

REGULAR COUNCIL MEETING
NOVEMBER 20, 2018

Council Chamber, Municipal Building
Irvington, N.J. – Thursday Evening
November 20, 2018 - 8:00 P.M.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call

Present: Renee C. Burgess, Vernal Cox , Charnette Frederic, October Hudley, Sandra R. Jones,
David Lyons

Absent: Paul Inman (excused)

President Lyons read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only (limited to three minutes per person and thirty minutes total)

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

6. Reports & Recommendations of Township Officers, Boards & Commissions

A. Reports

1. Minutes – Directors’ Meeting – November 8, 2018
2. Minutes – Joint Meeting – September 20, 2018
3. Municipal Court Electronic Collections Report Through October, 2018

7. Reports of Committees

None

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Cox 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD NOVEMBER 20, 2018, AS ENUMERATED ON THIS LIST FOR MATERIALS, SUPPLIES AND SERVICES FURNISHED, DELIVERED AND/OR PERFORMED HAVE

BEEN CERTIFIED BY THE DEPARTMENTS AS CORRECT, EACH CLAIM AND PURCHASE ORDER HAVE BEEN VERIFIED AND REVIEWED FOR THE AVAILABILITY OF FUNDS, ACCURACY OF ACCOUNT CODING AND COMPLETENESS BY THE ADMINISTRATION, THEREFORE:

BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT THE FOLLOWING BE PAID BY THE CHIEF FINANCIAL OFFICER:

BILL LIST	\$1,963,446.05
TOTAL	\$1,963,446.05

Adopted
Absent: Inman

Jones – Cox 2. Payrolls

October 20, 2018 through November 2, 2018

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,585,609.35	\$127,690.47	\$95,197.32	\$1,808,497.14

Adopted
Absent: Inman

9. Resolutions & Motions

A. Resolutions

Hudley – Jones 1. Amend Professional Services Contract for an Annual Remediation Fee Form and Initial Receptor Evaluation for the Berkeley Terrace Playground - E2 Project Management, LLC – Additional Amount of \$2,000.00

RESOLUTION TO AMEND THE PROFESSIONAL SERVICES CONTRACT OF E2 PROJECT MANAGEMENT, LLC FOR THE BERKELEY TERRACE PLAYGROUND

WHEREAS, the Township of Irvington received a Notice of Violation from the New Jersey Department of Environmental Protection for the existing conditions at a portion of the Berkeley Terrace Playground that was be utilized by the Irvington Safe Haven; and

WHEREAS, after receiving the above Notice of Violation, proposals were sought from the various firms under the annual contract with the Township for Licensed Site Remediation Professionals and, as a result of the proposals received, a contract for professional services was awarded on April 19, 2018 as Resolution DPR 18-0410-1 to E2 Project Management, LLC for this work; and

WHEREAS, E2 Project Management, LLC has successfully completed their work and the New Jersey Department of Environmental Protection has requested additional investigative work including the completion of an Annual Remediation Fee Form and

Initial Receptor Evaluation and E2 Project Management, LLC has provided a proposal, in the amount of \$2,000.00 to complete this work; and,

WHEREAS, the Township Engineer has reviewed this proposal and finds that it is the most cost efficient and expeditious way to resolve the NOV and therefore recommends that the existing professional; services contract be amended to include this new work in the amount of \$2,000.00.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the professional services contract of E2 Project Management, LLC be amended to include the above services at a cost not to exceed \$ 2,000.00; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C8-00400 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$2,000.00 is Account No. 8-01-21-165-165-299.

Adopted
Absent: Inman

Cox – Hudley 2. Authorize Professional Services Contract for an NJDEP Air Quality Permit To Operate an Emergency Generator at the Wagner Street Firehouse – CME Associate - \$1,407.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE OBTAINING OF AN AIR QUALITY PERMIT FOR THE EMERGENCY GENERATOR AT THE WAGNER PLACE EMERGENCY OPERATIONS CENTER

WHEREAS, the Township of Irvington received a grant from the Federal Emergency Management Administration (FEMA) for the conversion of the Wagner Place Fire House into an Emergency Operations Center and in the course of that project installed an Emergency Generators at the site; and

WHEREAS, since the completion of the construction of that project, the New Jersey Department of Environmental Protection (NJDEP) regulations have changed such that it is now required to have the NJDEP issue an Air Quality permit to operate this generator and the service required to obtain these permits is beyond that of the current staff; and,

WHEREAS, the Township Engineer sought quotes from the engineering firms that were approved to annually provide these services to the Township; and

WHEREAS, the Township Engineer reviewed the quote that was received for this work and determined that the quote from the CME Associates of Parlin, New Jersey for \$1,407.00 to provide these services to be the most efficient manner in which to accomplish this work and recommends that a professional services contract be awarded to this firm for this work

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract in the amount of \$1,407.00 be awarded to CME Associates of Parlin, New Jersey for the obtaining of Air Quality Permits for the Emergency Generator at the Wagner Place Emergency Operations Center.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C8-00399 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 1,407.00 is Account 8-01-21-165-165-299.

