

April 23, 2024

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 February 16, 2024. 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
Councilwoman Heather deJong
Councilman Steve Feinman
Councilwoman Melissa Travers
Council Vice President Derrick Ambrosino

Also Present

Scott Kenneally, Township Attorney
Lynnette A. Iannarone, Township Clerk
Lisa Crate, Mayor
Joanne Bergin, Business Administrator
Maureen Laffey-Berg, CFO

Absent

Council President Vince Minichino

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

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

Motion by Councilwoman deJong and seconded by Councilman Feinman to dispense with the reading of the minutes from the April 9, 2024 meeting and approve same.

All Council Members voted AYE on the Roll Call.

Presentations

Swearing-In of Police Officer – Jesse Lyon

Chief Forrester said he appreciated the large group present for the swearing in of Jesse Lyon Badge #349. He thanked the volunteer firemen for attending and thanked the Mayor, Council, Business Administrator for their continuing support of the police department. The Chief gave a brief bio of Jesse noting he is a 2012 graduate of Brick Township High and is a volunteer firefighter at Breton Woods Fire Company and currently is a fire marshal at the Brick Bureau of Fire Safety. Mayor Crate swore in Jesse Lyon with his wife Nicole and children by his side.

Motion by Councilwoman deJong and seconded by Councilwoman deJong to suspend the regular order of business to accommodate the budget hearing.

All Council Members voted AYE on the Roll Call.

Mayor Crate thanked the council for the opportunity to speak briefly on the 2024 budget. She said it is fiscally responsible and sound with a decrease of over \$1. Million dollars which amounts to a \$73.11 increase on the median home. This \$117. Million-dollar budget is a 1.9% increase. It is a modest increase for an efficient and effective budget that is fiscally responsible and comes after cumulative months of hard work. I believe we are the most efficiently run and fiscally conservative governments in Ocean County with exceptional services and programs from serving our very young to our active aging seniors. She thanked the team and council for their support.

Council Vice President Ambrosino advised copies of the budget are posted on the Township website and are available in the back of the room. He further stated before opening this public hearing, he wished to outline the procedure. Each person desiring to be heard will need to raise their hand, wait to be recognized and give his or her name for the record. I will recognize one speaker at a time. Address all questions to the chair; where necessary they will be referred to individual members of the governing body or municipal officials. Questions must be confined solely to the municipal budget before us; school or county matters are not proper subjects of this hearing and cannot be discussed or answered here tonight. Would anyone like to be heard on the budget?

Nan Coll advised she missed a meeting or two and was questioning details of the roadwork to be done with Toms River. She said the road by St. Dominic's is dark and narrow and needs to be improved. She also suggested lowering the speed limits in town.

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Vic Fanelli said the budget copy is outdated.

Business Administrator Bergin replied the budget is not available until after its adopted.

Clerk Iannarone said that is the introduced budget until the budget amendment resolution is passed on tonight's agenda.

CFO Laffey-Berg also advised it is the budget as of now.

Vic Fanelli questioned the average assessment of \$252,000.00 and said that is too low. He said that they couldn't find that in the senior community. He also asked where the \$1. million dollars miscellaneous revenue came from and whether or not that has happened in the past. It still puts the tax levy at 4% and you're only mentioning the 1.9% spending increase and feels its deception by omission.

Council Vice President Ambrosino said it is based on the assessment and that was supplied from the tax assessor. The tax levy is different from the amount of the tax rate. He said there is a separation between the two.

CFO Laffey-Berg responded the miscellaneous revenue was a donation from the Municipal Utilities Authority and they have received donations in the past. The tax levy is what is responsible by the taxpayers.

Vic Fanelli said that \$16 million is going to debt service; \$10.9 million is being held in surplus; and \$3.3 is being reserved for uncollected taxes. He said that they are withholding over \$14.5 million and that is interest free money. His personal opinion is that \$11 million is too much for reserve unless they are anticipating another Superstorm Sandy. He said he thinks that is too much money to hold onto.

CFO Laffey-Berg said that as the CFO she needs to think of next year's budget too. She said there's a lot of different math involved with what they are allowed to raise with taxation. As far as reserved uncollected taxes that is not held and said the wording comes from the State.

Business Administrator Bergin added it's not a good choice of words. It's not excess, its money that is used to balance the budget. Last time we went to dangerously low surplus we had to go to a referendum.

CFO Laffey-Berg tried to explain how to regenerate and its her job to plan.

