

TOWNSHIP OF OCEAN SEWERAGE AUTHORITY

REGULAR MEETING

Oakhurst, NJ

November 7, 2024

The meeting of the Township of Ocean Sewerage Authority was held on the above date at the Authority Administration Building, 224 Roosevelt Avenue, Oakhurst, New Jersey.

Present: Galvin, Johnson, Miller, Valentino

Absent: Engineer Keith Chiaravella, and Theodora

Others: Executive Director Timothy Shea, Technical Service Manager Anthony Dimino-remotely, General Counsel Carol A. Berlen, Esq., Recording Secretary Amy Stewart

Chairman Galvin called the meeting to order and all recited The Pledge of Allegiance. Mr. Galvin announced that the Meeting was being held in accordance with the Open Public Meetings Act of 1975 and adequate notice had been duly posted where required and sent to the Asbury Park Press and the Coaster, mailed to its service communities and posted on its website. The Minutes of this meeting will be available after Board approval at a subsequent meeting.

The meeting is available in real time to the public by logging into meet.google.com/hvy-nivn-pdi or calling 857-323-2408, PIN 182 159 490#.

WORK SESSION

The chairman opens the work session by asking Mr. Shea to update the Board on his report.

Executive Director Report- He starts by letting the Board know that the 2025 budget was approved as submitted to the State. It will be adopted at the next meeting to be held on December 3rd. Counsel sent a response to Briad Development on October 29th declining their proposal for a negotiated connection fee, there has yet to be a response. Carol Berlen, Esquire, concurs, no response thus far and other more specific questions can be discussed in closed session.

Mr. Shea tells the Board that he attended a Council meeting on October 10th at the request of the Mayor to update the Council on TOSA's activities, it went well.

TOSA received a bid for procurement of Bioxide for two years at a 12% anticipated increase.

He lets the Board know that an employee has resigned effective October 22, and this can be discussed in closed session if there are any additional questions on this.

CME started work on the 2025 Wastewater Plant upgrades. No questions.

Attorney Report- Carol Berlen has no report at this time.

Engineering Report- No report.

Technical Service Manager's Report- Anthony Dimino reports that for the month of September all documents have been submitted to the DEP with no permit violations or issues. He goes on to say he followed up with Kane Brewing, spoke with the DEP and informed them of the issue with Kane, they are investigating the issue and Anthony should get an update on the issuance of the SUI permit.

He and Tim have followed up with Deal in reference to their flow issues. Deal will be conducting home inspections in the spring of 2025 to indicate sump pumps tied into the system.

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At Deal's November meeting, CME's proposal was approved to address the headworks issue. He goes on to explain that back in September two primary tanks were taken offline for maintenance. Once back online another two tanks were taken offline for maintenance, these two will remain offline for the winter. In addition, aeration tank train 1 was also drained and taken offline. He is awaiting quotes for an outside contractor to vacuum out the tank.
No questions.

Chairman Galvin would like Mr. Shea to discuss the State Senate Bill in the Agenda packet for tonight's meeting. He explains it provides for Utility Companies to establish a reduced rate for low income households in the town. It doesn't mandate it, it permits it. It has passed the Senate and is expected to pass in the Assembly. This allows Township's to establish specific accounts, criteria, determinations, and monitors in place specifically for low income households. Low income/household income varies depending on household size. There would need to be an application process, a rate study, regulations would need to be established, the burden is on the Township to advertise, etc. The issue of tenancy comes into play, if you lien the property it is the not the tenants' property.
No questions at this time.

BUSINESS SESSION

No questions from the Board or the public. Mr. Miller would like to congratulate Dylan Catanese for obtaining his license.

Chairman Dennis Galvin would like to take this time to read a proclamation for Joseph V. Valentino. He is being recognized for his promotion to Eagle Scout, for being named as the National Junior Firefighter of the year He is a recent graduate from the Township of Ocean in the class of 2024. He has taken time to devote to the community and those around him and Mr. Galvin reads a prepared proclamation. His dedication to public service and involvement is commendable and should be recognized.

PROCLAMATION

Whereas, Joseph V. Valentino will be promoted to the rank of Eagle Scout on November 23, 2024, demonstrating his commitment to excellence and leadership; and

Whereas, Joseph V. Valentino has been recognized as the National Junior Firefighter of the Year, a testament to his outstanding commitment and dedication to the volunteer fire service; and

Whereas, Joseph is actively engaged in his church community, exemplifying the values of service and compassion that inspire those around him; and

Whereas, he is a proud graduate of Ocean Township High School, Class of 2024; and

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Whereas, Joseph has demonstrated remarkable leadership and service at Brookdale Community College, where he is pursuing a degree and career in digital design and photography; and

Whereas, Joseph serves with distinction as a member of the Independent Fire Engine & Truck Co. No. 2 of the City of Long Branch (NJ) Fire Department and the Oakhurst Independent Hose Co. No. 1 of the Oakhurst Fire Department in the Township of Ocean Fire District No. 1 (NJ); and

Whereas, Joseph was formally vested with the honor of National Junior Firefighter of the Year at the NVFC Awards Gala in Arlington, VA on April 26, 2024, highlighting his dedication to firefighting and community service; and,

Whereas, Joseph was a founder and the first president of the Monmouth County Environmental STEM Explorer Post 1972, a two-time winner of the National Environmental Achievement Award.