Adopted
Absent: Inman

Jones – Cox 3. Accept \$298,720.00 HOPWA Housing Opportunities for People With AIDS Grant Funds for - January 1, 2019 – December 31, 2019

WHEREAS, the City of Newark, acting through its H.O.P.W.A. Services Office of Partnerships and Grants Management proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Housing and related services to people living with HIV/AIDS for the contract price of \$298,720.00 during the 2019 program year of January 1, 2019 – December 31, 2019 and

WHEREAS, said grant agreement is part of a federal grant award made possible by the United States Department of Housing and Urban Development (HUD); and

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the City of Newark as sub-recipient of H.O.P.W.A Funds in the amount of \$298,720.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$298,720.00 for such activities.

Adopted
Absent: Inman

Lyons – Cox 4. Ratify Best Practices Checklist for Calendar Year 2018

WHEREAS, Local Finance Notice 2018-26 requires that the governing body of each municipality receiving ETR or CMPTRA state aid discuss the CY 2018 Best Practice Inventory as prepared by the Chief Financial Officer at a public meeting; and

WHEREAS, the Chief Financial Officer has submitted the CY 2018 Best Practices Inventory to the Municipal Council for the review and discussion; and

WHEREAS, the Municipal Council has reviewed and discussed the CY 2018 Best Practice Inventory at their October 23, 2018 public meeting:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Clerk is hereby authorized and directed to execute the CY 2018 Best Practice Public Meeting Certification Plan and forward same to the Director of the Division of Local Government Services along with a certified copy of this resolution as evidence that the governing body has complied with the provisions of Local Finance Notice 2018-26.

Adopted
Absent: Inman

Cox – Hudley 5. Authorize Accelerated Tax Sale

RESOLUTION TO HOLD AN ACCELERATED TAX SALE

WHEREAS, the Township of Irvington desires to hold, pursuant to N.J.S.A. 54:5-19, an accelerated sale of Tax Liens, on or before December 31, 2018; and

WHEREAS, a list of said Tax Liens will be created after the Calendar Fiscal Year 2018 4th quarter grace period has expired; and

WHEREAS, the Township of Irvington shall mail by regular or certified mail, two (2) Tax Sale Notices in lieu of two publications in the local newspaper; and

WHEREAS, the mailing cost of each notice is not to exceed \$25.00 for each notice, pursuant to N.J.S.A.54:5-26; and

WHEREAS, the Township of Irvington shall collect the cost of sale fee of 2% of the existing delinquency, not less than \$15.00 and not more than \$100.00 for each parcel listed pursuant to N.J.S.A.54:5-38; and

WHEREAS, the fees for the cost of mailing each notice is permissive and does not have to be charged to each parcel listed in the Accelerated Tax Sale; and

WHEREAS, the 2% cost of sale fee is not permissive and must be collected for each parcel, not less than \$15.00 and not more than \$100.00;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby authorizes the Township of Irvington to conduct an accelerated sale of Tax Liens and collect the \$25.00 per tax sale notice and to collect the 2% cost of sale for each delinquency in the tax sale list.

Adopted
Absent: Inman

Cox – Hudley 6. Authorize Contract for On-Line Tax Sale Hosting Service Based Upon Requests for Proposals - Realauction.com, LLC – Not To Exceed \$7,000.00

RESOLUTION AWARDING A CONTRACT FOR ONLINE TAX SALE HOSTING SERVICE

WHEREAS, sealed RFP were received on November 08, 2018 for Online Tax Sale Hosting in response to published advertisement for bids in the New Jersey Star Ledger on October 22, 2018; and

WHEREAS, one RFP was received and opened from Realauction.com LLC by the Municipal Clerk and Purchasing Agent; and

WHEREAS, said bid was referred to the Assistant Tax Collector and the CFO for recommendation to the Municipal Council; and

WHEREAS, the Assistant Tax Collector and the CFO has recommended that the award should be made to Realauction.com LLC, 861 SW 78th Ave, Suite 102, Plantation, FL 33324 for an amount not to exceed \$15.00 per property for all properties that are sold at the annual tax sale; and

BE IT FURTHER RESOLVED, that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and the Township Clerk are authorized and directed to sign the same; and

BE IT FUTHER RESLOVED, that the required certification of availability of funds C8-00403 in the amount of \$7,000.00 from account number 8-01-20-145-145-299 has been obtained from the Chief Financial Officer.

