

December 12, 2023

A meeting of the Township Council was held in the Municipal Building at 7:00 p.m. and was called to order at 7:01 p.m.

Township Clerk Iannarone announced adequate notice of this meeting was provided and published in the Asbury Park Press and The Ocean Star on January 27, 2023. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net)

Present

Councilman Derrick Ambrosino
Councilman Vince Minichino
Councilwoman Marianna Pontoriero
Councilwoman Mellissa Travers
Council Vice President Andrea Zapcic
Council President Heather deJong

Also Present

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

Absent

Councilman Perry Albanese

The meeting began with the Pledge of Allegiance led by Girl Scout Troop #60124 followed by a moment of silence.

Motion by Councilman Minichino and seconded by Councilwoman Travers to dispense with the reading of the minutes from the November 21, 2023 meeting and approve same.

All Council Members voted AYE on the Roll Call.
Councilman Ambrosino abstained due his absence.

Presentations

Recognize Rylee Sherwood

Mayor Crate presented a proclamation to Rylee Sherwood for her school supply drive for her Girl Scout Silver Award project – “Project Fill the Classroom.” The Township assisted Rylee by placing collection bins at Town Hall. Rylee said she did this not only to assist the teachers with needed supplies but to create conversations for how important teachers are in the community. Mayor Crate thanked Rylee and her troop for their visit tonight, and leading the Pledge of the Allegiance at the meeting.

Council President deJong advised Resolution 4-8 was being removed from the agenda.

Motion by Council Vice President Zapcic and seconded by Councilman Ambrosino to Adopt the following Resolutions.

All Council Members voted AYE on the Roll Call.

Authorize Support of Including Casinos under NJ Smoke Free Act

Council Vice President Zapcic advised when New Jersey's Smoke-Free Air Act took effect on April 15, 2006, prohibiting smoking in workplaces, it included an exemption for Atlantic City's casinos, exposing thousands of workers and casino patrons to the well-documented dangers of second-hand smoke. This has been an exemption that has challenged the public health community and has negatively affected thousands of New Jersey workers, as bills intended to close that loophole have been introduced, and failed, in every legislative session since then. As a result of the COVID-19 pandemic, a brief ban on smoking in Atlantic City casinos remained in place after re-opening until July 3, 2021. For the first time ever, workers there were able to breathe clean, smoke-free air at their worksite and remarkably, revenues did not suffer as the casino owners have long alleged. It has been over 2 years since smoking returned to the Atlantic City casinos, and in this current legislative session, Senate bill S264 and Assembly bill A2151 are pending in their respective Health committees. Together, they have earned more cosponsors than most other bills introduced in this legislative session in Trenton with a bipartisan majority in both chambers. The Governor has indicated that he will sign a bill eliminating casino smoking if it gets to his desk. However, despite the collective voices of over 3,000 casino workers advocating for relief, the bills to end the exemption permanently have once again stalled in the NJ Legislature.

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Over the last several months, testimony has been heard multiple times in both the Senate and Assembly Health committees. Casino dealers have spoken passionately about their working conditions (including how they are not permitted to take a step back or even turn their heads when a customer blows smoke in their faces). They spoke about smoking-related illnesses they have suffered and colleagues who have died prematurely. They spoke about how the casino owners play fast and loose with how they measure the 25 percent of the gaming floor where smoking is allowed and how a non-smoking table can quickly become a smoking table if a patron requests it. Opposed to the legislation, the Casino Association of New Jersey predicts loss of jobs and loss of state gaming revenue but has presented little data to support the allegations. After stalling through most of this legislative session, the Casino Association is proposing an amendment to install dedicated “smoking rooms” that dealers can “volunteer” to work in. They have had 17 years to work within the parameters of the exemption to create a safe working environment for their gaming floor employees and have failed to do so, opting instead to put profits over people. There is no reason to think they are sincere in caring about their employees now. The window to move a clean bill through both committees, to full floor votes in the Senate and Assembly and to the Governor’s desk in this session is rapidly closing. If it doesn’t happen by January 9, 2024, the legislation is dead and the process will need to begin anew in the next legislative session. S264 has been posted for yet another hearing on Thursday. Although this resolution is ceremonial only, I want to thank my Council colleagues for their consideration by showing support for the casino workers to be able to breathe clean air in their workplace, a right virtually everyone else enjoys.

