



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
REGULAR MEETING**

**DATE:** Monday, May 24, 2021  
**TIME:** 6:00 PM Public Forum on New Cannabis Legislation  
7:30 PM Regular Meeting

**LOCATION:** **IN-PERSON**  
Town Hall  
2 West Main Street  
Brookside; and

**REMOTE VIA ZOOM**

Access link and call-in numbers can be found on the last page of the agenda

[www.zoom.us](http://www.zoom.us)

Click on "Join a Meeting"

**Webinar ID: 894 7638 8075**

**Passcode: 323628**

Follow prompts

**ROLL CALL**

Mr. Baio  
Ms. Duarte  
Mr. Monaghan  
Mr. Orlins  
Mayor Neibart

**SALUTE TO THE FLAG**

**STATEMENT OF ADEQUATE NOTICE**

Adequate Notice of this meeting of the Township Committee of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Daily Record and Star Ledger on May 6, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**PUBLIC FORUM ON NEW CANNABIS LEGISLATION**

**ADJOURN**

**REGULAR MEETING STARTS AT 7:30 PM**

**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
REGULAR MEETING**

**DATE:** Monday, May 24, 2021

**TIME:** 7:30 PM Regular Meeting

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**SALUTE TO THE FLAG**

**STATEMENT OF ADEQUATE NOTICE**

Adequate Notice of this meeting of the Township Committee of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Observer Tribune and Daily Record on January 6, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**COVID – 19 UPDATE**

**PROCLAMATION**

National Emergency Medical Services (EMS) Week

**ANNOUNCEMENTS**

**OPEN TO THE PUBLIC**

*Please state your name and address for the record. Speakers are asked to limit their comments to 5 minutes.*

*Zoom Attendees: If you wish to make a comment, please click 'Raise hand' in the webinar controls. If you join the webinar by phone, **dial \*9** to raise your hand.*

**APPROVAL OF MINUTES**

- Special Meeting of November 19, 2020
- Executive Session of November 19, 2020

## **RESOLUTIONS**

**2021-102\*** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Non-Fair and Open Service Professional Service Contract with Associated Appraisal Group, Cranford, New Jersey for the Reassessment of all Properties in the Township in an Amount Not to Exceed \$260,000

\*Tabled from May 10, 2021

**2021-106** Resolution of the Township Committee of the Township of Mendham Authorizing an Application to the New Jersey Library Construction Bond Act Grant Program

**2021-107** Resolution of the Township Committee of the Township of Mendham Authorizing the Mendham Township Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C.72

**2021-108** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of 2021 Taxes

**2021-109** Resolution of the Township Committee of the Township of Mendham Supplementing the Professional Services Contract with Phoenix Consulting Group for Additional Chief Financial Officer Services

**2021-110** Resolution of the Township Committee of the Township of Mendham Appointing Police Officer Evan Bever

**2021-111** Resolution of the Township Committee of the Township of Mendham Approving Staff Appointments for the Department of Recreation Summer Season

**2021-112** Resolution of the Township Committee of the Township of Mendham Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

**2021-113** Resolution of the Township Committee of the Township of Mendham Allocating unexpended balances in the Recreation Trust Fund

**2021-114** Resolution of the Township Committee of the Township of Mendham Reimbursing the Mendham Chester Little League for Fencing Repairs / Replacement

**2021-115** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

## **ORDINANCE FOR SECOND READING / PUBLIC HEARING**

**09-2021** Bond Ordinance Providing for the Improvement of Roads in and by the Township of Mendham, in the County of Morris, New Jersey, Appropriating \$500,000 Therefor and Authorizing the Issuance of \$475,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

***Ordinance was introduced May 10, 2021***

## **OPEN TO THE PUBLIC**

*Please state your name and address for the record. Speakers are asked to limit their comments to 5 minutes.*

*Zoom Attendees: If you wish to make a comment, please click 'Raise hand' in the webinar controls. If you join the webinar by phone, **dial \*9** to raise your hand.*

## **DISCUSSION**

- Construction Project Update

**RESOLUTION 2021-102**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN SERVICE PROFESSIONAL SERVICE CONTRACT WITH ASSOCIATED APPRAISAL GROUP, CRANFORD, NEW JERSEY FOR THE REASSESSMENT OF ALL PROPERTIES IN THE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$260,000**

**WHEREAS**, the Township Tax Assessor has recommended the reassessment of all properties in the Township to reduce the tax appeal activity currently impacting the Township; and

**WHEREAS**, the Morris County Tax Board has concurred with the Township Assessor's recommendation; and

**WHEREAS**, Associated Appraisal Group, Cranford, New Jersey has the necessary experience and credentials to accomplish the reassessment of all properties in the Township in a timely manner; and

**WHEREAS**, the Acting Chief Financial Officer has determined that the value of the services exceeds \$17,500 and the contract should be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate; and

**WHEREAS**, the Acting Chief Financial Officer has determined the contract is exempt from public bidding per Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, Associated Appraisal Group, Cranford, New Jersey, will provide both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Mendham with the elected officials in the previous one year, and that the contract will prohibit Associated Appraisal Group, Cranford, New Jersey, from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Acting Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from Ordinance 2021-06.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham as follows:

1. The Mayor & Township Clerk be and are hereby authorized to execute a contract with Associated Appraisal Group, Cranford, New Jersey for the reassessment of all Properties in the Township.
2. This contract is awarded without competitive bidding as an "Exception" pursuant to N.J.S.A. 40A:11. 5(1)(a)(i) and non-fair and open pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate, not to exceed \$260,000. The Acting CFO has certified to the availability of funds for these services.
3. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: May 24, 2021

**2021-106**

Resolution of the Township Committee of the Township of Mendham Authorizing an Application to the New Jersey Library Construction Bond Act Grant Program

**PENDING**

**RESOLUTION 2021-107**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE**  
**MENDHAM TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED**  
**TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72**

**WHEREAS**, Morris County Board of Taxation is unable to certify Township of Mendham's tax rate at this time and the Mendham Township Tax Collector will be unable to mail the Township's final 2021 tax bills on a timely basis; and

**WHEREAS**, the Mendham Township Tax Collector in consultation with the Mendham Township Acting Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, in the County of Morris and State of New Jersey on this 24<sup>th</sup> day of May, 2021, as follows:

1. The Mendham Township Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2021 taxes.
2. The entire estimated tax levy for 2021 is hereby set at \$41,423,471.66.
3. In accordance with law the third installment of 2021 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Adopted: May 24, 2021

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

**CERTIFICATION:** I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 24, 2021.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2021-108**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING**  
**REFUND OF OVERPAYMENT OF 2021 TAXES**

**WHEREAS**, the Tax Collector has certified to the Township of Mendham that a payment be refunded due to an overpayment of taxes by the mortgage company; and

**WHEREAS**, the Governing Body has reviewed said certification and approved the same.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mendham, being the Governing Body thereof that payment is refunded as follows:

<b>BLOCK &amp; LOT &amp; QUALIFIER</b>	<b>REFUND TO:</b>	<b>AMOUNT:</b>
Block 107 Lot 12 15 Kendall Court	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$6,534.88
Block 113 Lot 12 45A Old Mill Rd	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$2,543.69
Block 118 Lot 15 7 Briarwood Ln	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$4,810.31
Block 129 Lot 43 17 Summit Rd	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$3,239.68

Adopted:

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on Monday, May 24, 2021.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2021-109**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM SUPPLEMENTING THE PROFESSIONAL SERVICES CONTRACT WITH PHOENIX CONSULTING GROUP FOR ADDITIONAL CHIEF FINANCIAL OFFICER SERVICES**

**WHEREAS**, through Resolution 2020-221 the Township of Mendham appointed Phoenix Consulting Group to provide Chief Financial Officer Services to the Township in the absence of a certified Chief Financial Officer being available to the Township; and

**WHEREAS**, the Township has been unable to obtain a Chief Financial Officer (CFO) to provide required CFO services; the funding made available through Resolution 2020-221 has been expended; and the Township must have access to a qualified Chief Financial Officer to properly maintain the Township's accounting system in accordance with State of New Jersey regulations; and

**WHEREAS**, Phoenix Consulting Group is available to provide Chief Financial Officer Services to the Township for the period March 1 thru June 30, if required; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from 01-20-130-028.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey authorizes the Mayor and the Township Clerk to enter into Amendment #1 to the contract with Phoenix Consulting Group for Chief Financial Officer Services in an amount not to exceed \$18,000.

