

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

Present

Councilman Paul Mummolo
Councilwoman Heather deJong
Councilwoman Lisa Crate
Councilman Jim Fozman (Arrived at 7:14 pm)
Council Vice President Andrea Zapcic
Council President Arthur Halloran

Also Present

Mayor John G. Ducey
Kevin Starkey, Township Attorney
Lynnette A. Iannarone, Township Clerk
Joanne Bergin, Business Administrator

Absent

Councilwoman Marianna Pontoriero

Clerk Iannarone announced adequate notice of this meeting was provided and published in Asbury Park Press on January 13, 2017. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).

This meeting began with the salute to the flag followed by a moment of silence.

The Clerk was directed to accept and file the Building & Construction, Certificate of Occupancy, Engineering, Sewer & Water and Vital Statistics Reports for the month of May 2017.

Motion by Councilman Mummolo and seconded by Vice President Zapcic to dispense with the reading of the minutes of April 25, 2017 meeting and approve the same.

All Council Members voted AYE on Roll Call.

NJ Division of Fire Safety/NJ Fire Prevention & Protection Association Poster Contest Winner

Kevin Batzel, Bureau Fire Chief, Rick Orlando, Assistant Bureau Chief along with Britton Schulmeister from the NJ Division of Fire Safety presented David DeConte from Lake Riviera Middle School with a plaque for winning the State Fire Prevention & Protection Association Poster Contest. Kevin Batzel gave a brief explanation of how the winner was chosen.

Students of the Month

Mayor Ducey, President Halloran along with Councilwoman Crate recognized the Students of the Month for May 2017. Councilwoman Crate named the Brick Township High School Students of the Month and presented certificates to: Nicholas Gall, Cassidy Brouwer, Emily Gioberti and John Prato. She also named and presented certificates to Brick Memorial High School Students of the Month: Frank Tobia, Alexandra Hellinghausen, Imahni Carpenter, Matuesz Latkowski, Madeline Mauriello, Kevin Musto, Keyon Randolph and Jessie Acosta.

Dystonia Awareness Month - June

Mayor Ducey and Council President Halloran recognized Marguerite Weiss who has Dystonia. Mayor Ducey said Dystonia Awareness Month will raise public awareness and understanding of the disorder which has numerous manifestations affecting people of all ages, races, genders and backgrounds. He said it is a neurological disorder characterized by painful, prolonged muscle contractions that cause involuntary, abnormal and often repetitive muscle contractions, movements and postures and may impede an individual's ability to walk, speak, etc. He said Dystonia has limited treatments and currently no cure. He presented her with a proclamation and proclaimed June 2017 to be Dystonia Awareness Month,

Marguerite Weiss thanked Mayor Ducey and his Administrative Assistant Debbie, council members and members of her community for the opportunity to accept this proclamation on behalf of people that have Dystonia. She spoke of her Dystonia and the surgery she had that enabled her to walk again and remarked she is one of the lucky ones.

Motion by Councilman Mummolo and seconded by Councilwoman deJong to adopt the following Resolutions:

All Council Members voted AYE on Roll Call.

Authorize Amendment to 2017 Capital Budget

President Halloran stated the 2017 Municipal Budget was approved with \$8.5 million in Capital expenditures for equipment and projects. He said everything from lawn mowers to garbage trucks are included in the Capital Budget along with road paving and park improvement projects. He said the department heads have been working with the Mayor and Administration to prioritize their needs. He mentioned what started out as more than \$22 million in requests was reduced to \$8.5 thanks to their efforts. He said now that those items and projects have been identified, this resolution amends the approved capital budget to include more specific information such as how much of that \$8.5 million will be spent on motorized equipment, road improvements, computers, etc.