Now, therefore, be it resolved, that we honor and commend Joseph V. Valentino for his exemplary contributions to his community, his commitment to the fire service, and his pursuit of education and leadership.

In witness whereof, I hereby affix my signature this day, November 23, 2024, to celebrate Joseph V. Valentino's achievements and his inspiring legacy.

Dennis Galvin, Chairman
Township of Ocean Sewerage Authority

No communications at this time.

Resolution

RESOLUTION 24-54

BILL LIST

BE IT RESOLVED by the Township of Ocean Sewerage Authority, in the County of Monmouth, New Jersey (not less than three (3) members affirmatively concurring) as follows:

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1. All bills or claims as reviewed and approved by the Executive Director and as set forth in this Resolution are hereby approved for payment.

2. The authorized signers of checks are hereby authorized and directed to sign checks in the payment of bills and claims which are hereby approved.

The computer print-out of the list of bills will be on file in the Purchasing Agent’s Office.

CURRENT FUND	\$248,698.59
REVIEW and INSPECTION	0
RENEWAL and REPLACEMENT	0
EIT and CONSTRUCTION	165.00
PAYROLL ACCOUNT	<u>81,982.50</u>
TOTAL BILLS PAYABLE	\$330,846.09

Roll Call, Galvin, Johnson, Miller, Valentino

Yes Yes Yes Yes

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson			X			
Miller		X	X			
Theodora						X
Valentino	X		X			

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Meeting held on November 7, 2024.

David Miller, Secretary

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CONSENT AGENDA

Chairman Galvin would like to table the vote on the closed minutes for the October 1, 2024 TOSA meeting for further discussion.

Mr. Valentino offered the approval of the following as a Consent Agenda as amended and Mr. Johnson seconded the adoption of the Consent Agenda.

- a) Approval of Minutes of the October 1, 2024 regular meeting and
- b) Receipt and filing of the Operations Report

DATE: November 7, 2024

TO: Board of Commissioners, Timothy Shea Executive Director

FROM: Anthony Dimino, Technical Services Manager

RE: October Commissioner's Meeting

Operations

For the month of September, all necessary paperwork and lab results have been submitted to the DEP with no permit violations or issues. Following our last meeting involving Kane Brewing Company, I have spoken with the DEP and provided them the laboratory analysis of the sampling I had obtained. They are in the process of investigating the issue and will be updating me on the issuance of an SIU permit.

Tim and I have been following up with Deal regarding our meeting about their flow issues. We were informed that they are awaiting proposals for smoke testing and will be conducting home inspections beginning June of 2025, for sump pumps tied into our system. They have also received a proposal from CME addressing the headworks issue and will be presenting it for approval at their November meeting.

Late in September, primary tanks 3 & 4 were taken offline for routine maintenance. Tanks and withdrawal tube pits were cleaned/vac'd, and Nic Patterson installed new slider rails and shoes for the flights. Afterwards, primary tanks 3 & 4 were placed back online while primary tanks 1 & 2 were taken down for routine maintenance and cleaning. After maintenance is complete, these tanks will remain offline for the remainder of the winter.

Aeration tank train 1 was drained and taken offline. This basin has not been drained in almost 15 years. While the tank is offline, we are moving forward with a cleanup project involving an outside contractor to vac out leftover sludge, grit, and rags that remain inside the tank. We are awaiting quotes from several companies.

Nic Patterson discovered an oil leak on the PSA generator while performing his monthly generator exercise. Raw power was alerted and suspects a bad turbo causing the leak. Nic will be getting a price for the repairs of our existing turbo and a quote for a complete generator replacement to compare cost differences. This is TOSA's oldest generator, original to the PSA building construction.

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On October 22, Joe Grasso resigned from his position of employment for TOSA. Our Plant Mechanic Nic Patterson has taken over as Safety Coordinator due to his background in OSHA compliance training, and the position of Operator In Training will be posted.

On October 31, bidding closed for bioxide and was awarded to Evoqua. This is a two-year contract for the term of 11/1/24 - 10/31/26. Pricing will be \$3.49 per gallon, an increase of \$0.37 per gallon from the previous contract.