Authorize Support of Provision of Funding to NJ Emergency Medical Task Force for Replacement of Ageing EMS Equipment & Vehicles

Councilman Ambrosino stated this resolution authorizes the support for the provision of funding by the State of New Jersey to the New Jersey Emergency Medical Services Task Force for both the use of the American Rescue Plan funds for the replacement of aging EMS emergency preparedness equipment and vehicles, and for an allotment in the state budget for the sustainment of the New Jersey Emergency Medical Services Task Force. Brick Township EMS are an active part of the Task Force, and they have received equipment and support consistently over the years.

Requesting NJ BPU to designate an Ocean/Monmouth Liaison

Councilwoman Pontoriero said this resolution requests that the current opening on the Board of Public Utilities goes to a qualified individual from Ocean County in order to assure appropriate representation of the interests of the residents and businesses of Ocean County and all shore communities.

Authorize Inter-Local Agreement with Ocean County Office of the Prosecutor – Phoenix Automated Property Reporting (PAPR) System

Councilman Minichino explained this resolution authorizes the execution of an Inter-Local Agreement between the Township of Brick and the Ocean County Prosecutor’s Office for the use of the Pro Phoenix Automated Property report system. This system is designed to track property transactions with pawned, scrap metal and second-hand property dealers.

Authorize Shared Service Agreement – Ocean County Schedule C

Councilwoman Travers stated this resolution authorizes a Schedule C agreement with the County of Ocean as renewed annually to provide assistance to Brick, if needed, for the repair and maintenance of streets and property, in addition to providing certain materials and supplies. The not-to-exceed amount of this agreement is \$350,000 - \$300,00 of which is for roads, \$25,000 for engineering and \$25,000 for vehicle services.

Authorize Award of Contract – Vac-Con Parts, Supplies and Repairs

Councilman Minichino advised this resolution authorizes an award of contract to Vac-Con Services, at a labor rate of \$145 per hour for supplies and repairs for the Township’s jet-vac equipment used by the Department of Public Works. Bid notices were provided to prospective bidders and one bid was received. This vendor currently provides these services to the Township.

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Authorize Award of Contract & Rebid – Snow Removal Services

Councilwoman Pontoriero said this resolution authorizes the award of contract to AlphaSeal and Meco Inc. for snow removal services. These companies are additional vendors to assist with snow removal, and in an effort to ensure they have sufficient equipment, this resolution also authorizes a re-bid.

Removed from Agenda - Authorize Award of Contract – Demolition of 24 Adair Drive (Block 280, Lot 32)

Authorize Termination of Contract – Computer and Printer Supplies

Council Vice President Zapcic stated this resolution authorizes the termination of contract with Ribbons Express Solutions. The company requested to rescind their bid as a result of increased costs. The Township has the ability to purchase these items through State Contract or through Cooperative Agreements.

Authorize Rejection of Proposals and Request for Proposals – Health Benefits

Councilwoman Travers advised this resolution authorizes the rejection of proposal for health benefits. A critical requirement of the RFP was not met, which deems this non-responsive. The Township will go out for another round of proposals.

Authorize Award of Contract – 2024 Dental Insurance DSO/Eastern Dental Mgmt.

Councilman Minichino said this resolution authorizes an award of contract for dental insurance to Eastern Dental at an approved schedule of rates based on the selected coverage. Our current plan terminates on December 31; this proposed plan provides an estimated \$7,200.00 decrease in costs for 2024.

Authorize Award of Contract – 2024 Dental Insurance – Delta Dental

Council President deJong stated this resolution authorizes an award of contract for the Township's self-insured dental benefits coverage to Delta Dental. Delta Dental has offered a 0 percent increase in administrative fees. They offer a large coverage network which allows all employees access to an in-network provider within a reasonable distance.

Authorize Award of Contract – 2024 Stop Loss Insurance – SunLife

Councilwoman Pontoriero said this resolution authorizes an award of contract to Sun Life Assurance to provide stop loss insurance for Township employees and retirees at a schedule of rates based on medical coverage. The term of this contract is one year.

Authorize Award of Contract – 2024 Vision Insurance – United Healthcare Vision

Councilman Ambrosino explained this resolution authorizes an award of contract for vision insurance to United HealthCare Vision at a schedule of rates based on the selected plan. The Township has a good history with United HealthCare and they have offered a 0 percent increase.