Combination/Form and Sale Authorizing the Issuance of Bonds & Notes

President Halloran stated as projects are approved, the township typically starts out by securing Bond Anticipation Notes, known as Bans, which is a temporary form of financing and once the project scope, or equipment specifications are better defined, they will roll those bans into bonds. He said they use temporary financing at the outset to give an opportunity to better define costs as opposed to long-term financing on estimates. He noted this has been a practice every three years to roll the temporary financing into bonds and this resolution combines those into one General Improvement Bond. He said they do this in accordance with recommendations from outside Bond Counsel and the Chief Financial Officer.

Authorize Chapter 159 – Clean Communities Grant – 2017

President Halloran stated the Township received a grant in the amount of \$165,826.52 from the State of New Jersey's Clean Communities Grant. He said the grant is awarded based on the Township's implementation of litter abatement programs that incorporate the elements of cleanup, enforcement and education.

Authorize Receipt of Bids – Computer & Printer Supplies

President Halloran stated under this contract, the Township spends approximately \$20,000.00 per year to maintain the Township's computer system, printers, fax machines, etc. He said they go out for bids annually to ensure they are getting the most competitive prices for these supplies.

Authorize Receipt of Bids – Professional Medical Services

President Halloran stated this bid is for professional medical services including pre-employment physicals, "fit for duty" testing and drug & alcohol collection services for new and existing employees at the provider's facility and at designated Township sites.

Authorize Receipt of Bids – Traffic Engineer

President Halloran stated the Township bids for professional services annually at the beginning of the year. He said the services they solicited for this year did not include a traffic engineer, which is an expert service they need to have available.

Authorize Receipt of Bids – Roadway Improvements to Village Way

President Halloran stated this project includes roadway base repair, drainage upgrades and resurfacing Village Way which is in the Midstreams section of the Township.

- **Authorize Receipt of Bids – Purchase & Delivery of Deciderous & Coniferous Trees**
- **Authorize Receipt of Bids – Purchase, Delivery & Installation of Deciderous & Coniferous Trees**

President Halloran stated these resolutions are part of the implementation of the Township's No Net Loss Grant, which will provide more than 1,000 trees to be planted on Township and other governmental properties throughout the town. He said the receipt of bids is being broken out into two categories: One is for the purchase and delivery of approximately 400 trees that the Department will install and the other category is for approximately 900 trees that will be installed by the successful low bidder.

Authorize Award of Bid – Rental of Equipment & Operators

President Halloran stated this resolution awards contracts to Bil-Jim Construction, Toms River; Contracting Services LLC, Bayville; and Glenside Equipment Corp, Farmingdale for equipment and operators that the Township uses on an as-needed basis. He said bid notices were mailed to 69 prospective bidders of which nine picked up bid packages and three bids were received. He noted the Township did not use any of these services last year.

Authorize Execution of Agreement – emsCharts Service

President Halloran stated the Township Emergency Medical personnel use electronic charts to provide efficient, effective patient care. He said they have been a participant in a system offered by the State but, at the request of the EMTs and Police Department, they have been investigating options that would provide a more seamless system that also provides connectivity with emergency rooms. He explained EMS Charts will provide EMT's with the ability to communicate directly with emergency rooms and to access patient history to increase their ability to provide the most appropriate medical care. He said the transition to EMS Charts also benefits from a billing perspective because the billing service company is able to get accurate, timely information on what to bill.

Authorize Award of Proposal – EMS Billing & Collection Services

President Halloran stated the Township recently accepted bids for EMS Billing Services. He said the current vendor receives 9 percent of the amount they collect each month and a new vendor, DM Medical Billing, has submitted a proposal with a lesser percentage (5.75%) which equates to more money for the Township. He said they also have agreed to offset the costs associated with the Township transitioning to EMS Charts, which provides a savings to the Township of \$67,820.00 over the 5-year contract. He advised with the cost saving of the EMS Charts fee and the billing fees over a 5-year contract the Township will be saving approximately \$367,820.00.