Vic Fanelli questioned the fact that almost everything they buy, they bond at least 95%. So even though they are paying some off, they are still adding to the debt service. He said that he could not run his household like that and asked why they don't save money to buy things. He said they could do better.

Council Vice President Ambrosino said they have been reducing and paying down debt service every year.

Sam Foster stated the referendum was needed due to State aid cuts at that time. He also agreed with Mr. Fanelli that the budget was outdated.

Justin Delaney said it was 2011 when the referendum passed and it saved jobs at public works and police. He questioned the surplus and what was it ten years ago. He also asked how much more the budget is being raised because it didn't get raised last year.

Business Administrator replied that in 2010, 98% of the surplus was used, 2015 we used 62% and in 2024 we used 48%.

CFO Laffey-Berg advised the tax rate is an increase of 3.8% from last year.

Bob Mattliano noted that the police department's budget was only going up 2% when the chief reviewed his budget and asked if that included police cars. He asked to raise their budget to add more patrol officers to make the town safer and issue more tickets to make

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money.

CFO Laffey-Berg said that they have a line item for vehicles.

Business Administrator Bergin added that the State and the auditor directs that their cars not be included in the capital budget. She said that they do not hire for purposes of income but have hired more police officers like they did tonight. Their roster is 147 and it was 138 ten years ago. She said they have bicycle patrols, boat patrols and have the highest number of officers in the township's history and she would not suggest to the council hiring more instead of buying garbage trucks.

Mark Vasquez said he thought it was wrong to do a 0% increase in an election year and you'll probably do the same next year. He asked what the \$1 million dollars in open space was going for. He also asked with regards to the police, how many were going to community policing and whether or not the LEAD program was still running.

CFO Laffey-Berg said they have the open space on every year and moneys can be used for parks and debt service.

Business Administrator Bergin said that open space tax is separate and generally gets used to pay down debt service. With regards to police hires, she said the budget is not divided that way but no programs were going away. The Chief looks at retirements and ups the roster accordingly. The LEAD program is still running. It is a 3-year pilot program and they are in year 2.

Charlie Bacon thanked everyone for the budget copy and was aware there is going to be an amendment. He wanted to know when it had to be at the State. He suggested holding a couple of budget hearings because it's a lot to digest.

CFO Laffey-Berg said normally its due in February but it was extended and is due to the State on Friday. She also stated she's never heard of holding two public hearings. There's an introduction and a hearing as there are certain dates to comply.

Business Administrator Bergin stated that they start the process early with department heads presenting their budgets at the council meetings over the course of many weeks and the council president opens to the public after each presentation but the budget itself is a working document.

Charlie Bacon said he knows many CFOs, mayors and business administrators and has been told you never want to do a 0% increase especially after doing four major contracts with upwards of 6% increases because you can never catch up. He wanted to know who made that decision last year to do so. He said there has been two times in the last ten years when we had a 0% increase – last year and when the last mayor ran for his second term and it does have repercussions.

Vic Fanelli questioned why the MUA gave them \$1 million and not to the school district with all of the cuts they are facing. He asked why the township is more deserving? He asked if it had anything to do with the fact that they appoint the MUA Commissioners.

Mark Vasquez asked who made the decision last year to have a 0% increase. He also asked if they held the school taxes to collect interest. He further suggested giving the \$1. Million to the school – class sizes are going to be over 30 plus there are over 600 Spanish speaking students that cost more to educate and they are going to lose teachers. He said that the town doesn't need it and asked if they would be willing to give it to the school district. Tough decisions need to be made. The school system is suffering.

Councilwoman deJong noted they actually lose money if there's a tax appeal but the school gets their money in its entirety.

Business Administrator Bergin said they do not hold their money, they get paid monthly. She also stated they met with the Superintendent and BOE business administrator and they asked for a couple of things that they did such as purchasing the Breton Woods property which exceeded \$1. Million dollars and they will support them in many other ways.

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Council President Ambrosino reminded him that when they opened up the hearing it was said that they will not discuss the school or county budgets.

Nan Coll said what has just been shown is that “we the people” need more people gatherings such as caucuses. There are a lot of people out there that know better. She said they need more traffic lights and a lot more needs to be discussed. She suggested holding a brain-storming meeting once a month.

Sam Foster questioned what legal grounds the Council Vice President has as to not answer questions such as from last year’s budget and giving money to the school system.

Attorney Kenneally said this is a budget hearing on the 2024 municipal budget. Last year’s budget is done and was voted upon and you can look at the minutes from last year.

