Environmental Protection; and

**WHEREAS**, it is therefore the desire of the Township Council to authorize the entry into those agreements with the Curtis Point Property Owners Association and Ocean Club at Mantoloking Condominium Association on file in the Township Clerk's Office.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Brick, County of Ocean and State of New Jersey, as follows:

1. That the Mayor and Township Clerk are hereby authorized to execute and attest to, respectively into 2023 agreement with Curtis Point Property Owners Association and Ocean Club at Mantoloking Condominium Association.
2. That a certified copy of this resolution shall be forwarded to the Curtis Point Property Owners Association, Ocean Club at Mantoloking Condominium Association, Director of Recreation, Chief Financial Officer and the Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
49	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, DMT Enterprises (David Polonio), 19 Seagoin Road, Brick, NJ 08723 had posted a cash performance bond in the amount of \$36,605.52 for DMT Enterprises, 670 Mantoloking Road (Block 611.01/612 Lot 34/1.01) in the Township of Brick; and

**WHEREAS**, the Assistant Township Engineer, by letter dated April 25, 2023 has advised that the improvements have been completed and are acceptable; and

**WHEREAS**, the Assistant Township Engineer recommends that the cash performance bond in the amount of \$36,605.52 (plus interest if applicable) be returned to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, as follows:

1. That the cash performance bond in the amount of \$36,605.52 (plus interest if applicable) be returned to the applicant; and
2. That the Municipal Clerk forward certified copies of this resolution to the following:
  - a. Chief Financial Officer
  - b. Assistant Township Engineer
  - c. Applicant/Developer

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-10a	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that 100% DAV/ Widow of Veteran deductions has been granted on Block 1276, Lot 90 Account #623433 as of 10-13-2022.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes from 10-13-2022 and forward and refund as follows.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1276/90/623433	Homeowner	\$1,467.78-2022
90 Marbro Ave.		<u>\$3,223.35-2023</u>
		\$4,691.13

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk for the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-11a	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick, is advising the Township Council that account # 103281 Block 210.31 Lot 4 is exempt from paying taxes due to the fact it has been acquired by The Township of Brick.

**WHEREAS**, the Tax Collector is requesting to cancel taxes as of October 1, 2022 and forward.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, that the Tax Collector be authorized to cancel taxes as stated above.

<u>Block/Lot/Account#</u>	<u>Name</u>	<u>Amount</u>
210.31/4/103281 69 Hollycrest Dr.	Township of Brick	Exempt

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-116	5/9/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2023.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
12.22/7.01/105012 542 Route 35 So.	Wells Fargo Real Estate Tax Svcs	\$2,395.13
12.22/21.01/105025 511 Route 35 No.	Wells Fargo Real Estate Tax Svcs	\$2,177.67
26.01/48.01/100332 125 Deauville Dr.	Wells Fargo Real Estate Tax Svcs	\$2,035.32
44.08/1/100767 306 Bay Lane	Wells Fargo Real Estate Tax Svcs	\$92.68
109.09/1/102051 11 Betty's Ln.	Wells Fargo Real Estate Tax Svcs	\$53.91
210.11/12/103770 62 E Pampano Dr.	Wells Fargo Real Estate Tax Svcs	\$2,005.64
211.28/10/204300 143 Valencia Dr.	Wells Fargo Real Estate Tax Svcs	\$116.30
685.04/14/413016 577 Wedgewood Dr.	Wells Fargo Real Estate Tax Svcs	\$23.02
1033.26/1/518505 118 Taft Dr.	Wells Fargo Real Estate Tax Svcs	\$111.68
1133/10.04/522379 12 Barrett Walk	Wells Fargo Real Estate Tax Svcs	\$97.64
701/9.05/C1303/417658 103 Revival Rd.	CoreLogic	\$30.81
701/9.05/C1309/417661 109 Revival Rd.	CoreLogic	\$33.48

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on May 9, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 9<sup>th</sup> day of May, 2023.

Agenda #	Date
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Agenda #	Date
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Agenda #	Date

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

TOWNSHIP OF BRICK  
 COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER \_\_\_\_\_

**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 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.

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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 \$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 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.

#### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 9<sup>th</sup> day of May, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23<sup>rd</sup> day of May, 2023 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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LISA CRATE  
MAYOR

TOWNSHIP OF BRICK  
COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER \_\_\_\_\_

**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:**

**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.

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**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 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.

**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.

## NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 9<sup>th</sup> day of May, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23<sup>rd</sup> day of May, 2023 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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LISA CRATE  
MAYOR

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

**ORDINANCE NUMBER \_\_\_\_\_**

**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.

(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

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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 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.

#### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 9<sup>th</sup> day of May, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23<sup>rd</sup> day of May, 2023 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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LISA CRATE  
MAYOR

TOWNSHIP OF BRICK  
 COUNTY OF OCEAN, STATE OF NEW JERSEY

ORDINANCE NUMBER \_\_\_\_\_

**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 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

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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 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.

## NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 9<sup>th</sup> day of May, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23<sup>rd</sup> day of May, 2023 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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LISA CRATE  
MAYOR