Authorization to Negotiate Contract – Summerfest Food Vendor – Category 1 - Pizza

President Halloran stated the Township previously advertised for bids for the Summerfest Food Vendor Pizza category and no bids were received. He said this resolution will authorize the Business Administrator to directly negotiate to determine if there is a pizza vendor agreeable to providing this food selection at Summerfest.

Authorization to Rescind Bid & Re-Bid – Mobile Food Truck at Windward Beach & Traders Cove Marina

President Halloran stated Hook, Line and Sinker from Hoboken is the vendor who submitted for the mobile food vending unit bid specification to "provide park and beachgoers ice cream, candy and cold liquid refreshments during the course of their stay" specific to exclusive rights at Windward Beach and Traders Cove. He advised that vendor was not able to secure the required approval from the Ocean County Health Department and as a result of the inability to secure Health Department approval, the vendor requested to be let out of his contract. He said when they first went out to bid they received two submissions, this vendor and one other. He advised the other vendor was contacted but is no longer interested in the contract. He said, therefore, they are officially rescinding the bid awarded to Hook, Line and Sinker and re-advertising.

Authorize Sale of Surplus Property Auction #3 – Police Vehicles, Ambulances & Bicycles**Authorize Sale of Surplus Property Auction #4 – Public Works Vehicles, Equipment, Tires & Radios****Authorize Sale of Surplus Property Auction #5 – Parks Department Equipment**

President Halloran stated the Township's Purchasing Agent has been working with department heads to identify surplus property no longer needed for public use and via these resolutions will use an online auction service to sell these items which includes police vehicles, ambulances and bicycles; public works vehicles, equipment, tires and radios and parks department equipment.

Authorize Rejection of Bids & Re-Bid – CDBG Housing Rehab Program Project**#16-03****Authorize Rejection of Bids & Re-Bid – CDBG Housing Rehab Program Project****#16-04**

President Halloran stated the Township's Land Use Department administers the Community Development Block Grant housing rehab funds awarded to the Township from HUD. He said bids were received for two housing rehab projects but unfortunately, both bids must be rejected due to the incomplete bid proposals. He advised this resolution is also providing approval to re-advertise.

Authorize Execution of Lease Agreement with Brick Township Police Athletic League.

President Halloran stated the Township's lease agreement with the PAL for the property on Drum Point Road is up for renewal. He said this agreement renews the lease for a minimal annual payment of \$1.00 per year to continue to support the PAL's work in serving the community, especially the children, through a variety of athletic and non-athletic programs throughout the year. He said many of these programs are offered at minimal cost, with scholarships available, so that all children can participate regardless of family income.

Authorize Execution of a Fourth Amendment to the Standard Lease Agreement with T-Mobile USA Tower, LLC

President Halloran stated the Township Municipal Building property is the location for a cell tower owned and operated by Crown Castle. He explained as part of the Township's agreement with Crown Castle, the Township receives a portion of the rent for any tenants who lease space on the cell tower, of which there is currently one, T-Mobile. He said cell tower tenants also require ground space for the equipment. He said recognizing the opportunity to enhance the rental market the Township has relocated its ground equipment to a location outside of the existing space to allow for additional tenant space. He said this agreement expands the square footage of the ground space and also renews the contract between Crown Castle and T-Mobile through 2023.

Authorize 2017-2018 Liquor License Renewals without Restrictions – Consumption, Distribution and Club Licenses

President Halloran stated this resolution renews plenary retail consumption licenses without restrictions to: PJ Sweeney's, Windward Grille, Arrowhead Inn, Villa Vitoria, River Rock, Sprits Unlimited, and TGI Fridays, plenary distribution licenses without restrictions to Forbes Liquors, Lenape Buy-Rite Liquors, Brick Town Liquors, Wine Shoppe, NJ Wine Gallery, Brick Liquors, Buy Rite of Brick, Wine World, and Joe Canal's Discount Liquor Outlet; and club liquor licenses without restrictions to American Legion Post #348, Knights of Columbus, Brick Elks, Metedeconk River Yacht Club, Riviera Beach Boat Club, Shore Acres Yacht Club and VFW Post #8667.