Business Administrator Bergin said that he misunderstood. The copy in the back is the 2024 budget that was introduced. The difference is the amendment which is on tonight.

Sam Foster asked if the Township is going to discuss prior year’s budgets, why can’t the public question those too. He also questioned the money from the MUA and why it wasn’t considered for the schools. He made accusations of embezzlement and said that he is tired of the faces up on the dais. It’s what entices people to misbehave.

Attorney Kenneally said it was a resident who brought up the question. This is a budget hearing for the 2024 budget and other questions need to be addressed by the MUA or BOE.

Justin Delaney asked who the liaison for the MUA is and when the council was notified about the donation.

Council Vice President Ambrosino said he is the liaison.

Business Administrator Bergin said she sent the letter requesting the donation and today she received an email.

Justin Delaney stated the MUA does a great job but thought they are a non-profit and any excess money is supposed to be used for capital projects. He questioned why they raised rates if they didn’t need the money and said he would question Director Theodos at their next meeting.

There were no further questions from the public.

Motion by Councilwoman Travers and seconded by Councilman Feinman to close the public hearing.

All Council Members voted AYE on the Roll Call.

Motion by Councilman Feinman and seconded by Councilwoman Travers to adopt the following Resolution.

All Council Members voted AYE on the Roll Call.

Authorize Reading of Budget by Title Only

Clerk Iannarone read the Title of the Resolution to Authorize Reading of Budget by Title Only Per N.J.S.A. 40A:4-8 provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing, and at the hearing, a complete copy of the approved budget shall be made available for public inspection. [N.J.S.A. 40A:4-8].
2. Shall be made available to each person upon request.

Motion by Councilwoman deJong and seconded by Councilwoman Pontoriero to adopt the following Resolution.

All Council Members voted AYE on the Roll Call.

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Authorize Budget Amendment

Clerk Iannarone read the resolution in its entirety.

Council Vice President Ambrosino advised the resolution is adopted.

Motion by Councilman Albanese and seconded by Councilman Feinman to adopt the following Resolution.

All Council Members voted AYE on the Roll Call.

Adoption of the 2024 Municipal Budget

Council Vice President Ambrosino advised the 2024 Brick Township Municipal Budget has been adopted.

Motion by Councilman Feinman and seconded by Councilman Albanese to adopt the following Resolutions:

All Council Members voted AYE on the Roll Call.

Authorize Temporary Capital Budget

Councilwoman deJong explained this resolution authorizes a temporary capital budget for 2024, which certifies the bond ordinances to be introduced later this evening for 2024 capital projects and equipment purchases.

Authorize Award of Contract – Operation of Food Truck at Brick Beach III

Councilwoman Travers stated this resolution authorizes an award of contract in the amount of \$2,000 to Little Caesars for the operation of a food truck at Brick Beach 3. This contract is for the 2024 beach season, when the concession stand will likely be under construction for structural repairs.

Authorize to Negotiate – SummerFest Food Truck Vendors (Remaining Categories)

Councilman Feinman said this resolution authorizes the Township's Business Administrator to directly negotiate with food truck vendors to fill one or both of the specialty spot openings for food truck vendors at this year's Summerfest concert series. The Township went out for bid twice for these two spots and did not receive any bids.

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

Councilwoman deJong advised this resolution authorizes the renewal of a shared services agreement with Point Pleasant Beach for sign shop shared services. In this agreement, all expenses and staff time are reimbursed to the Town.

Authorize Agreement for Lifeguard Services – Ocean Club at Mantoloking Condominium Association, Inc.

Councilman Albanese stated this resolution authorizes the execution of lifeguarding services with Ocean Club at Mantoloking. As in the past, the Township provides the lifeguard services for this neighboring beach and all costs are covered through this agreement.

Authorize Adoption of Title VI Non-Discrimination Policy

Councilwoman deJong explained this resolution authorizes the adoption of a non-discrimination policy in accordance with Title VI of the Civil Rights Act of 1964 in connection with the operation of Brick Township's Senior Transportation Program as required by the grant funding from NJ Transit. Title VI prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. The Township of Brick is committed to ensuring that no person shall, on the grounds of race, color, national origin be excluded from participation or denied the benefits of our services.

Bond Releases/Reductions: Clerk Iannarone advised of the following:

- Inspection Fund Release – Block 854, Lot 4
- Inspection Fund Release – Account #851-075

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Tax Collector: Business Administrator Bergin advised of the following:

- 100% DAV/Widow of Veteran Deduction – Block 380.04, Lot 5
- 100% DAV/Widow of Veteran Deduction – Block 869.41, Lot 9
- Tax Overpayment 2023 – Block 1150, Lot

Authorize Special Event Permit-Bike MS Coast the Coast Event.

