

May 23, 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(7:03pm)
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.

Council accepted the reports from Municipal Officers and Council President deJong asked Clerk Iannarone to file same.

Motion by Councilman Ambrosino and seconded by Councilman Albanese to dispense with the reading of the minutes from the May 9, 2023 Meeting and approve same.

All Council Members voted AYE on the Roll Call – Councilwoman Pontoriero was not present yet.

Presentations:

Brick Township High School Students of the Month – April & May 2023

Brick Memorial High School Students of the Month – April & May 2023

Council Vice President Zapcic presented certificates with Mayor Crate to nine students of the month in attendance. She congratulated them on their outstanding academic achievements and noted the importance to recognize academics as well as sports and tonight we are doing both. Those present from BTHS were: 10th Grader Lilly Estelle for April; 9th Grader Bianca Terrizzi, 10th Grader Joseph Philhower and 12th Grader Carter Brino for May. And from BMHS, 9th Grader Tyler Hudak, 10th Grader Doultten Bailey and 12th Grader Sabrina Carey for April; and 9th Grader Victoria Hiotis and 10th Grader Christen McWade for the month of May.

Brick Memorial HS Girls Soccer Youth World Cup Participants

Councilwoman Travers along with Mayor Crate presented certificates to two members of the Brick Memorial High School Girls Varsity Soccer Team that were selected to represent New Jersey in the Gothia Cup (Youth World Cup) in Gothenburg, Sweden, this summer. The two Mustangs are part of a larger contingent of five young ladies from the Shore Conference and are: Reese Keane, Class of 2026 and Jordan McCullough, Class of 2025. She also recognized their Coach Bill Caruso. Councilwoman Travers advised that a “Go Fund Me” page has been set-up to raise monies to offset the significant travel costs. Last year this all-star team from all over the State of New Jersey took third place out of 118 teams of age group 2007 girls. This year they would like to bring the gold to New Jersey.

National EMS Week – May 21 – 27, 2023

Mayor Crate presented our EMS Director Michael Botts and his staff a proclamation for National EMS Week. This year’s theme is “EMS: Where Emergency Care Begins”. She thanked our EMS staff for their invaluable service to our community. Councilman Ambrosino joined Mayor Crate and presented our EMS with a council resolution recognizing the importance of their profession and on behalf of the council thanked them for the vital service they provide.

Motion by Council Vice President Zapcic and seconded by Councilwoman Travers to adopt the following Resolutions:

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All Council Members voted AYE on the Roll Call.

Recognize National EMS Week – May 21 – 27, 2023

Councilman Ambrosino stated this resolution recognizes May 21- 27 as National EMS Week. This year's theme is *EMS: Where Care Begins*. Brick Township's recognizes the value and accomplishments of our 28 full-time and 23 part-time emergency medical services providers who remain dedicated to our residents 24 hours a day, seven days a week.

Authorize Actions with Sale of Bond Anticipation Notes, Series 2023

Council Vice President Zapcic advised this resolution authorizes the sale of bond anticipation notes in an amount not to exceed \$23,732,739. As projects are approved, the township typically starts out by securing Bond Anticipation Notes, known as BANs, which is a temporary form of financing. Once the project scope, or equipment specifications, are better defined we roll those BANs into bonds. We use temporary financing at the outset to give us a chance to better define costs as opposed to long-term financing on estimates. Notes (short-term financing) may be rolled into Bonds (permanent financing) after their third anniversary date, which is the typical practice of the Township. We do this in accordance with recommendations from our Bond Counsel, Financial Consultant, and our Chief Financial Officer.

Authorize Insertion of Chapter 159 – Bulletproof Vest Partnership Grant – 2022

Councilwoman Pontoriero said this resolution authorizes the insertion of a grant in the amount of \$20,040.80 from the United States Bureau of Justice Assistance program for the 2022 Bulletproof Vest Partnership Grant. This annual grant offsets the costs of bulletproof vests for our Police officers.