Authorize 2017-2018 Plenary Retail Consumption Liquor License Renewals with Restrictions:

- | | |
|--------------------------------------|-----------------------------------|
| a. Applebee's | i. Outback Steakhouse |
| b. Bonfish Grill | j. Quaker Steak & Lube |
| c. Brickhouse Bar & Grill | k. Red Robin |
| d. Buffalo Wild Wings | l. Tuscany |
| e. Carrabba's Italian Grill | m. Urban Coalhouse |
| f. Famous Dave's | n. Use to Be's |
| g. Houlihan's | |
| h. Mantoloking Road Pub | |

Authorize Placement of Tax Liens for Property Clean-ups

President Halloran stated this resolution authorizes placement of tax lien for property cleanups at 110 Mizzen Road in the amount of \$55.74 and 186 Drum Point Road in the amount of \$54.16.

Authorize Special Events Permit – Church of Epiphany

President Halloran stated Epiphany Parish is conducting a Feast of the Assumption at the Jersey Shore on August 17, 18, 19 and 20th from 5 to 10 pm at the Church on Thiele Road.

Authorize Special Events Permit – Warehouse Scuba

President Halloran stated Warehouse Scuba is conducting a 22k for the "22 veterans everyday" event to raise awareness of the veteran suicide rate. He said the 22k walk will start at Trader's Cove Marina at 7 am and proceed over the Mantoloking Bridge traveling through several jurisdictions along Route 35 including Brick Township with the end point in Seaside Park. He advised participants will be bussed back to Traders Cove and this event is scheduled for July 22.

Authorize Special Events Permit – Scary Rotten Farms

President Halloran stated this resolution authorizes a special events permit for a Scary Rotten Farms event throughout September and October between the hours of dusk and 11 pm at the farm on Brick Boulevard.

Tax Collector:

Joanne Bergin advised the following:

- 100% DAV – Refund & Cancel Taxes – Block 382.11 Lot 6 – 227 Arizona Dr. in the amount of \$6,058.77.
- Tax Overpayments – 2015 Block 260 Lot 24.01 in the amount of \$880.92.
- Tax Overpayments – 2017 Block 548 Lot 6 in the amount of \$297.84.
- State Tax Appeal Granted – Block 1170 Lot 14.01 – 1650 Route 88 in the amount of \$22,402.34, which is a four-year appeal.
- State Tax Appeal Granted – Block 1170 Lot 14.02 Qualifier C0002 – 1640 Rt. 88 in the amount of \$15,766.62 which is a four-year appeal.
- Redemption of Tax Sale Certificates.

President Halloran opened the public hearing on the Resolutions:

Vic Fanelli, 24 Meadow Point Drive, pointed out the difference between Deciderous and Coniferous Trees; he questioned the traffic engineer resolution.

Mayor Ducey replied the traffic engineer will be on call when needed and it will be specific to the Foodtown property for DOT approval for the egress and ingress and advised the two developers will be paying for the engineer.

John Sluka, 950 Sylvia Court, spoke about the New Jersey roadway improvements costing over \$2M a mile and no other state is over \$1M and questioned what is the dollar amount per mile in Brick.

Mayor Ducey replied 800 miles of roads would roughly cost \$63M.

There were no further comments from the audience.

President Halloran closed the public hearing on the Resolutions.

President Halloran opened the public hearing on the Computer Bill Resolution.

There were no comments from the audience.

President Halloran closed the public hearing on the Computer Bill Resolution.

Motion by Councilwoman deJong and seconded by Councilman Mummolo to adopt the following Resolution:

All Council Members voted AYE on Roll Call, except:
Councilman Fozman ABSTAINED on BTMUA;
Vice President Zapcic ABSTAINED on Gannett and NJ Press Media

2017 Computer Bill Resolution in the amount of \$9,500,765.23

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

There were no comments from the audience.