September reported numbers

Avg. Daily Plant Flow – 5.937 MGD

Sludge Holding Tank % solids – 4.70 %

Gallons Hauled – 462,700 Gallons

Rainfall – 0.98 in.

September DMR

Percent Removal TSS – 95.9 %

Percent Removal CBOD - >96.5 %

All other reported numbers were within set DEP parameters

Collections

Routine Maintenance

Problematic areas that were cleaned: Brookside - spent most of the day trying to remove massive grease deposits. South Dittmar and South Edgemere - both needed attention again this month both lines were not flowing as they should be. Bryan, West Park Manor, and also Rt. 35 was done on Saturday the 19th. Total amount cleaned: **6,925 ft.**

Line maintenance/TV inspection

The following streets have been cleaned and inspected: Brookside, Oakhurst, Redmond, Cliffwood, Woodcrest, Pinecrest, Elmwood, Highwood, Harnell, Acerra, Lambert Johnson, and Stonehenge. Total amount cleaned and inspected: **10,435 ft.**

Pump stations

All stations were cleaned and inspected.

The muffin monster at Whalepond pump station has been removed. The spare from the old Interlaken that we had installed failed, the station is currently running without one.

Service call/markouts

Tosa personnel responded to **7** calls of various nature around town, and **109** mark-outs.

Miscellaneous

Assisted DPW with our camera on Allaire

Assisted Long Branch Sewer Authority on Ocean Ave. to locate a sinkhole and also on S. Lake Dr. to locate 2 buried manholes.

Assisted with the plant crew in draining and cleaning the primary pits. The bypass pump was needed due to a broken drain valve.

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Removed the large oak tree near the gate entrance in the plant.
Sewer Rat took care of 4 spots of infiltration that were discovered on Brookside.

General observations

The repairs from Sewer Rat stopped 5,000-10,000 GPD into the collection system.
Compared to this time last year TV Inspection has increased by 4,100 ft.

Training

Dylan Catanese has successfully passed his S1 licensing exam. We had several employees attend the Tech Transfer Seminar that was hosted at the Sheraton in Eatontown this month to obtain TCH's to licenses. I have also started my Rutgers CPM course which began October 25.

Safety

Our monthly safety meeting was conducted October 29, where we discussed Nic Patterson taking over as Safety Coordinator and what we could do as a team to help him in his new role. We also touched on the Authority's Policies and Procedures Handbook.

Roll Call, Galvin, Johnson, Miller, Valentino
Yes Yes Yes Yes

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson		X	X			
Miller			X			
Theodora						X
Valentino	X		X			

**TWELFTH SUPPLEMENTAL SEWER REVENUE BOND RESOLUTION
AUTHORIZING \$2,500,000 SEWER REVENUE BONDS, SERIES 2024, IN
ONE OR MORE SERIES, OF THE TOWNSHIP OF OCEAN SEWERAGE
AUTHORITY, AND DETERMINING VARIOUS MATTERS PERTAINING**

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THERE TO

WHEREAS, on June 14, 1985, The Township of Ocean Sewerage Authority (the “Authority”) adopted a resolution entitled “Sewer Revenue Bond Resolution” (as amended and supplemented from time to time, the “General Bond Resolution”); and

WHEREAS, the Authority in accordance with the provisions of the General Bond Resolution desires to authorize the issuance and delivery of not to exceed \$2,500,000 of Bonds, in one or more series, to be designated as “Sewer Revenue Bonds, Series 2024” (and if issued in more than one series, together with such additional designation as may be determined in the hereinafter-defined Certificate of the Executive Director) (the “Series 2024 Bonds”) to finance all or a portion of the costs of the acquisition, construction, renovation and/or installation of a capital project consisting of (i) upgrades to the Authority’s Wastewater Treatment Plant, including but not limited to grit building classifiers and piping, the distribution chamber, the screening building and security upgrades, and (ii) upgrades to the Authority’s Wastewater Collection System, including but not limited to upgrades to the Whalepond pump station, lateral replacement(s) and pipe lining, together with issuance expenses (collectively, the “Series 2024 Project”); and

WHEREAS, the Authority desires to participate in the Monmouth County Improvement Authority (the “MCIA”) Governmental Loan Program, to issue and sell its Series 2024 Bonds pursuant to this Twelfth Supplemental Resolution to the MCIA in an aggregate principal amount of not to exceed \$2,500,000; and

WHEREAS, on September 3, 2024, the Authority adopted a resolution entitled “Resolution of The Township of Ocean Sewerage Authority Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:5A-6 and Authorizing its Participation in the Governmental Loan Bond Financing Program of The Monmouth County Improvement Authority”, which authorized the MCIA to submit an application to the Local Finance Board (the “LFB”) on behalf of the MCIA and the Authority; and

WHEREAS, pursuant to P.L. 2017, c.71, said application contained, *inter alia*, the calculation and evaluation of possible cost savings through utilization of the New Jersey Infrastructure Bank financing program; and

WHEREAS, on October 9, 2024, the LFB held a hearing and issued positive findings in respect of (i) the issuance by the MCIA of its revenue bonds (the “MCIA Bonds”) and (ii) the issuance by the Authority of the Series 2024 Bonds, in each case in order to, *inter alia*, finance the cost of the Series 2024 Project; and

WHEREAS, the Authority will receive a proposal for the purchase of the Series 2024 Bonds from the MCIA, which proposal shall be based on the proposal(s) to be received by the MCIA for the purchase of the MCIA Bonds; and

WHEREAS, the Authority acknowledges that, in reliance on the terms and conditions

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contained in this Twelfth Supplemental Resolution, the MCIA intends to execute a contract of purchase with an underwriter pertaining to the sale of the MCIA Bonds, the proceeds of which shall be used by the MCIA, *inter alia*, to purchase the Series 2024 Bonds; and

WHEREAS, the terms of the purchase of the Series 2024 Bonds by the MCIA will be set forth in the hereinafter-defined Bond Purchase Agreement; and

WHEREAS, the Authority desires to provide terms and conditions with respect to the issuance and sale of the Series 2024 Bonds in addition to those which have been previously established under and pursuant to the General Bond Resolution;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF OCEAN SEWERAGE AUTHORITY, AND THE MEMBERS THEREOF, AS FOLLOWS:

**ARTICLE I
Definitions and Interpretation**

Section 101 Terms Defined in Resolution. Whenever used or referred to in this Twelfth Supplemental Resolution, all words or terms which are defined in Section 101 of the General Bond Resolution shall have the meanings given or ascribed to such words or terms, respectively, in said Section 101, except as to any words or terms which are defined in Section 102 hereof.

Section 102 Other Definitions. Unless a different meaning clearly appears from the context, in this Supplemental Resolution:

(a) Articles and Sections mentioned by numbers are the respective Articles and Sections of this Twelfth Supplemental Resolution so numbered;

(b) “Act” means the Sewerage Authorities Law of New Jersey, constituting Chapter 138 of the Pamphlet Law of 1946, of the State of New Jersey, and the acts amendatory thereof and supplemental thereto;

(c) “Bond Purchase Agreement” means the Bond Purchase Agreement, to be dated on or about the date of the pricing of the MCIA Bonds, between the MCIA and the Authority, authorized pursuant to Section 304(a) hereof;

(d) “Certificate of the Executive Director” means a Certificate of the Authority's Executive Director, which shall be executed subsequent to the adoption of this Twelfth Supplemental Indenture, approving the final terms of the Series 2024 Bonds upon pricing, as authorized to be executed in accordance with this Twelfth Supplemental Resolution.

(e) “Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, if any, to be dated as of the date of closing of the Series 2024 Bonds, between the Authority and the trustee for the MCIA Bonds, authorized pursuant to Section 304(c) hereof.

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(f) “General Bond Resolution” means the General Bond Resolution, as amended and supplemented to date;

(g) The terms “herein,” “hereunder,” “hereby,” “hereto,” “hereof,” and any similar terms, refer to this Twelfth Supplemental Resolution, the term “heretofore” means before the time of adoption of this Twelfth Supplemental Resolution; and the term “hereafter” means after the time of adoption of this Twelfth Supplemental Resolution;

(h) “Resolution” means, collectively, the General Bond Resolution and this Twelfth Supplemental Resolution;

(i) “Series 2024 Bonds” means any of the Bonds of the Authority authorized to be issued by and pursuant to this Twelfth Supplemental Resolution;

(j) “Township” means the Township of Ocean, in the County of Monmouth, New Jersey;

(k) “Trustee” means The Bank of New York Mellon, Woodland Park, New Jersey, as Trustee under the Resolution; and

(l) “Twelfth Supplemental Resolution” means this Twelfth Supplemental Bond Resolution.

Words importing persons include firms, associations and corporations and words importing the singular number include the plural number and-vice versa.

Section 103 Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in this Twelfth Supplemental Resolution, on the part of the Authority or the Trustee to be performed should be contrary to law, then such covenant or covenants, agreement or agreements, shall be deemed separable from the remaining covenants and agreements and shall not affect the validity of the other provisions of this Twelfth Supplemental Resolution or of any Bond.

Section 104 Incorporation of General Bond Resolution. This Twelfth Supplemental Resolution supplements the General Bond Resolution. The General Bond Resolution is incorporated herein by reference thereto.

**ARTICLE II.
Statutory Determinations and Obligations of the Authority**

Section 201 Authority for Supplemental Resolution. This Twelfth Supplemental Resolution is adopted by virtue of the Act and pursuant to its provisions, and the Authority has ascertained and hereby determines that each and every matter and thing as to which provision is made in this Twelfth Supplemental Resolution is necessary in order to carry out and effectuate the

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purposes of the Authority in accordance with the Act.

Section 202 Determinations by Authority Regarding the Series 2024 Project and the Purposes of Issuance of Series 2024 Bonds. The Authority hereby determines that the estimated cost of the Series 2024 Project is \$2,500,000, of which approximately \$1,900,000 is estimated for costs relating to the portion of the Series 2024 Project described in clause (i) of the definition thereof and approximately \$600,000 is estimated for costs relating to the portion of the Series 2024 Project described in clause (ii) of the definition thereof. Notwithstanding the foregoing, proceeds from the sale of the Series 2024 Bonds may exceed the above-referenced estimated cost of the Series 2024 Project in order to finance capitalized interest (if any), the Authority's issuance expenses and the Authority's share of the MCIA's expenses in connection with the MCIA Bonds (including, *inter alia*, issuance expenses, underwriter's discount and a fee in respect of the County guaranty). The Authority hereby determines to issue the Series 2024 Bonds as herein provided for the purpose of financing all or a portion of the cost of the 2024 Project.

Section 203 Resolution to Constitute Contract. In consideration of the purchase and acceptance of the Series 2024 Bonds by those who shall hold the same from time to time, the provisions of the General Bond Resolution shall be deemed to be and shall constitute contracts by and among the Authority, the Trustee and the holders from time to time of the Series 2024 Bonds; and the pledge made in the General Bond Resolution and the covenants and agreements herein set forth to, be performed on behalf of the Authority shall be for the equal benefit, protection and security of the holders of any and all of the Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided herein.

ARTICLE III

**Authorization, Terms, Execution, Issuance and Determinations
with Respect to the Series 2024 Bonds**

Section 301 Authorization of the Series 2024 Bonds. In accordance with the Act and subject to and pursuant to the provisions of the General Bond Resolution, revenue bonds of the Authority are hereby authorized to be issued in the aggregate principal amount of not to exceed \$2,500,000, and shall be distinguished from all other bonds of the Authority by the title "Sewer Revenue Bonds, Series 2024". The Series 2024 Bonds may be issued in one or more series, and if so issued may bear such additional designation as may be determined in the Certificate of the Executive Director.

Section 302 Form of the Series 2024 Bonds. The Series 2024 Bonds shall be issued in fully registered form, without coupons, payable to the MCIA. The Series 2024 Bonds shall be substantially in the form set forth in Exhibit A attached hereto, together with the Certificate of Authentication to be executed by the Trustee, with such omissions, insertions and variations as are properly required for the issuance of the Series 2024 Bonds and which are necessary to comply with the provisions of this Twelfth Supplemental Resolution and the Bond Purchase Agreement with the MCIA. The Series 2024 Bonds shall bear interest as set forth at the pricing of the Series

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2024 Bonds and as provided in the Bond Purchase Agreement and in the Certificate of the Executive Director, as authorized herein.

Section 303 Description of Series 2024 Bonds.

(a) Term. The Series 2024 Bonds shall be dated and shall bear interest from the date of closing, and shall mature, subject to prior redemption, on such date and in each of the years (not later than twenty-one (21) years following the date of closing) and in the respective principal amounts as set forth in the Bond Purchase Agreement and in the Certificate of the Executive Director.

(b) Interest Rates Per Annum and Interest Payment Dates. The Series 2024 Bonds shall bear interest at the respective interest rates per annum (not greater than six percent (6%) per annum) as shall be set forth in the Bond Purchase Agreement and in the Certificate of the Executive Director. Interest on the Series 2024 Bonds shall be payable on the dates authorized in the Certificate of the Executive Director in each year until the Authority's obligation with respect to the payment of the principal of such Series 2024 Bonds shall be discharged.

(c) Denomination and Place of Payment. The Series 2024 Bonds shall be issued in fully registered form, without coupons. The Series 2024 Bonds are issuable in the denomination of \$5,000 each, or any integral multiple thereof. The principal of and redemption premium, if any, on the Series 2024 Bonds shall be payable to the MCIA, or registered assigns, at maturity (or, with respect to prior redemption of the Series 2024 Bonds, on the applicable date fixed for redemption) upon presentation and surrender of the Series 2024 Bonds at the principal corporate trust office of the Paying Agent all as set forth in the Bond Purchase Agreement and the Certificate of the Executive Director. All other terms and conditions with respect to the payment of the principal of redemption premium, if any, and interest on the Series 2024 Bonds shall be as provided in the General Bond Resolution.

Section 304 Authorization of Documents.

(a) The terms and conditions of the sale of the Series 2024 Bonds to the MCIA shall be set forth in a Bond Purchase Agreement (the "Bond Purchase Agreement") to be dated on or about the date of pricing of the MCIA Bonds, between the MCIA and the Authority, in substantially the form attached hereto as Exhibit B, which by this reference is made a part hereof as if set forth in full herein, modified to reflect the final pricing terms and with such other changes as shall be approved by the Authority Officer (as hereinafter defined) executing same, such approval to be conclusively evidenced by such officer's execution thereof. The execution and delivery by the Chairman, Vice Chairman or the Executive Director of the Authority (each, an "Authorized Officer") of the Bond Purchase Agreement on behalf of the Authority is hereby authorized, and the Secretary or any Assistant Secretary is hereby authorized to attest to same and to affix the official seal of the Authority thereto. Such execution and delivery shall constitute the acceptance by the Authority of the MCIA's offer to purchase the Series 2024 Bonds.

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(b) The Authority hereby authorizes the use of certain information concerning the Series 2024 Bonds, the Authority and the Township in any Preliminary Official Statement and any final Official Statement of the MCIA, to be used in connection with the marketing and sale of the MCIA Bonds. Any Authorized Officer is hereby authorized to approve such information and to deem such information to be “final” for purposes of Rule 15c2-12 of the U.S. Securities and Exchange Commission.

(c) The execution and delivery by an Authorized Officer of a Continuing Disclosure Agreement, if any, in such form as shall be provided by the MCIA and approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer’s execution thereof.

Section 305 Prepayment and Redemption of Series 2024 Bonds.

(a) The Series 2024 Bonds shall be subject to prior prepayment and/or redemption as set forth in the Certificate of the Executive Director.

(b) When the Series 2024 Bonds are to be redeemed as provided therein, the Trustee shall give notice of such redemption by mailing a copy of such notice, postage prepaid, as provided in Section 405 of the General Bond Resolution, and such mailing shall be a condition precedent to such redemption. Failure of any holder of any Series 2024 Bonds to receive such notice, or any defect therein shall not affect the validity of the proceedings for the redemption of the Series 2024 Bonds. The foregoing notice provisions shall not be required in the event of any prepayment in accordance with the provisions of the bond resolution adopted by the MCIA in connection with the issuance of the MCIA Bonds.

Section 306 Other Determinations as to Series 2024 Bonds. The Authority does hereby find and determine that (i) the Series 2024 Bonds constitute Additional Bonds referred to in the General Bond Resolution, and accordingly are and shall be and constitute Additional Bonds referred to in and authenticated and delivered pursuant to, the General Bond Resolution, and subject to and in accordance with their terms and the terms of this Supplemental Resolution, shall be on a parity with all Bonds (including all other Additional Bonds that may be issued) of the Authority issued pursuant to the General Bond Resolution, (ii) the purposes of issuance of the Series 2024 Bonds are purposes within the meaning and provisions of Section 204 of the General Bond Resolution, (iii) pursuant to Section 902 of the General Bond Resolution, The Bank of New York Mellon, Woodland Park, New Jersey, is hereby appointed as Paying Agent for the Series 2024 Bonds, and (iv) this Supplemental Resolution is and constitutes a Supplemental Resolution of the Authority authorizing the issuance of the Series 2024 Bonds under Section 1001(4) of the General Bond Resolution.

Section 307 Issuance of the Series 2024 Bonds and Application of Proceeds of Sale and Other Moneys.

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(a) The Series 2024 Bonds authorized by Section 301 herein are hereby directed to be executed by or on behalf of the Authority and delivered to the Trustee for authentication of the Trustee, and thereupon the Series 2024 Bonds shall be authenticated by the Trustee, and upon fulfillment of the conditions set forth in the General Bond Resolution, delivered by the Trustee to the MCIA or upon its order. All of the proceeds of sale of the Series 2024 Bonds, including accrued interest (if any) received upon delivery hereof, shall, simultaneously with the issuance of the Series 2024 Bonds, be applied for the purposes of the 2024 Project, as shall be provided in an Order of the Authority executed by the Chairman, Vice Chairman or the Executive Director of the Authority.

(b) There is hereby established within the Construction Fund a separate account for the Series 2024 Project, to be known as the “Series 2024 Account”, from which the costs of the Series 2024 Project (including payment of costs of issuance) shall be paid. If required by the MCIA, however, in lieu of causing such amounts to be paid to the Authority and deposited in the Series 2024 Account, all or a portion of the proceeds of sale of the Series 2024 Bonds in respect of the Series 2024 Project may be deposited with the trustee for the MCIA Bonds into an account for the benefit of the Authority and held therein pending disbursement toward the costs of the Series 2024 Project.

(c) Upon the authentication and delivery of the Series 2024 Bonds, the Authority shall immediately make a deposit of its legally available funds (not constituting proceeds of the Series 2024 Bonds) into the Debt Service Reserve Account in an amount sufficient to cause the aggregate balance therein to equal the Debt Service Reserve Requirement for all Bonds, taking into account the issuance of the Series 2024 Bonds.

Section 308 No Recourse on the Series 2024 Bonds. No recourse shall be had for the payment of the principal of or the interest on the Series 2024 Bonds or for any claim issued thereon or on this Twelfth Supplemental Resolution or the General Bond Resolution against any member or other officer of the Authority or any person executing the Series 2024 Bonds. The Series 2024 Bonds are not and shall not be in any way a debt or liability of the State of New Jersey or of any county or municipality thereof and do not and shall not create or constitute any indebtedness, liability or obligation of said State or of any county or municipality, either legal, moral or otherwise.

Section 309 Execution of Series 2024 Bonds. The Chairman or the Vice Chairman of the Authority is hereby authorized to execute by manual or facsimile signature the Series 2024 Bonds in the name and on behalf of the Authority, and the Secretary or Assistant Secretary shall cause the corporate seal of the Authority to be affixed thereto or reproduced thereon, and the Secretary is hereby authorized to attest to the corporate seal.

Section 310 Authentication and Delivery of Series 2024 Bonds. The Chairman or the Vice Chairman of the Authority is hereby authorized, after the execution of the Series 2024 Bonds, to cause the same to be authenticated and delivered in accordance with terms of the General Bond Resolution.

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Section 311 Prior Actions. All actions which have been taken prior to the date hereof by the officers, employees, and agents of the Authority with respect to the sale of the Series 2024 Bonds are hereby approved, ratified, adopted and confirmed.

Section 312 Additional Acts. The Chairman, Vice Chairman, Executive Director and any other officer of the Authority, and the staff and consultants of the Authority are hereby authorized and directed to take all actions and execute any other agreement which may be necessary or convenient to effectuate the terms of the Resolution in connection with the issuance, sale and delivery of the Series 2024 Bonds, which includes the review and delivery of a preliminary official statement and official statement on behalf of the Authority, and the execution of the Bond Purchase Agreement, Continuing Disclosure Agreement, if any, and any other agreement to be executed in connection with the issuance of the Series 2024 Bonds.

Section 313 Payment of Costs of Issuance. The Chairman, Vice Chairman or Executive Director are authorized and directed to pay all of the costs associated with the sale and issuance of the Series 2024 Bonds.

**ARTICLE IV
Miscellaneous**

Section 401 Covenant of Authority as to Compliance with Federal Tax Matters and Revenues.

(a) Upon the advice of Bond Counsel to the Authority, the Authority hereby covenants that it will take all actions within its control, including the payment of amounts to the United States Government representing the Authority's rebate obligations under the Internal Revenue Code of 1986, as amended (the "Code"), that are necessary to insure that interest on the Series 2024 Bonds is excluded from gross income for federal income tax purposes and the Authority will refrain from taking any action that would adversely affect the tax exemption on the Series 2024 Bonds.

(b) The Authority hereby covenants to charge such rates for its services so as to comply with Section 714 of the General Bond Resolution at all times.

Section 402 Official Intent.

(a) The Authority reasonably expects to reimburse its expenditure of costs of the Series 2024 Project paid prior to the issuance of the Series 2024 Bonds with proceeds of the Series 2024 Bonds.

(b) This resolution is intended to be and hereby is a declaration of the Authority's official intent to reimburse the expenditure of the costs of the New Money Project paid

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prior to the issuance of the Series 2024 Bonds with the proceeds of the Series 2024 Bonds in accordance with Treasury Regulations §150-2.

(c) As set forth in Section 301 hereof, the maximum principal amount of the Series 2024 Bonds to be used to reimburse the expenditure of the costs of the Series 2024 Project which are paid prior to the issuance of the Series 2024 Bonds, is \$2,500,000.

(d) The costs of the Series 2024 Project to be reimbursed with the proceeds of the Series 2024 Bonds will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

(e) No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Series 2024 Bonds used to reimburse the Authority for the costs of the Series 2024 Project, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of the Series 2024 Bonds or another issue of debt obligations of the Authority, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).