Council Vice President Ambrosino advised this resolution authorizes the issuance of a special event permit to the National Multiple Sclerosis Society for the Bike MS Coast the Coast Event to be held on Saturday, May 11, 2024. Bicyclists bike from Deal to Island Beach State Park and back in the bike lanes on Route 35 North and South. They have also received a permit from the NJDOT.

Council President Minichino opened the public hearing on the Resolutions.

Sam Foster questioned the sign shop shared services agreement with Point Pleasant Beach and what it was costing the Township. He also questioned the Non-Discrimination Policy resolution.

Business Administrator Bergin responded this is a different type of shared services than what we had with Toms River Building Department. This is for us to make veterans signs like those at Windward Beach and what we did for Bay Head. With regards to the policy, it is a requirement from the federal government. There was one in place but now we have a new senior services location.

Sam Foster said that he is disabled and has a hard time hearing but he has rights and with ADA laws they are legally required to accommodate him within reason.

There were no further comments from the public.

Council Vice President Ambrosino closed the public hearing on the Resolutions.

Council Vice President Ambrosino opened the public hearing on the Computer Bill Resolution.

There were no comments from the public.

Council Vice President Ambrosino closed the public hearing on the Computer Bill Resolution

Motion by Councilwoman Travers and seconded by Councilman Feinman to adopt the following Resolution:

- All Council Members voted AYE on the Roll Call.
- Councilwoman deJong abstained on Community Services Inc.

2024 Computer Bill Resolution in the amount of \$24,897,829.89.

Council Vice President Ambrosino opened the public hearing on the Manual Bill Resolution.

There were no comments from the public.

Council Vice President Ambrosino closed the public hearing on the Manual Bill Resolution

Motion by Councilwoman Travers and seconded by Councilman Feinman to adopt the following Resolution:

- All Council Members voted AYE on the Roll Call.

2024 Manual Bill Resolution in the amount of \$1,935,588.74.

**Ordinance on First Reading: Cap Rate Ordinance
Bond Ordinance – 5 Year Life**

Clerk Iannarone read title of the Ordinance into the record.

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Councilwoman deJong advised this explanation pertains to all four bond ordinances. The 2024 capital budget totals \$10 million. At the outset, the total requests for capital funds exceeded \$20 million, but the department heads worked hard to back into manageable numbers. Highlights of the 2024 capital budget include: improvements to the Brick Beach 3 Concession Building, Year 1 of the park's safety surface replacement program, with Frede Park scheduled as the first priority for 2024; a high-water response vehicle for the Police Department; remounting two ambulances; cameras and lights at Pinewood Park; a side arm garbage truck and a rear loading garbage truck for DPW; and funds towards the permitting and design of the DPW Public Works Master Site plan. This year's capital budget also includes \$75,000 for design costs for a new public safety building that the Township would like to build on the Barrier Island. The new building will house the Police Department (including summer crossing guards), EMS and the fire department. The capital budget also includes over \$3 million in up-front costs to begin the dredge/marshland restoration project.

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

All Council Members voted AYE on the Roll Call.

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 \$2,869,570 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,726,092 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 \$2,869,570, said amount being inclusive of a down payment in the amount of \$143,478 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 \$2,869,570 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 \$2,726,092 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 \$2,726,092 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition and installation, as applicable, of various motorized and non-motorized vehicles, furniture, and equipment for various departments within the Township, including, but not limited to: (i) **Department of Administration** – the acquisition of two (2) ambulance remounts for the Division of Emergency Medical Services; and the acquisition of a SUV passenger vehicle for Senior Services; and the acquisition of two (2) Stryker power cots, ten (10) portable radios, and two (2) multi-gas detector meters for the Division of Emergency Medical Services; (ii) **Building Department** – the acquisition of a passenger vehicle for the Division of Inspections; and the demolition of various Township-owned houses for the Division of Inspections; (iii) **Police Department** – the acquisition of a non-passenger supervisor patrol vehicle, a Command vehicle and a High Water Response vehicle for the Division of Administrative Services; a Street Crimes Unit vehicle for the Division of Investigations; and the acquisition of gas mask filters and holographic weapon sights for