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

Motion by Councilman Fozman and seconded by Vice President Zapcic to adopt the following Resolution:

All Council Members voted AYE on Roll Call.

2017 Manual Bill Resolution in the amount of \$1,631,972.49

Ordinance on First Reading: Bond Ordinance – 5 Year Life

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

President Halloran said he mentioned earlier, the 2017 Municipal Budget was approved with \$8.5 million in capital expenditures for equipment and projects. He explained everything from lawn mowers to garbage trucks are included in the capital budget along with road paving and park improvement projects. He said the department heads have been working with the Mayor and Administration to prioritize their needs and what started out as more than \$22 million in requests was reduced to \$8.5 thanks to their efforts. Once those items and projects are identified, bond ordinances are prepared in the appropriate “useful life” category of the item, as outlined by State Statute. For example, items such as lawn mowers and garbage trucks are in the five-year ordinance, most IT related items such as computers, laptops and printers are in the 7-year ordinance police equipment including turn out gear, helmets and rifle lights are in the 10-year ordinance and large-scale projects such as park renovations, and roadway and other capital improvements are in the 15-year ordinance.

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

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$5,299,368 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,034,401 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the “Township”) as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$5,299,368, said sum being inclusive of a down payment in the amount of \$264,967 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the “Local Bond Law”), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$5,299,368 appropriation not provided for by application hereunder of said \$264,967 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$5,034,401 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$5,034,401 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for various Class C roadway improvements at various locations throughout the Township, and the acquisition and installation, as applicable, of various items of motorized and non-motorized equipment for various Township departments.

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

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$5,034,401.

(d) The estimated cost of said improvements and purposes is \$5,299,368, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$264,967 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$5,034,401, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,880,574 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein

in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$5,034,401. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be “capital expenditures” in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

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

Ordinance on First Reading: Bond Ordinance – 7 Year Life

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

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

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the “Township”) as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$800,000, said sum being inclusive of a down payment in the amount of \$40,000 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 *et seq.*) (the “Local Bond Law”), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$800,000 appropriation not provided for by application hereunder of said \$40,000 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$760,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$760,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various items of data processing and technology equipment for various Township departments.

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

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$760,000.

(d) The estimated cost of said improvements and purposes is \$800,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$40,000 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is seven (7) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$760,000, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations

authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$760,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

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

Ordinance on First Reading: Bond Ordinance – 10 Year Life

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

Motion by Councilwoman deJong and seconded by Councilman Mummolo to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$249,850 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,357 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$249,850, said sum being inclusive of a down payment in the amount of \$12,493 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 *et seq.*) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$249,850 appropriation not provided for by application hereunder of said \$12,493 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$237,357 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$237,357 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various items of police equipment (non-data processing).

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

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$237,357.

(d) The estimated cost of said improvements and purposes is \$249,850, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$12,493 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in

the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$237,357, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$37,478 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$237,357. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

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

Ordinance on First Reading: Bond Ordinance – 15 Year Life

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

Motion by Councilwoman deJong and seconded by Councilman Mummolo to adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on Roll Call.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AND OTHER RELATED EXPENSES, IN AND BY THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$2,150,782 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,043,242 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$2,150,782, said sum being inclusive of a down payment in the amount of \$107,540 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$2,150,782 appropriation not provided for by application hereunder of said \$107,540 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,043,242 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$2,043,242 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for various Class B buildings and grounds improvements, drainage improvements and recreational park improvements (existing parks and beaches) at various locations throughout the Township.

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

(c) The estimated maximum amount of bonds or notes to be issued for said improvements and purposes is \$2,043,242.

(d) The estimated cost of said improvements and purposes is \$2,150,782, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$107,540 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local

Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,043,242, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$695,235 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$2,043,242. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

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

President Halloran opened the public hearing portion of the meeting.