Adopted
Absent: Inman

Cox – Hudley 7. Authorize Settlement of Tax Appeals – November 20, 2018

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF TAX APPEALS ON THE ATTACHED LIST DATED NOVEMBER 20, 2018 FOR VARIOUS PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments on the attached list dated November 20, 2018 have been challenged by the respective Taxpayers; and

WHEREAS, the proposed Stipulations of Settlement, copies of which are incorporated herein as if set forth at length, have been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Township of Irvington.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Irvington, New Jersey:

1. The Township's Tax Appeal Attorney, Matthew J. O'Donnell, Esq. is authorized to execute Stipulations of Settlement on behalf of the Township of Irvington with respect to

the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey for the tax year(s) listed therein and at the assessments stated therein.

2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Absent: Inman

Frederic – Hudley 8. Authorize Abatement of Sewer Charges on Seven Properties Due to Water Being Disconnected

RESOLUTION TO ABATE ANNUAL SEWER CHARGE

WHEREAS, the properties listed on the attached spreadsheet were charged an annual sewer user fee; and

WHEREAS, the properties listed may be unoccupied and/or vacant land and is not subject to the annual sewer user fee; and

WHEREAS, New Jersey American Water Company has forwarded a letter stating the water service was discontinued and there is no water usage at the property.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington is authorized and directed to remove the charges as listed:

ABATE ANNUAL SEWER CHARGES 2018					
	ADDRESS	BLOCK	LOT	AMOUNT	
1	325 PARK PLACE	317	15	\$ 180.00	
2	403 16TH AVENUE	118	23	\$ 360.00	
3	39 COIT STREET	200	32	\$ 180.00	
4	175 MUNN AVENUE	59	2	\$ 2,880.00	
5	1142 CLINTON AVENUE	83	10	\$ 180.00	
6	537 20 TH STREET	159	24	\$ 180.00	
7	100-108 COIT STREET	203	2	\$ 336.20	

Adopted

Absent: Inman

10. Communications and Petitions

A. Communications

1. League of Municipalities – Legislative Bulletin #4

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Burgess – Jones 1. Authorize Acceptance of Quit Claim Deed for 949 Grove Street

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 949 GROVE STREET, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 210 AND LOT NO. 50 IN THE TOWNSHIP OF IRVINGTON FROM 949 GROVE STREET IRVINGTON LLC.

Adopted

Absent: Inman

Cox – Jones 2. Authorize Acceptance of Quit Claim Deed for 687 – 18th Avenue

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 687 18TH AVENUE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 140 AND LOT NO. 11 IN THE TOWNSHIP OF IRVINGTON FROM 687 18TH AVENUE IRVINGTON LLC.

Adopted

Absent: Inman

B. Ordinances on 2nd Reading

1. President Lyons: An amended Bond Ordinance for various Capital Improvements in the amount of \$8,000,000.00 will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

**BOND ORDINANCE PROVIDING FOR VARIOUS
CAPITAL IMPROVEMENTS IN AND BY THE**

TOWNSHIP OF IRVINGTON, IN THE COUNTY OF
ESSEX, NEW JERSEY, APPROPRIATING
\$8,000,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$7,600,000 BONDS OR NOTES OF
THE TOWNSHIP TO FINANCE PART OF THE
COST THEREOF.