**BE IT FURTHER RESOLVED** that the contract, resolution and all other pertinent documents shall remain on file in the office of the Township Clerk.

Adopted: May 24, 2021

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

**CERTIFICATION:** I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 24, 2021.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk



**RESOLUTION 2021-110**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**APPOINTING POLICE OFFICER EVAN BEVERE**

**WHEREAS**, a vacancy exists in the rank of patrolman within the Mendham Township Police Department;  
and

**WHEREAS**, an interview process was conducted to find the most qualified person to hire in this capacity  
and Evan Bevere possesses the necessary qualifications for employment as a Police Officer; and

**WHEREAS**, Evan Bevere has been interviewed by the Police Committee; and

**WHEREAS**, Chief Ross Johnson recommends Evan Bevere be appointed as a Probationary Police Officer at  
a salary in accordance with the contract between the Township of Mendham and Mendham Township  
PBA Local 402.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Mendham  
that Evan Bevere is hereby appointed as full-time Police Officer for the Township of Mendham.

Adopted: May 24, 2021

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the  
foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 24,  
2021.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**2021-111**

Resolution of the Township Committee of the Township of Mendham Approving Staff Appointments for the Department of Recreation Summer Season

**RESOLUTION 2021-112**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Committee of the Township of Mendham is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Mendham to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.



(8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose right could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

- **Administrator Position**
- **Chief Financial Officer Position**
- **Qualified Purchasing Agent Position**



(9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, in the County of Morris and State of New Jersey, assembled in public session on **May 24, 2021 at 7:30 P.M.** via the virtual platform Zoom, that the Township Committee shall meet in Executive Session, from which the public shall be excluded, for the discussion of matters relating to the specific items designated above.

**BE IT FURTHER RESOLVED** that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Adopted: May 24, 2021

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

**CERTIFICATION:** I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 24, 2021.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**2021-113**

Resolution of the Township Committee of the Township of Mendham Allocating Unexpended Balances in the Recreation Trust Fund

**PENDING**

**2021-114**

Resolution of the Township Committee of the Township of Mendham Reimbursing the Mendham Chester Little League for Fencing Repairs / Replacement

**PENDING**

**RESOLUTION 2021-115**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE PAYMENT OF BILLS**

**BE IT RESOLVED**, by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that the Chief Financial Officer be and hereby is authorized to pay current bills as attached hereto and made a part hereof, contingent upon the approval of the Finance Committee.

Adopted: May 24, 2021

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

**CERTIFICATION:** I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 24, 2021.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**TOWNSHIP OF MENDHAM  
MORRIS COUNTY – NEW JERSEY**

**ORDINANCE 09-2021**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS IN AND BY THE  
TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING  
\$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES  
OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Mendham, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$500,000, including the sum of \$25,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$475,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the improvement of Township roads described on the 2021 list on file in the office of the Township Clerk, hereby incorporated in this bond ordinance by this reference, involving milling and paving, repairs of affected storm drains and guardrails and intersection improvements in cooperation with the County of Morris, with materials, equipment and costs necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.



(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget 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 or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, 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. 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 and notes provided in this bond ordinance by \$475,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes

described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township 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 obligations of the Township 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 holders and beneficial owners of obligations of the Township 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 10. 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 the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED: 5/10/2021

ADVERTISED:

PUBLIC HEARING:

ADOPTED:

ADVERTISED:

# **ACCESS INFORMATION**

## **TOWNSHIP COMMITTEE MEETING**

**PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:**

<https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONUtt1YUUvNzA0SW5DVIryZz09>

Passcode: 323628

**OR IPHONE ONE-TAP:**

US: +13126266799,,89476388075#,,,,\*323628# or  
+16465588656,,89476388075#,,,,\*323628#

**OR TELEPHONE:**

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or  
+1 646 558 8656 or  
+1 301 715 8592 or  
+1 346 248 7799 or  
+1 669 900 9128 or  
+1 253 215 8782

**Webinar ID: 894 7638 8075**

**Passcode: 323628**

International numbers available: <https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONUtt1YUUvNzA0SW5DVIryZz09>