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

Steve Brill, 806 Jenny Court, spoke about the turnpike/parkway construction project and his concerns with vehicle noise.

Anthony Matthews, Brick Resident, spoke about political signs in the right of ways; questioned if they are still policing property maintenance and stated his concerns with the issues at the Housing Authority.

President Halloran responded yes they are still policing the property maintenance issues and advised him of the resolution on the agenda for the placement of tax liens for property clean ups.

Melanie Briggs, Summit Avenue, stated her displeasure with some false facts given at council meetings by residents.

Vic Fanelli, 24 Meadow Point Drive, commented on the poster contest winner presentation and the young people being honored from the schools; spoke about School Board pulling the referendum and questioned the \$1.3M the Township is receiving for the Sandy Clean-up Fund.

Mayor Ducey advised the \$1.3M goes into the anticipated revenue in the budget for next year since it cannot be used in this years' budget.

Joanne Bergin added when they receive grants they always receive a letter or some kind of agreement that tells them they are going to get the grant but it does not give them the money, so they are allowed to put that grant into anticipated revenue and then they Chapter 159 the money when it comes in. She said in this case with the Sandy monies they had no documentation, no letter and no commitment and without that the State would not allow them to put that into a fund where they could process a Chapter 159.

Jonathan, 38 Beaumont Drive, stated his concerns with the opioid epidemic in town and said he has lost many peers due to this crisis. He asked how he could get involved in the community; He mentioned a lot more young people would be involved if they knew how.

Vice President Zapcic responded she will give her contact information to him and advised him that she is the Chair of the Brick Municipal Anti-Drug Coalition. She said the Coalition is grant funded program particularly to combat opioid abuse in Brick Township and advised when they meet and urged him to join the group.

Mayor Ducey commented that he regularly goes to the high schools on their lunch hours to talk with the students to take away the mystery of government and that is why he started the Mayor's Teen Advisory Program just for that purpose of breaking down the wall between young people and the government.

Michelle Kleissler, 2460 Hooper Avenue, stated her concerns with the recent fire that happened at the Recycling Center on Hooper Avenue. She stated her concerns with various issues at that site; she asked what the process of Zoning personnel to visit the site to make sure that they are meeting the requirements of the Township, etc.

Joanne Bergin responded they are familiar with the site and their visits are usually scheduled. She advised the Land Use, Code Enforcement and Zoning offices are very familiar with the property and their long history. She said the property is on their radar and they have been compliant recently. She said they will be taking another look at again after yesterday's fire. She advised they received a comprehensive report from the Township Safety Officer of what happened and why. She advised they have voluntarily agreed to implement training that the Township will conduct for all their employees about how to better manage the site and any potential incidents and reduce that hazard.

There were no further comments from the audience.

President Halloran closed the public hearing portion of the meeting.

Councilman Mummolo relayed a message from Councilwoman Pontoriero that she will be at the

next council meeting and gave an update on her progress. He congratulated David on winning the poster contest; congratulated the students of the month.

Councilwoman deJong announced new businesses that joined the Buy in Brick Program and congratulated the new graduates.

Councilwoman Crate congratulated the students of the month. She mentioned how delighted it was to see her friend and former co-worker, Marguerite Weiss, who received the proclamation for Dystonia and remarked that she is an absolute miracle.

Councilman Fozman congratulated the fire safety poster contest winner and students of the month. He announced the document shredding at DPW on June 17th.

Vice President Zapcic congratulated Dave DeConte for winning the poster contest and congratulated the students of the month; she spoke about her attendance at the recent "Project Crash" and thanked all the participants.

President Halloran congratulated David DeConte for winning the poster contest and congratulated the students of the month; he spoke about Marguerite Weiss; he advised beaches are open.

Motion by Councilwoman deJong and seconded by Councilman Fozman to Adjourn the meeting at 8:24 p.m.

All Council Members voted AYE.

Arthur Halloran
Council President

Lynnette A. Iannarone
Township Clerk