Authorize Award of Contract – 2024 Temporary Disability Insurance – Guardian

Councilwoman Pontoriero advised this resolution authorizes an award of contract to Guardian Life Insurance to provide temporary disability coverage for the Township. The term of this contract is one year. IMAC Insurance Agency, the broker of record for the Township of Brick, has solicited proposals and recommends the award to Guardian Life Insurance Company of America. Guardian currently provides temporary disability coverage. In this renewal, there will be a 0 percent increase.

Authorize Amendment of Fees-Traders Cove Marina

Council Vice President Zapcic advised this resolution authorizes an amendment of fees at Trader's Cove Marina. The rates are being increased to be more in-line with other local Marinas. The new rates are \$100 per foot for boats up to 26 feet; \$110 per foot for boats over 26' and \$1,500 for slips under 9' wide. Brick residents will continue to receive a \$5 per foot discount.

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Authorize Motor Vehicle Selling Licenses – 2024

Councilman Minichino stated this resolution authorizes the renewal of 8 motor vehicle selling licenses for 2024. Land Use, Code Enforcement and the Fire Bureau have inspected the licensees and found them in compliance.

Authorize Motor Vehicle Selling License with Restrictions – 2024 MC Auto Sales

Councilman Ambrosino said this resolution authorizes the renewal of a motor vehicle selling license with restrictions to MC Auto Sales, Mantoloking Road. The restrictions state the applicant is limited to no more than three cars on display at any one time and that no vehicles can park or be displayed in an existing fire lane or loading area.

Authorize Motor Vehicle Selling License with Restrictions – 2024 Joe’s Towing & Auto Truck Repair

Councilman Minichino stated this resolution authorizes the renewal of a motor vehicle selling license with restrictions to Joe’s Towing & Auto, Mantoloking Road. The restrictions state the applicant is limited to no more than three cars on display at any one time and that no vehicles can park or be displayed in an existing fire lane or loading area.

Authorize Towing Licenses - 2024

Council President deJong advised this resolution authorizes the renewal of police towing licenses for 2024 to 9 towers. Land Use, Code Enforcement and the Fire Bureau have inspected the licensees and found them in compliance, as has the Police Department.

Authorize Mobile Home Park License – Princeton Beach Estates, LLC.

Councilwoman Travers said this resolution authorizes a mobile home park license for 2024 to Princeton Beach Estates Mobile Home Park on Princeton Avenue.

Bond Releases/Reductions

Clerk Iannarone advised of the following:

- Inspection Fund Release – Block 323.04, Lots 6 & 8.03 – in the amount of \$733.66
- Inspection Fund Release – Block 672, Lot 11 – in the amount of \$453.53

Tax Collector

Business Administrator Bergin advised of the following:

- Tax Exemption – Block 1404.03, Lot 17
- Annual Interest Adjustment – 2024. This resolution establishes the interest rates for delinquent taxes and tax sale redemptions in accordance with State Statute

Council President deJong opened the public hearing on the Resolutions.

Sam Foster thanked the council for supporting the NJ Smoke Free Act to include casinos. He asked if any of our legislatures supported it.

Council Vice President Zapcic advised no one from the local office has signed on and Senator Singer recently withdrew his support.

John Sluka also thought it was a great resolution but why no concerns or resolution about our air quality.

Council President deJong advised they passed one a year ago.

Nan Coll asked for addresses to be included with block and lots.

Vic Fanelli questioned the snow removal resolution and that only two accepted.

Council President deJong explained that it was a re-bid and they are now up to 38 pieces of equipment which is what is needed for the Township to plow at 4” of snow.

Business Administrator Bergin added that they have successfully plowed with 38 pieces and they use every piece of township equipment also.

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Vic Fanelli also questioned the two-week window on the marina resolution.

Business Administrator Bergin advised they do not want everyone to come on the same day so a two-week window is given.

There were no further comments from the public.

Council President deJong closed the public hearing on the Resolutions.

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

There were no comments from the public.

Council President deJong closed the public hearing on the Computer Bill Resolution.

Motion by Councilwoman Pontoriero and seconded by Councilman Ambrosino to Adopt the following Resolution:

All Council Members voted AYE on the Roll Call

Computer Bill Resolution in the amount of \$5,525,330.

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

There were no comments from the public.

Council President deJong closed the public hearing on the Manual Bill Resolution.

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

All Council Members voted AYE on the Roll Call.

Manual Bill Resolution in the amount of \$2,345,817.84

Ordinance on First Reading – Amending Section 110-18 – Senior Citizen Beach Parking Discount

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

Council Vice President Zapcic advised the Council's Recreation Committee is recommending modifying the implementation of senior citizen rates for beach parking to a discounted rate of \$1 per day, which can be purchased at the beach with ID.

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

All Council Members voted AYE on the Roll Call.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING THE TOWNSHIP CODE OF THE
TOWNSHIP OF BRICK IN SECTION 110-18 TO
ESTABLISH A DAILY PARKING DISCOUNT FOR
SENIORS AT THE OCEAN BEACHES PARKING LOTS**

Ordinance on Second Reading – Bond Ordinance – Acquisition of Property for Open Space

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

Mayor Crate explained the Brick Open Space Savers committee is recommending the acquisition of property located on the corner of Herbertsville Road and Maple Avenue and adjacent to the 1.75-acre Saw Mill Tract Open Space area. This property is listed on the Township's most recent Planning Incentive Plan as proposed acquisition and would

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provide additional acreage to the Township's Recreation and Open Space Inventory. The property is residential and wooded in nature, bound by the Bureau of Fire Commissioners Fire Training Center, the Saw Mill Tract, a residential neighborhood and spans between First and Maple Avenues. The parcel is currently zoned as Village Zone, which could yield new single-family residential homes or a mixed-use, residential and commercial development on a very busy intersection of Maple Avenue and Herbertsville Road. It is adjacent to RR-2 Rural Residential (1-acre zoning) and R-7.5 Zone (Single-Family 7,500 sq. ft.). The property is designated in the NJ State Plan as Planning Area 2 and is in a sewer service area. The property has a number of Species of Special Concern including Coopers Hawk, Great Blue Heron and Barred Owl State Threatened. The property is also adjacent to the Saw Mill Pond Creek. The Township submitted for Green Acres approval for the acquisition as part of its ongoing Planning Incentive Plan Grant. The bond ordinance amount is \$390,000.

Council President deJong opened the public hearing on the Ordinance.

Sam Foster stated he considers himself a conservationist and also knows the importance to develop land for taxes but said the Mayor is doing a great job on this.

There were no further comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Councilman Minichino and seconded by Council Vice President Zapcic to Adopt the following Ordinance on Second Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on the Roll Call.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND PURCHASE OF REAL PROPERTY FOR OPEN SPACE PRESERVATION PURPOSES, BY AND IN THE TOWNSHIP OF BRICK, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROPRIATING \$390,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$370,500 IN BONDS OR NOTES OF THE TOWNSHIP TO FINANCE 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 the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Brick, in the County of Ocean, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$390,000, said amount being inclusive of a down payment in the amount of \$19,500 now available for said improvements or purposes as required by the Local Bond Law of the State of New Jersey, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$390,000 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not exceeding \$370,500 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 a principal amount not exceeding \$370,500 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 purposes for the financing of which said obligations are to be issued are for the acquisition and purchase of real property for open space preservation and conservation purposes, including, but not limited to, (i) real property consisting of vacant land designated as Block 1225, Lots 565, 567, 571 and 577, and Block 1386, Lot 1, on the Official Tax Map of the Township, and more commonly known as Herbertsville Road and Maple Avenue in the Township; and (ii) real property consisting of vacant land designated as Block 1224, Lot 636 (including additional sub-lots 637 through 648), on the Official Tax Map of the Township, and more commonly known as Second Avenue in the Township (clauses (i) and (ii) above are hereinafter collectively referred to as the "Properties").

(b) The improvements and purposes set forth in Section 3(a) above shall also include, as applicable, all legal fees, title search fees, closing costs, appraisal fees, advertising fees, survey fees, environmental and soil testing and remediation, bid documents, contract administration, 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 \$370,500.

(d) The aggregate estimated cost of said improvements and purposes is \$390,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefore being the amount of \$19,500, which is the down payment available for said improvements or 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 2 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, however, 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 in the Department of Community Affairs of the State of New Jersey.