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

Section 1. The several improvements described in Section 3 of
this bond ordinance are hereby respectively authorized to be
undertaken by the Township of Irvington, in the County of Essex, New
Jersey (the "Township") as general improvements. For the several
improvements or purposes described in Section 3, there are hereby
appropriated the respective sums of money therein stated as the
appropriation made for each improvement or purpose, such sums
amounting in the aggregate to \$8,000,000, and further including the
aggregate sum of \$400,000 as the several down payments for the
improvements or purposes required by the Local Bond Law. The down
payments have been made 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 several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$7,600,000 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c.38, as amended. 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u> <u>s</u>
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a) Engineering:

(i) Various improvements, including the 2018 Road Resurfacing Program, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, renovations to the Municipal Building - Phase I, including upgrades to the electrical system of the Municipal Building

and Police and Fire Headquarters, Springfield Avenue Streetscape - Phase 2, including the extension of streetscape on Springfield Avenue (Civic Square to Lyons Avenue), the installation of speed bumps at various locations, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, and the installation of a salt dome, including all work and materials necessary therefor and incidental thereto.

	\$2,600,000	\$2,468,917	10 years
(ii) Investigation and preparation of a remediation plan for the underground storage tank behind the Municipal Building, the Lenox Avenue Drainage Project, including the installation of a detention basin and on-line storage, the design and construction of repairs to the storm system and renovations to the Police and Fire Headquarters, including all work and materials necessary therefor and incidental thereto.	\$275,000	\$261,250	15 years
(iii) Coit Street garage - Phase I, including the structural repair of the brick façade of the building and interior upgrades of the facility, including all work and materials necessary therefor and incidental thereto.	\$350,000	\$332,500	20 years
(iv) Rehabilitation of the 16 th Avenue Department of			

Public Works garage, including the removal of non-compliant underground storage tanks, including all work and materials necessary therefor and incidental thereto.

\$850,000

\$807,500

40 years

TOTAL:

\$4,075,000

\$3,870,167

b) Public Works:

(i) Various improvements, including the installation of a new roof and the acquisition and installation of a heating and air conditioning system for the Fire Department and roof repairs and the acquisition and installation of doors, inside lights and security cameras at the 16th Avenue garage, including all work and materials necessary therefor and incidental and further including all related costs and expenditures incidental thereto.

\$1,130,000

\$1,073,500

10 years

(ii) Acquisition of various equipment for the Public Works fleet, including a heavy duty lift, a catch basin cleaner, a chipper, a street sweeper and supplies and a tandem roll-off truck, including all related costs and expenditures incidental thereto.

\$529,500

\$503,025

15 years

TOTAL:

\$1,659,500

\$1,576,525

c) Police Department:

(i) Acquisition of sports utility vehicles, including all related costs and

expenditures	incidental	\$590,100	\$560,595	5 years
thereto.				

(ii) Acquisition of various equipment, including radios and a 911 communications voice recorder, including all related costs and expenditures	incidental	\$165,200	\$156,940	10 years
thereto				

TOTAL:		\$755,300	\$717,535	
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d) Planning and Zoning:

(i) Acquisition of a sports utility vehicle, including all related costs and expenditures	incidental	\$30,000	\$28,571	5 years
thereto.				

(ii) Preparation of a master plan for the Township, including all related costs and expenditures	incidental	\$108,690	\$103,514	10 years
thereto.				

TOTAL:		\$138,690	\$132,085	
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e) Recreation:

(i) Various upgrades to the Chancellor Park building, including the heating, ventilation and air conditioning system, security cameras, steel doors, the little league baseball field and a sprinkler and various upgrades to Berkeley Terrace Playground, including security cameras, the little league baseball field, bathrooms and equipment, including all work and materials necessary therefor and		\$197,000	\$187,150	10 years
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incidental thereto and further including all related costs and expenditures incidental thereto.

(ii) Renovations to the main pool and kiddie pool, including the installation of fencing around the pools, including all work and materials necessary therefor and incidental thereto.

\$316,510

\$301,438

15 years

TOTAL:

\$513,510

\$488,588

f) Fire Department:

Acquisition of various equipment, including hoses, personal protective equipment and radios and the acquisition of an fire engine, including all related costs and expenditures incidental thereto.

\$858,000

\$815,100

10 years

GRAND TOTAL:

\$8,000,000

\$7,600,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that 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 benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 13.93 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 \$7,600,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,200,000 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 purposes or improvements.

Section 7. 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 or improvements 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.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Burgess - Hudley

Motion to close public hearing

Adopted

Absent: Inman

Burgess - Hudley

Motion to adjourn adoption of this ordinance on 2nd reading after

public hearing until December 18, 2018

Adopted
Absent: Inman

12. Miscellaneous

B. General Hearing of Citizens and Council Members (limited to five minutes per person)
Council Member Jones spoke.

13. Adjournment

There being no further business, the meeting was adjourned at 8:09 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk