

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD ON TUESDAY, JULY 27, 2021 AT 4:30 P.M.
IN THE COUNTY ADMINISTRATION BUILDING
4 MOORE ROAD
CAPE MAY COURT HOUSE, NEW JERSEY**

The meeting convened with Deputy Clerk Doyle presiding and the following members answering roll call:

Commissioners Desiderio, Hayes, Morey, Pierson and Thornton- (5)

STATEMENT OF DIRECTOR

“This is a notice read pursuant to the requirements of the “Open Public Meetings Act.” At least 48 hours advance notice of this meeting has been provided by posting of the same in writing on the bulletin boards in the County Administration Building, and the County Clerk’s Office and mailing a copy of the notice to the Cape May County Herald and the Atlantic City Press and filing the same with the County Clerk, all being done on Wednesday, January 6, 2021.”

MOMENT OF SILENCE-Dedicated in memory of Bob Boyd.

FLAG SALUTE-Led by Commissioner Pierson.

MINUTES – MOTION TO APPROVE MINUTES OF THE 07/13/21 MEETINGS
FH Desiderio moved/ FH Hayes seconded

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

COMMUNICATIONS: None.

REPORTS:

- 1) ENGINEER: Mr. Church reported on the progress of the following: Goshen Road drainage, Bayshore Road and DeHirsch Avenue resurfacing, 96th Street Bridge Bascule Replacement & Bridge Rehabilitation, Historic Marshallville Road Bridge replacement, Federal-aid submissions and the Countywide maintenance paving contract.
- 2) COUNTY COUNSEL: Jeff Lindsay had no report.
- 3) COUNTY TREASURER: Brittany Smith had no report.

COMMISSIONER REPORTS:

- 1) COMMISSIONER MOREY: No report.
- 2) COMMISSIONER PIERSON: Mr. Pierson reported he met with the Department of Fare Free Transportation, Department of Aging and Commissioner Hayes regarding the future of the “Meals on Wheels” Program. The importance of the program to the County was acknowledged.

MINUTES OF A REGULAR MEETING HELD JULY 27, 2021 (CONTINUED)

3) COMMISSIONER HAYES: The first County Library Lecture Series in 2021 took place at the County Park & Zoo on July 19th as reported by Ms. Hayes. Joyce Maynard, a New York Times best-selling author was introduced by the commissioner. The audience heard facts of her achievements, as her latest book, "Count the Ways" was promoted.

Ms. Hayes urged everyone to try the Tree-to-Tree Adventure Course at the Park & Zoo. It was very challenging but fun, she commented.

4) COMMISSIONER DESIDERIO: Mr. Desiderio asked the Board to invite Captain Matt Johnson of the Wildwood Fire Department to the next Commissioners meeting so he could be honored. He had recently returned from the condo collapse in Florida. Mr. Johnson was one of 85 firefighters and emergency personnel from New Jersey to go to Surfside, Florida to carry out search and rescue for the victims and families. Mr. Johnson is the commander of the Cape May County RUST Team currently.

5) COMMISSIONER THORNTON: Director Thornton stated he recently participated in a radio program hosted by David Spatz of WOND. The 2021 Budget and the impact of the pandemic on the County was the topic of that interview.

He informed, per his conversation today with Tourism Director, Diane Wieland, the Culture & Heritage Division had been awarded a \$200,000.00 grant.

RESOLUTIONS:

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

501-21 Resolution authorizing payment to the Travelers Insurance Company for various claims in the total amount of \$28,984.02.

(This Resolution authorizes payment to the Travelers Insurance Company, Property-Casualty Department for various claims.)

502-21 Resolution authorizing one-year Advertising Agreement with Effectv for Department of Tourism and various departments in the amount not to exceed \$80,000.00.

(This Resolution authorizes a one-year agreement with Effectv for County promotion and advertising for various departments commencing January 1, 2021 through December 31, 2021 in the amount not to exceed \$80,000.00 pursuant to N.J.S.A. 40A:11-5(1)(k).)

503-21 Resolution authorizing Change Order No. 5 in the amount of \$15,560.00 to Contract No. C9-21 with DeBlasio & Associates for additional inspections at County Commons.

(This Resolution authorizes Change Order No. 5 to Contract No. C9-21 with DeBlasio & Associates for additional services at County Commons in the amount of \$15,560.00.)

504-21 Resolution constituting an Agreement and authorizing use of various State and National cooperative contract vendors for 2021.

(This semi-annual Resolution enables the County to utilize State, National, Regional and Cooperative contracted vendors through December 31, 2021.)

505-21 Resolution authorizing execution of a Contract for Sale of Real Estate with Nanavati Family Limited Partnership.

(This Resolution authorizes execution of a Contract for Sale of Real Estate for 109 Magnolia Drive, Cape May Court House.)

MINUTES OF A REGULAR MEETING HELD JULY 27, 2021 (CONTINUED)

- 506-21 Resolution accepting Subgrant Award from New Jersey Department of Law and Public Safety Office of the Attorney General for the SFY21 Body-Worn Camera Grant Program-Prosecutor’s in the amount of \$201,762.00.
(This Resolution accepts a subgrant award for the SFY21 Body-Worn Camera Grant Program-Prosecutor’s in the amount of \$201,762.00 for the period 1/1/21 to 12/31/25.)
- 507-21 Resolution amending the 2021 Budget in the amount of \$201,762.00 for the SFY 2021 Body-Worn Camera Grant Program-Prosecutor’s.
(This Resolution amends the 2021 Budget in the amount of \$201,762.00 for the SFY 2021 Body-Worn Camera Grant-Prosecutor’s.)
- 508-21 Resolution accepting Grant Award from New Jersey Department of Law and Public Safety NJ Cares for SFY 2021 Governor Phil Murphy Budget-Operation Helping Hand Grant Program No. SFYOHH-05-2021 for the period of September 1, 2021 through August 31, 2022 in the amount of \$90,476.19.
(This Resolution authorizes the Cape May County Prosecutor’s Office to participate in a State Grant No. SFYOHH-05-2021 and accept state funds for Operation Helping Hand.)
- 509-21 Resolution amending the 2021 Budget in the amount of \$90,476.19 for the SFY21 Governor Phil Murphy Budget-Operation Helping Hand Grant.
(This Resolution amends the 2021 Budget in the amount of \$90,476.19 for the SFY 2021 Governor Phil Murphy-Operation Helping Hand Program.)
- 510-21 Resolution accepting check from Travelers in the amount of \$3,559.82 for damage to a County vehicle.
(This Resolution accepts payment in the amount of \$3,559.82 from Travelers for damage to a county vehicle sustained during a motor vehicle accident on June 18, 2021.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X		505-21			

INTRODUCED BY MR. PIERSON, SECONDED BY MR. MOREY

- 511-21 Resolution granting and amending various Leaves of Absence to County Employees.
(This Resolution authorizes County Employees to be placed on a Leave of Absence in accordance with the County Leave of Absence Policy and the Family Medical Leave Act (FMLA).)
- 512-21 Resolution accepting the work and closing Contract No. C9-65 with CERTEK for Biosafety Level 3 Laboratory (BSL-3) for Department of Mosquito Control.
(This Resolution authorizes a final payment, accepts the work, and closes the contract.)
- 513-21 Resolution awarding Contract No. C1-139 to Bella Hair Design to provide Professional Cosmetology Services to residents of Crest Haven Nursing and Rehabilitation Center.
(This Resolution awards Contract No. C1-139 to Bella Hair Design to provide Professional Cosmetology Services to the residents of Crest Haven Nursing and Rehabilitation Center for a term of one-year commencing July 28, 2021 with two (2) additional one-year options.)
- 514-21 Resolution approving the monthly disbursements from the Department of Human Services for the TANF, General Assistance and Clearing Accounts.
(This Resolution accepts and approves the monthly disbursements for the TANF, General Assistance and Clearing Accounts as submitted by the fiscal Department for the Department of Human Services.)

MINUTES OF A REGULAR MEETING HELD JULY 27, 2021 (CONTINUED)

- 515-21 Resolution authorizing execution of various Memorandums of Understanding for Cancer Education Early Detection Grant on an as needed basis.
(This Resolution authorizes the execution of Memorandums of Understanding with various vendors for the Cancer Education Early Detection Grant on an as needed basis.)
- 516-21 Resolution appointing certain County employees to their permanent position in their respective offices. (Human Services)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 517-21 Resolution amending the 2021 Budget for the New Jersey Family Planning Grant in the amount of \$45,000.00.
(This Resolution amends the 2021 Budget in the amount of \$45,000.00 for Family Planning Program Income.)
- 518-21 Resolution amending the 2021 Budget in the amount of \$177,699.00 for the County Environmental Health Act (CEHA) Grant.
(This Resolution amends the 2021 Budget in the amount of \$177,699.00 for the New Jersey County Environmental Health Act (CEHA) Grant.)
- 519-21 Resolution awarding contract No. C1-138 to Jersey Cape Diagnostic, Training & Opportunity Center Inc. to Provide Out of School Industry Focused Youth Programs.
(This Resolution awards Contract No. C1-138 to Jersey Cape Diagnostic, Training and Opportunity Center Inc, to provide Out of School Industry Focused Youth Programs, for an initial term of 11 months commencing August 1, 2021 with two, one-year options.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X					X
Mr. Pierson	X				X	
Mr. Thornton	X					

INTRODUCED BY MS. HAYES, SECONDED BY MR. DESIDERIO

- 520-21 Resolution supplementing the 2021 Salary Resolution and approving appointments and salaries.
(This Resolution authorizes the hiring of new County employees, temporary assignment pay, salary changes or corrections, title changes and promotions of County employees when applicable.)
- 521-21 Resolution authorizing the Board to hold a meeting excluding the public on July 27, 2021 at 3:30 p.m. or as soon thereafter as possible or as practicable. Matters falling within attorney-client privilege, pursuant to N.J.S.A. 10:4-12(b)(7).
(This Resolution authorizes the Board of County Commissioners to conduct a meeting excluding the public at the stated time in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq.)
- 522-21 Resolution authorizing Application and Indemnification Agreement with First United Methodist Church of Cape May Court House for use of County Park Central for a “Praise in the Park” Christian music concert.
(This Resolution authorizes the First United Methodist Church of CMCH use of Park Central on August 14, 2021 for a Christian music concert.)
- 523-21 Resolution authorizing Application and Indemnification Agreement with Middle Township High School to hold cross country practices and meets at the County Park.
(This Resolution permits Middle Township High School students to use the County Park for cross country practices and meets.)

MINUTES OF A REGULAR MEETING HELD JULY 27, 2021 (CONTINUED)

- 524-21 Resolution authorizing Change Order No. 6 with R. Wilkinson & Sons Construction for Safari Café in the amount of \$12,100.84.
 (This Resolution authorizes change order No. 6 with R. Wilkinson & Sons Construction for additional services in the amount of \$12,100.84.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					X
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

INTRODUCED BY MR. MOREY, SECONDED BY MR. PIERSON

- 525-21 Resolution appointing certain County employees to their permanent position in their respective offices. (Planning/Workforce Development)
 (This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 526-21 Resolution cancelling 2021 Specification 43 to provide branding and marketing campaigns for the Cape May County Air & Innovation Port.
 (This Resolution cancels 2021 Specification 43, pursuant to N.J.S.A. 40A:11-13.2(d) substantially revise the specifications.)
- 527-21 Resolution authorizing execution of a Shared Services Agreement between the City of North Wildwood and the County of Cape May for traffic signal maintenance.
 (This Resolution authorizes a Shared Services Agreement with the City of North Wildwood for traffic signal maintenance.)
- 528-21 Resolution authorizing the execution of a Shared Services Agreement with the Township of Middle for the project known as “Bike Path North Extension Addendum, Special Funding” providing for the funding of a portion of this project, in a total amount not to exceed \$615,314.00 with adoption of all other terms and conditions of the annexed schedules.
 (This Resolution authorizes a Shared Services Agreement with the Township of Middle for funding for the above-referenced project under the Open Space Program, pursuant to N.J.S.A. 40:12-16, et seq.)
- 529-21 Resolution amending Resolution No. 1072-19.
 (This Resolution amends Resolution No. 1072-19 with the Atlantic County Improvement Authority for project management services concerning the Government Services District at the Cape May County Airport.)
- 530-21 Resolution authorizing Release of Performance Guarantee Funds in the amount of \$22,385.00 to OC Lighthouse, LLC for improvements to Battersea Road (CR#656), Ocean City.
 (This Resolution authorizes release of funds held as a Performance Guarantee Funds for improvements within a County right of way to OC Lighthouse, LLC.)
- 531-21 Resolution authorizing Release of Performance Guarantee Funds in the amount of \$35,151.90 to Dollar General for improvements to Indian Trail Road (CR#618), Middle Township.
 (This Resolution authorizes release of funds held as a Performance Guarantee Funds for improvements within a County right of way to Dollar General.)
- 532-21 Resolution authorizing execution of a Shared Services Agreement with the Atlantic County Improvement Authority.
 (This Resolution authorizes execution of a Shared Services Agreement for ACIA to provide services associated with the Community Development Block Grant Program.)

MINUTES OF A REGULAR MEETING HELD JULY 27, 2021 (CONTINUED)

- 533-21 Resolution closing the contract and accepting the work of Remington & Vernick Engineers, Inc. for Professional Construction Engineering Services for Corson's Tavern Road (CR628) Resurfacing Phase II, Townships of Dennis and Upper, Cape May County, New Jersey.
(This Resolution accepts the work and closes the contract.)
- 534-21 Resolution granting permission to the City of Cape May to close a portion of Beach Avenue (CR604) for their Baby Parade, August 6, 2021.
(This Resolution gives permission to the City of Cape May to close a portion of Beach Avenue (CR604) for their Baby Parade on August 6, 2021.)
- 535-21 Resolution authorizing execution of Agreement Modification No. 2 to Federal Agreement No. 19-DT-BLA-789 for the 2019 Highway Safety Improvement Program for the Woodbine Roundabout Construction Project in the Borough of Woodbine.
(This Resolution is to increase the available reimbursement to cover additional Construction costs deemed to be participating costs in excess of the modified grant allotment for the 2019 HSIP Woodbine Roundabout Construction Project, Borough of Woodbine.)
- 536-21 Resolution authorizing Modification No. 1 in the amount of \$37,500.00 to Colliers Engineering & Design for Professional Construction Engineering Services for Roosevelt Boulevard (CR623) Bridge Deck Rehabilitation, City of Ocean City and Township of Upper.
(This Resolution increases the ceiling amount for additional work to be performed by Colliers Engineering & Design under their professional construction engineering services agreement for Roosevelt Boulevard (CR623) Bridge Deck Rehabilitation.)
- 537-21 Resolution authorizing execution of Agreement Modification No. 1 to Federal Agreement No. 20-DT-BLA-827 for the Countywide Centerline Rumble Strips, County of Cape May.
(This Resolution is to increase the available reimbursement to cover additional Construction costs deemed to be participating costs in excess of the modified grant allotment for the Countywide Centerline Rumble Strips, County of Cape May.)
- 538-21 Resolution closing the contract and accepting the work of RTW Construction, Inc. for 2020 Drainage Improvements along Corson's Tavern Road (CR628), Townships of Dennis and Upper, Cape May County, NJ.
(This Resolution accepts the work and closes the contract.)
- 539-21 Resolution authorizing Modification No. 5 in the amount of \$54,300.00 to Sadat Associates, Inc. for Professional Engineering and License Site Remediation Services at County-Owned Landfill.
(This Resolution increases the ceiling amount for additional work to be performed by Sadat Associates, Inc. under their professional engineering and license site remediation services agreement to continue with the remedial investigation studies for the formal closure of the County-owned landfill.)
- 540-21 Resolution authorizing Modification No. 13 in the amount of \$6,300.00 to the Professional Services Agreement with Tetra Tech, Inc. for Professional Engineering and Licensed Site Remediation Services at the Cape May County Airport.
(This Resolution increases the ceiling amount of Tetra Tech, Inc. professional services agreement for remediation at the Cape May County Airport.)
- 541-21 Resolution authorizing Change Order No. 2 to Contract No. 15-153 with Michael Baker International, Inc. for Corson's Inlet Bridge in the amount not to exceed \$45,200.00.
(This Resolution authorizes Change Order No. 2 to Contract No. 15-153 with Michael Baker International, Inc. for Corson's Inlet Bridge in the amount not to exceed \$45,200.00.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X				X	
Mr. Pierson	X					X
Mr. Thornton	X					

BOND ORDINANCE 1-21 (Public Hearing)

Director: This is the date, time & place for final consideration of Bond Ordinance 1-2021.

Deputy Clerk: Mr. Director, I have proof of publication for the Public Hearing.

Director: The Public Hearing is now open. Are there any public comments?

Director: Seeing no hands, may I have a Motion to close the Public Hearing?

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

Director: May I have a motion to adopt Bond Ord. 1-21?

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					X
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

Director Thornton declared Bond Ordinance 1-21 adopted.