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, 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 forty (40) 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 \$370,500. 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 \$40,000 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 herein before 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 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 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 Regulations §1.150-2) or abandoned, but in no event more than three 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 is hereby authorized to acquire the Properties and to negotiate an agreement of purchase and sale for the purchase of the Properties. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and Township Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of purchase and sale and any and all documents, instruments, affidavits, certificates and agreements necessary to

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acquire and purchase said Properties.

SECTION 12. 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 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Ordinance on Second Reading – Amending Section 288-40 to Exclude Vehicles Over 4 Tons on Van Zile Road

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

Councilman Minichino advised this ordinance supports the need to exclude trucks over 4 tons along Van Zile Road between NJ Route 70 and Burnt Tavern Road. The Police Department's Traffic Safety Bureau and the Ocean County Engineer's Office made this request to the NJDOT after investigating complaints from residents.

Council President deJong opened the public hearing on the Ordinance.

Nan Coll said she hopes a map will be provided showing where the large trucks would be allowed.

Council President deJong advised it is the section between Route 70 and Burnt Tavern Road.

There were no further comments from the public.

Council President deJong closed the public hearing on the Ordinance.

Motion by Council Vice President Zapcic and seconded by Councilwoman Travers to Adopt the following Ordinance on Second Reading and said Ordinance be published as provided by law:

All Council Members voted AYE on the Roll Call.

**AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING THE TOWNSHIP CODE OF THE
TOWNSHIP OF BRICK IN SECTION 288-40, TO
EXCLUDE VEHICLES OVER 4 TONS FROM CERTAIN
SECTIONS OF VAN ZILE ROAD**

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

John Sluka read his letter dated December 4 stating that residents are being harmed by pollution from the Garden State Parkway. Walls and trees planted are needed in many areas in town. He advised air pollution is harmful and a human carcinogen that causes health issues in pregnant women, elderly and children. He said more and more children are being home schooled. He said the noise and toxins are killing our citizens and he suggested doing a resolution and letters every year.

Sam Foster said he was glad about the smoking resolution. He said he's upset about what's going on in Israel and asked for the council to make a statement about anti-Semitism. He said there is also a rise in anti-Arab/Islamic.

Vicky Fabricki of Van Zile Road thanked the Council, Mayor, Joanne Bergin and the traffic engineer for their hard work with the ordinance limiting the vehicles over four tons to travel on Van Zile Road. She also stated that it was brought up because the sign was down and needed to be replaced. She said it has been a nightmare for the residents between the hours of 10pm and 3am and offered her heartfelt gratitude.

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Mayor Crate thanked Parks, Recreation and John Lolla's crew for their work with the tree lighting. She it was the coldest night of the season but the festival was very heartwarming. We also held our Menorah lighting which was very attended and she gave her appreciation to Rabbi Rubin for giving the history of Hanukkah. She said there was singing and it was fun for all. The PBA's Toys 4 Tots drive was successful and the Mayor's Student Advisory Committee will be wrapping all of the gifts this week. She thanked both groups. She also thanked the Brick Open Space Savers Committee (BOSS) for obtaining their second property. They meet monthly and work diligently. She looks forward to working with them in 2024 on other available properties. She commended the Brick Memorial High School drama club on their production of Mean Girls. She said it was so fun and the students were phenomenal! Pick-Up Brick cleaned up the Saw Mill Tract – she thanked Tony Kono and Vin Palmieri for organizing. She said they had perfect weather and it was easier to see the garbage in the winter. Also, there were less bugs. She said about 100 people participated – the ROTC, the boy scouts and more. She invited residents to see what Brick has to offer for hiking trails. She did a ribbon cutting for Aire Salon. She wished everyone a Happy Hanukkah, Merry Christmas, Happy Holidays and Happy New Year!

Councilwoman Pontoriero said as they celebrate this holiday some residents are suffering financially and will have a much leaner Christmas. She suggested giving a gift of service or a gift that will help others.

Councilman Ambrosino thanked the girl scouts and wished everyone Happy Holidays.

Councilman Minichino, Councilwoman Travers, Council Vice President Zapcic wished everyone Happy Holidays.

Council President deJong thanked everyone for their holiday cheer and wished all a Happy Hanukkah and Merry Christmas.

Motion by Council Vice President Zapcic and seconded by Councilman Ambrosino to Adjourn the meeting at 8:03 p.m.

All Council Members voted AYE.

Heather deJong
Council President

Lynnette A. Iannarone
Township Clerk