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the Community Policing Division; (iv) **Department of Public Works** – the development of a master site plan; the acquisition of a Toro utility vehicle and turf tractor vehicle for the Parks Division; a side arm garbage truck and rear loading garbage truck for the Sanitation Division; various improvements and upgrades to Bayside Park for the Parks Division, including but not limited to the acquisition of picnic tables, bleachers, barricades, and various tools; and the acquisition of a printer for the Signs Division; (v) **Department of Recreation** – the acquisition of a pick-up truck with plow for the Marina; and various acquisitions and improvements for the Marina, including but not limited to tires, a scale, and throttle for travel life services; (vi) **Tax** – the acquisition of various office furniture for the Tax Assessor Department and for the office of the Tax Collector Department; (vii) **Office of the Municipal Clerk** – acquisition of an office chair for the office of the municipal clerk; and (viii) **Municipal Court** – the acquisition of various office furniture for the municipal court.

(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 \$2,726,092.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$2,869,570, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$143,478 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.

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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 \$2,726,092. 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 \$430,437 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

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

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

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

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**Ordinance on First Reading
Bond Ordinance – 7 Year Life**

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

Motion by Councilwoman Travers 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 the Roll Call.

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 \$441,100 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$419,045 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 \$441,100, said amount being inclusive of a down payment in the amount of \$22,055 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 \$441,100 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 \$419,045 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 \$419,045 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 of various equipment, as applicable, including but not limited to (i) the replacement audio equipment and meeting video recording systems for the municipal court; (ii) camera systems and Axis camera station recording servers for Cedar Bridge Manor Park and Mallard Point Park; (iii) a fluid mesh wireless network for Drum Point Sports Complex cameras; (iv) sixty-seven (67) new computers and workstations for the Information Technology Department; (v) twelve (12) laptops for the municipal court; (vi) camera systems for four (4) Senior buses; (vii) a traffic light and security camera for Pinewood Drive; and (viii) a replacement server for New World Systems for the Police Department.

(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, 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 \$441,100.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$419,045, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$22,055 available for said improvements and purposes.

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SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized by this bond ordinance, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Ocean. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is seven (7) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$441,100. 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 \$66,165 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*

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taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

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

**Ordinance on First Reading
Bond Ordinance – 10 Year Life**

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

Motion by Councilman Albanese and seconded by Councilman Feinman to Adopt the following Ordinance on First Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on the Roll Call.

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 \$3,811,570 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,620,991 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 \$3,811,570, said amount being inclusive of a down payment in the amount of \$190,579 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

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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 \$3,811,570 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 \$3,620,991 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 \$3,620,991 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 to various locations throughout the Township, including but not limited to Cherie Manor, Greenbriar Association, Cherry Quay Community Association, North Lake Drive, Olive Court, and Courtshire Drive; (ii) repairs to the asphalt for various roads throughout the Township for the Department of Public Works; (iii) the drainage project for the Bay View Drive flood zone area and Normandy Beach in the Township; (iv) the acquisition and installation of various facilities and equipment for the Police Department, including but not limited to a storage shed and fencing for the impound lot for the Administration Division, six (6) portable radios, ten (10) radars, a back-up radio console, an electronic solar-powered speed sign, a 6Kw portable light tower and a 16-foot enclosed trailer; (v) the acquisition of a barrier island for the Fire Department.

(b) The improvements and purposes set forth in Section 3(a) shall also include, as applicable, to milling, paving, tarring, striping, curbs, aprons, ADA walkways and driveways, 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 \$3,620,991.

(d) The aggregate estimated cost of said improvements and purposes by the Township is \$3,811,570, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$190,579 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

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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 \$3,620,991. 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 \$1,806,906 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

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monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

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

**Ordinance on First Reading
Bond Ordinance – 15 Year Life**

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

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

All Council Members voted AYE on the Roll Call.

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 \$2,877,760 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,733,872 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 amount of \$2,877,760, said amount being inclusive of a down payment in the amount of \$143,888 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 \$2,877,760 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 \$2,733,872 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 \$2,733,872 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) improvements to the Civic Plaza gym floor for the Department of Recreation; (ii) repairs to the canopy for the Department of Public Works; (iii) various HVAC improvements and upgrades for the computer room for the Department of Public Works; (iv) the replacement of the roof of the Boland Club House for the Department of Public Works; and (v) various improvements to the Forsythe Wildlife Refuge for the Department of Administration, including but not limited to the dredging and moving of spoils for the restoration of the marshland.

(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 \$2,733,872.