Authorize Insertion of Chapter 159 – OC Tourism Grant – 2023

Council President deJong stated this resolution authorizes the insertion of a grant in the amount of \$2,948.00 from the Ocean County Tourism Advisory Council for the 2023 Brick Farmer's Market. These funds will be used to promote the market and provide educational materials with the printing of the seasonality chart so market goers know when to expect fresh fruits and vegetables from our great farmers.

Authorize Insertion of Chapter 159 – Pumpout Boat Grant – 2023

Councilman Albanese advised this resolution authorizes the insertion of a grant in the amount of \$40,000 from the County of Ocean for the Pump Out Boat program. This grant offsets the cost of our two pumpout boats – the Bay Saver and the Bay Defender – at Trader's Cove Marina which services the needs of boaters along the Barnegat Bay.

Authorize Receipt of Bids – Automated Garbage Cans

Councilman Minichino said this resolution authorizes the receipt of bids for automated garbage cans, specifically the 95-gallon, the 65-gallon and the 35-gallon sanitation and recycling containers available to the residents of Brick Township. The current contract with IPL North America will expire on August 10, 2023.

Authorize Receipt of Bids – Roadway Improvements to Isolated Roads – Morris Avenue and Meridian Avenue

Mayor Crate advised this resolution authorizes the receipt of bids for roadway improvements to isolated roads, including Morris Avenue and parts of Meridian Avenue.

Authorize Receipt of Bids – Co-Location Lease Agreement – Wireless Telecommunications Facility at 401 Chambers Bridge Road

Councilman Minichino stated this resolution authorizes the receipt of bids for a lease agreement for the wireless telecommunications facility located at Town Hall. This bid is for the right to lease ground space to construct a monopole and install antennas and related equipment, unless the Township approves of the use of a preexisting structure for placement of antennas, cabling and any related equipment. In July 1998, the Township entered into a contract with Omnipoint Communications (later changed to T-Mobile). The agreement was for \$1,200 per month in rent which increased 4% on each anniversary of the commencement date of the agreement. The Township

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also received 40% of the gross monthly revenues collected from additional communication carriers subleasing or licensing from the lease space on the premises or the antenna. That lease expires on July 16, 2023.

Authorize Award of Contract – Public Safety Uniforms & Equipment

Councilman Ambrosino said this resolution authorizes the award of contract to Action Uniform Company for Public Safety Uniforms and Equipment in accordance with a schedule of prices for the various uniform parts and equipment needed by the Police Department, Special Police, crossing guards, dispatch and EMTs. Bid notices were provided to 16 prospective bidders and 10 picked up bid packages. One bid was received.

Authorize Award of Contract through Bergen County Cooperative Pricing System – Workforce Ready Annual Maintenance and Support.

Councilman Minichino advised this resolution authorizes the award of contract for Workforce Ready annual maintenance and support to SHI International in the amount of \$104,000. The Workforce Ready software is used by the Township's public safety divisions for scheduling.

Authorize Shared Services Agreement with Point Pleasant Beach – Sign Shop Services

Mayor Crate said this resolution authorizes a shared service agreement with the Borough of Point Pleasant Beach for sign shop services. In this agreement, the Borough will reimburse the Township for salaries, parts and materials.

Authorize Amendment of Municipal and Conflict Prosecutor Pools

Councilwoman Travers stated this resolution authorizes an amendment to the municipal and conflict prosecutor pool to include attorney Patrick Welsh with the firm of Destribats Campbell Staub & Schroth, LLC and to remove an attorney no longer serving Brick Township.

Authorize Amendment of Code Enforcement Prosecutor Pool

Councilman Albanese advised this resolution authorizes an amendment to the code enforcement prosecutor pool to include attorney Patrick Welsh with the firm of Destribats Campbell Staub & Schroth, LLC and to remove an attorney no longer serving Brick Township.