Bond Ordinance providing for various 2021 Capital Improvements, by and in the County of Cape May, State of New Jersey; appropriating \$34,000,000 therefor and authorizing \$32,380,950 Bonds or Notes of the County to finance part of the costs thereof.

BE IT ORDAINED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CAPE MAY, 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 to be undertaken by the County of Cape May, State of New Jersey (the "County") as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$34,000,000, said sum being inclusive of the sum of \$1,619,050 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). The down payment is now available therefor by virtue of either provisions or a provision in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes or from moneys actually held by the County.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$34,000,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the County are hereby authorized to be issued in the principal amount of \$32,380,950 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the County in a principal amount not exceeding \$32,380,950 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 include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Government Services Building - The Construction Of A Government Services Complex Within The Cape May County Airport In The Township of Lower, At The Physical Addresses Of 370 Forrestal Road (Fare Free Buses), 1250 Langley Road (Fare Free Offices/Garages), 501 Saratoga Road (Road Department Office), 521 Wasp Road (County Road Department), 1389 Langley Road (Lower Township Public Safety Building), 1390 Langley Road (Election Board Maintenance), And 550 Saratoga Road (County Gas Station), All Being Designated Within Block 410.01, Lot 36 On The Official Tax Map Of The Township Of Lower, Such Construction To Include, But Not Limited To, As Applicable, Site Clearing, Excavation, Demolition, Environmental Remediation And Testing, Rough Grading, Reconstruction And/Or Construction Of Structures, Interior And Exterior Improvements, And All Associated Site Work And Real Property Improvements Including, But Not Limited To, As Applicable, Restrooms, Elevators, Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, And/Or Other Utility Improvements, And Parking, Curb, Sidewalk, Walkway And Landscaping Improvements;	\$22,705,882	\$21,624,649	\$1,081,233	30 years
(ii) County Commons - Improvements To The County Commons (Formerly The Rio Mall) In The Township of Middle At The Physical Address Of 3801 Route 9 South, Being Designated Within Block 1450, Lots 5 And 10 On The Official Tax Map Of The Township Of Middle, Such Improvements To Include, But Not Limited To, General Capital Improvements To, And Upfitting For, Existing Theater And All Associated Site Work And Real Property Improvements Including, But Not Limited To, As Applicable, Restrooms, Elevators, Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, And/Or Other Utility Improvements, And Parking, Curb, Sidewalk, Walkway And Landscaping Improvements;	\$4,235,294	\$4,033,613	\$201,681	20 years
(iii) Redevelopment Initiative - A Contribution Towards The County's Municipal Redevelopment Initiative To	\$6,000,000	\$5,714,285	\$285,715	5 years

MINUTES OF A REGULAR MEETING HELD JULY 27, 2021 (CONTINUED)

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Facilitate And Foster Economic Development And Redevelopment Throughout The County, Including Property Acquisition, Remediation, Demolition, Marketing, And Other Necessary Work; And				
(iv) Miscellaneous (County-Wide) - General Capital Improvements And/Or Any Other Capital Project That Is Deemed Necessary By The County.	\$1,058,824	\$1,008,403	\$50,421	5 years
Totals	<u>\$34,000,000</u>	<u>\$32,380,950</u>	<u>\$1,619,050</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$32,380,950.

(c) The aggregate estimated cost of said improvements or purposes is \$34,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is comprised of the down payment in the amount of \$1,619,050 for said improvement or purpose.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, title searches, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, 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 the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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 County 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 said bonds authorized by this bond ordinance, is 23.56 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 Board of County Commissioners of the County and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond

ordinance by \$32,380,950 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$6,800,000 for items of expense listed in and permitted under section 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 County are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of the principal of such debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 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 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 obligations of the County and to execute such disclosure document on behalf of the County. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County 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 County 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 County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of County Commissioners of the County. The Clerk of the Board of County Commissioners of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

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

**ADOPTED ON SECOND READING
DATED: JULY 27, 2021**

**KEVIN LARE,
Administrator/Clerk of the Board
of County Commissioners**

MOTION TO PAY BILLS: FH Desiderio moved/FH Hayes seconded

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

PUBLIC COMMENTS: None

ADJOURN: 5:12 P.M. FH Desiderio moved/FH Hayes seconded

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

APPROVED

DIRECTOR

ATTEST:

CLERK OF THE BOARD