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(d) The aggregate estimated cost of said improvements and purposes by the Township is \$2,877,760, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$143,888 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 \$2,733,872. 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 \$650,000 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 Vice President Ambrosino opened the public hearing portion of the meeting.

Nan Coll said she attended the Planning Board meeting and they don't have a problem with placing addresses along with the block and lots on their agenda. She also said it is not mandatory to have no comments for ordinances on first reading. She requested holding caucus meetings like former Mayor Scarpelli. She noted trees in the island on Burnt Tavern Road and said all areas should look like that.

John Sluka advised Thursday is a BOE meeting. He questioned what was happening with the sports dome and said they should consider helping the schools.

Business Administrator Bergin said they had to go back to the Planning Board because they could not put a sprinkler system in the dome portion. They are in compliance now and a ground breaking will be scheduled.

John Sluka read his letter from April 10, 2024 stating the need for a pollution and safety wall in certain areas in town and show that the council cares for the residents. The NJTA put in one row of small trees and the association maintains them but there are many gaps and there are children there, bus stops, pools, etc. According to WHO, solid and liquid pollutants are affecting our ozone layer causing pollution resulting in many health issues in children and seniors.

Vic Fanelli asked how many times they have received money from the MUA and if it was always a million dollars.

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Business Administrator Bergin replied in 2014, 2015, 2016 and 2017 and yes, always one million.

Vic Fanelli stated then they are collecting tax revenue for you and that should be illegal. They're funding you. He also questioned with the census going down by 3,000 people, why would they need more police, special police and dispatchers.

Business Administrator Bergin said the number for special police was always up to 25. It's a number they work with but there are a lot of moving parts with specific roles and responsibilities. They are needed to help with bookings so the police can do what they need to do.

Vic Fanelli said New Jersey is the highest taxed state and everyone's budgets are going up so if they don't need additional staff they should not hire any.

Mark Vasquez suggested the council consider holding caucuses so questions could get answered. He too is a resident of Evergreen Woods and for ten years, John Sluka has been reading his letter and begging for help and said they don't do anything about it. We're the taxpayers and people are struggling. He asked to consider giving the million dollars to the school system. He asked Council Vice President Ambrosino as MUA liaison if he was aware of this. He said the school needs it more and so far the MUA has given you \$5 million dollars.

Council Vice President replied yes, he was aware of it. He also asked Mr. Vasquez if he had any children in the school system because he has three in school.

Attorney Kenneally reminded Mr. Vasquez that this governing body does not do the school budget. The only thing they do is collect the taxes through the collector's office and then pass along to the school system. They act as a pass through.

Mark Vasquez asked if they had a BOE liaison.

Mayor Crate replied she was the liaison and they have communications with the school.

There were no further comments from the public.

Council Vice President Ambrosino closed the public hearing portion of the meeting.

CFO Maureen Laffey-Berg stated the budget will be on the website along with the debt statement for the past 4-5 years.

Mayor Crate congratulated the newest Police Officer Jesse Lyon. She thanked Business Administrator Bergin and CFO Laffey-Berg for being available and for all their hard work on the budget. She thanked Brick Little League and Brick American for inviting her to their opening day ceremonies. She noted it was the 50th anniversary allowing girls to play and she wished them a great season. She said that she hosted the Chamber of Commerce for lunch today and noted they are growing and the small businesses are the backbone of the community. She also said she met with Assemblyman Kinitra this morning.

Councilman Albanese announced the 12th Annual Green Fair will be held on May 18 from 10am till 2pm.

Councilwoman Pontoriero commended Ms. Bergin and Ms. Laffey-Berg for the budget preparation and she applauded their efforts. She thanked the community for coming out for the budget presentations.

Councilwoman deJong also thanked Ms. Bergin and Ms. Laffey-Berg for making the budget easier for her to understand.

Councilman Feinman also thanked Ms. Bergin for the presenting the budget. He said as a small business owner he knows how challenging it is.

April 23, 2024

Councilwoman Travers congratulated the newest Police Officer Jesse Lyon and commended Ms. Bergin and Ms. Laffey-Berg for their work on the budget. She said she understands there are a lot of moving parts involved in the preparation.

Council Vice President Ambrosino thanked Ms. Bergin, Ms. Laffey-Berg and the department heads for making themselves available the past couple of months and for the extraordinarily amount of work they all did on their budgets.

Motion by Councilwoman deJong and seconded by Councilman Feinman to Adjourn the meeting at 9:16 p.m.

All Council Members voted AYE.

Derrick T. Ambrosino
Council Vice President

Lynnette A. Iannarone
Township Clerk