Authorize Lease Agreement for Civic Plaza – Brick Children's Community Theatre

Councilwoman Pontoriero stated this resolution authorizes a lease agreement with the Brick Children's Community Theater for space at Civic Plaza. The term of the lease is five years with an option to renew for another five years. The rent will increase 5% in year one, and 2.5% in years two through five.

Authorize Special Events Permit – Jersey Shore Marina Party/Pig Roast

Councilman Ambrosino said this resolution authorizes a special event permit for a Marina Party Pig Roast from 1:30 pm to 9:30 pm on August 5 at Jersey Shore Marina on Route 70. I guess I know where I'll be.

Authorize Special Events Permit – Epiphany Church Italian Feast

Councilman Minichino stated this resolution authorizes a special event permit for an Italian Feast from 5 to 10 pm on August 17, 18, 19 and 20 at Epiphany Church on Thiele Road and I will be there.

Bond Releases/Reductions

Clerk Iannarone advised of the following:

- Engineering Inspection Fund Release – Artis Holdings, LLC in the amount of \$41,770.04.

Tax Collector

Business Administrator Bergin advised of the following:

- Tax Overpayments – 2023, there were a total of three properties.

Council President deJong opened the public hearing on the Resolutions.

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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 Pontoriero to adopt the following Resolution:

All Council Members voted AYE on the Roll Call.

2023 Computer Bill Resolution in the amount of \$10,707,225.70.

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 Councilman Minichino and seconded by Councilman Albanese to adopt the following Resolution:

All Council Members voted AYE on the Roll Call

2023 Manual Bill Resolution in the amount of \$1,803,708.77.

Ordinances on Second Reading: Vacate a Portion of Askin Road

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

Councilman Minichino explained the Council's Land Use Committee is recommending this ordinance to vacate a portion of Askin Road. JSM at Martin Boulevard LLC is the owner of Block 16 which is adjacent to property owned by Centro NP Laurel Square. JSM has made application to the Township of Brick to vacate a 34-foot right-of-way portion of Askin Road. The Applicant has received site plan and subdivision approval, where the vacation was a condition of approval. They have also satisfied all requirements imposed by all other outside agencies.

Council President deJong opened the public hearing on the Ordinance.

There were no comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Councilwoman Travers and seconded by Councilman Ambrosino to adopt the following Ordinance on Second Reading and said Ordinance be published as provided by law.

All Council Members voted AYE on the Roll Call.

**AN ORDINANCE VACATING ANY RIGHTS TO A PUBLIC RIGHT-OF-WAY
ACROSS PROPERTY KNOWN AS A PORTION OF ASKIN ROAD,
FORMERLY KNOWN AS PART OF GREEN GROVE ROAD, TOWNSHIP OF
BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY**

Ordinance on Second Reading: Bond Ordinance – 5 Year Life

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

Councilman Ambrosino explained the following for all four (4) of the Bond Ordinances. He stated 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;

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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 is 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.

Council President deJong opened the public hearing on the Ordinance.

There were no comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Councilman Albanese and seconded by Council Vice President Zapcic to adopt the following Ordinance on Second 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.

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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.

(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

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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.

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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.

Council President deJong opened the public hearing on the Ordinance.

There were no comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Councilwoman Pontoriero and seconded by Council Vice President Zapcic to Adopt the following Ordinance on Second 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:

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

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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 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

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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 Second Reading: Bond Ordinance – 10 Year Life

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

Council President deJong opened the public hearing on the Ordinance.

There were no comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Councilman Minichino and seconded by Councilwoman Pontoriero to Adopt the following Ordinance on Second 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

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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 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

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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

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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 Second Reading: Bond Ordinance – 15 Year Life

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

Council President deJong opened the public hearing on the Ordinance.

There were no comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Councilwoman Travers and seconded by Council Vice President Zapcic to adopt the following Ordinance on Second 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 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,

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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 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.

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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.

John Sluka read his letter into the record about how the NJ Turnpike Authority Parkway construction destroyed surrounding areas in Brick like Evergreen Woods. He stated there have been many articles on the harmful effects of air pollution and how it triggers asthma and reduces lung functions. He said the Parkway is close to thousands of people and urged the council to act now. He further stated that they needn't go by his findings but to get information at the library.

Michele Spector of Evergreen Woods stated that this past Saturday, in the rain, Assemblyman Catalano along with Rocco Palmieri came out to Evergreen Woods for a site visit. She said they were shocked by how loud the noise is and the fumes you could smell at Evergreen Woods. She invited the council to come out as well.

Michael Bras of National Avenue spoke of a bamboo issue at his home. He said he has called the township and no one has come out or called him back. He said he had to pull out a lot of bamboo that was very close to his deck and house. He asked when something would be done.

Business Administrator Bergin advised she would have someone come out to the site and/or get back to him.

There were no further comments from the public.

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

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Mayor Crate said she has been very busy these past couple of weeks. She had a lot of fun at the Comic Shop ribbon cutting. They not only have comic books but also vintage toys. She said she visited our pre-school program and also had a visit from students from Lake Riviera Middle School, who also toured the police department. She hopes to have them back next year. She attended the Northern Ocean County Relay for Life last Friday held at Windward Beach. She thanked the Brick Memorial High School Key Club for hosting the Survivor's Dinner. Saturday was the Green Fair at the Cultural Arts Center and considering the weather, turnout was good. Tents were rented to cover all the participants. She noted that there was representation from every school showing how they are being green in school and at home. She said there were rain barrel workshops and beehives on display. She noted there are two beehives at the hospital. A Pollinator Garden was planted last Thursday at the Arts Center and said they would also like to add a beehive. She had milkshakes with the Mayor's Student Advisory Committee and thanked Yellow Brick Road for donating the ice cream. This afternoon she played kickball with them vs the PBA. The Township did not do well. She recorded two more Crate Conversations – one with Jane Fabach of the Historical Society and one with Danielle Kidney, the new Executive Director of the Chamber of Commerce. Upcoming events are as follows: May 25 – Groundbreaking of the long-awaited Cedar Bridge Manor Park, Monday, May 29 is the Memorial Day Parade at 10am and on Saturday, June 3rd, 6am till 10am is the Fishing Derby. She said this is a fantastic town and hopes everyone will take time to enjoy the things we offer.

Councilman Albanese congratulated and thanked the students and EMS for attending the meeting.

Councilwoman Pontoriero commended the students and echoed the sentiments of Council Vice President Zapcic who emphasized the importance to focus on the positive of our youngest residents. She also said one week is not enough to thank our EMS workers. She needed their services recently and was impressed with one of the members ability to do sign language with her. He also held her hand and comforted her in the ambulance. She said it speaks volumes of the individuals we employ.

Councilman Ambrosino congratulated all of the award recipients.

Councilwoman Travers also congratulated the students of the month, the soccer players and thanked the EMS for all they do.

Council Vice President Zapcic advised this year will be the 20th Anniversary of the Brick Garden Club Garden Tour. She said the event will be held on July 11th at 10am and seven (7) gardens will be featured with the event culminating at the Arts Center. Tickets will be on sale at various local florists and nurseries and it's a lovely afternoon. Its their major fundraiser and every dollar they raise goes back to beautifying Brick such as the gardens they maintain at the Arts Center. She also wished everyone a safe Memorial Day weekend.

Council President deJong advised of upcoming Senior Services events such as: the Game Show & Lunch taking place on June 2nd and the annual BBQ at Traders Cove on June 16th. You will need to register with Seniors by calling their office. Our next meeting will take place on June 13th at 7:00 p.m.

Motion by Councilwoman Pontoriero and seconded by Councilman Ambrosino to Adjourn the meeting at 7:59 p.m.

All Council Members voted AYE.

Heather deJong
Council President

Lynnette A. Iannarone
Township Clerk