(f) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Series 2024 Bonds is paid, or (ii) the date the Series 2024 Project is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 403 Filing and Publication. The Secretary of the Authority is hereby authorized, empowered and directed to file a copy of this Twelfth Supplemental Resolution with the Clerk of the Township and to cause to be published in the Asbury Park Press, a legally qualified public newspaper circulating in the district of said Authority, a notice in substantially the following form:

TOWNSHIP OF OCEAN SEWERAGE AUTHORITY
NOTICE OF ADOPTION OF BOND RESOLUTION

PUBLIC NOTICE is hereby given that a resolution entitled: “Twelfth Supplemental Sewer Revenue Bond Resolution Authorizing \$2,500,000 Sewer Revenue Bonds, Series 2024 of the Township of Ocean Sewerage Authority, and Determining Various Matters Pertaining Thereto” (the “Resolution”) was adopted by the Township of Ocean Sewerage Authority (the “Authority”) on November 7, 2024. Copies of said Resolution have been filed and are available for public inspection in the office of the Clerk of the Township of Ocean, in the County of Monmouth, New Jersey, and in the office of the Authority, 224 Roosevelt Avenue, Oakhurst, New Jersey.

Any action or proceeding of any kind or nature in any court questioning the validity of the creation or establishment of the Authority, or the validity or proper

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authorization of bonds provided for by the Resolution, or the validity of any covenants, agreements or contracts provided for by the Resolution, shall be commenced within twenty (20) days after the first publication of this notice, which was first published this 9th day of November, 2024.

Section 403 Effective Date. Pursuant to and in accordance with the General Bond Resolution, this Twelfth Supplemental Resolution shall become effective immediately.

RECORD OF COMMISSIONERS VOTE				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Dennis Galvin, Chairman	X			
Charles Theodora, Vice Chairman				X
David Miller, Secretary/Treasurer	X			
Brian Valentino, Commissioner	X			
Adam Johnson, Commissioner	X			

CERTIFIED TO BE A TRUE COPY OF A RESOLUTION DULY ADOPTED BY THE TOWNSHIP OF OCEAN SEWERAGE AUTHORITY AT ITS REGULAR MEETING ON NOVEMBER 7, 2024.

David Miller, Secretary

Exhibit A

Form of Series 2024 Bond

No. R-1

\$ _____

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY**

**THE TOWNSHIP OF OCEAN SEWERAGE AUTHORITY
SEWER REVENUE BOND, SERIES 2024**

DATE OF ORIGINAL ISSUE: December __, 2024

THE TOWNSHIP OF OCEAN SEWERAGE AUTHORITY (the “Authority”), a public body politic and corporate of the State of New Jersey created and existing under the laws

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of the State of New Jersey, acknowledges itself indebted to, and for value received hereby promises to pay to

**THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (the “MCIA)
c/o U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION (the “MCIA Trustee”),**

but solely from the funds pledged therefor, the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay from such pledged funds interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the MCIA at the corporate trust office of the MCIA Trustee on the May 15 and November 15 prior to each June 1 and December 1, respectively, commencing May 15, 2025, in an amount equal to the interest accruing to such June 1 and December 1. This bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the MCIA Trustee. Amounts not paid when due hereunder shall bear interest at the hereinafter-defined Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the MCIA on October 10, 2024 (as the same may be supplemented and amended, the “MCIA Bond Resolution”).

Both principal of and interest on this bond is payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. The Bank of New York Mellon, Woodland Park, New Jersey, is Paying Agent for the Series 2024 Bonds.

As used herein, “Late Payment Rate” shall mean a rate per annum equal to the lower of (i) three percent above the interest rate that JPMorgan Chase announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate, and (ii) the maximum interest rate allowed by law.

No transfer of this bond shall be valid unless made on the registration books of the Authority and by surrender of this bond (together with a written instrument of transfer satisfactory to the Authority duly executed by the registered owner or by his or her duly authorized attorney) and the issuance of a new bond or bonds in the same form and tenor as the original bond except for the differences in the name of its registered owner and the denominations. The owner of this bond may surrender same (together with a written instrument of transfer satisfactory to the Authority duly executed by the registered owner or by his or her duly authorized attorney), in exchange for an equal aggregate principal amount of bonds of any authorized denominations.

This bond is one of a duly authorized series of bonds of the Authority designated “Sewer Revenue Bonds, Series 2024” (the “Series 2024 Bonds”) in the aggregate principal amount of \$ _____, issued under and in full compliance with the Constitution and Statutes of the State of New Jersey, and particularly Chapter 138 of the Pamphlet Laws of 1946, of the State of New Jersey, as amended and supplemented (herein called the “Act”), and under and pursuant to a

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Resolution adopted by the Authority on June 14, 1985 entitled “Sewer Revenue Bond Resolution” and a supplemental resolution of the Authority authorizing the Series 2024 Bonds adopted on November 7, 2024, as supplemented by a Certificate of Executive Director dated December __, 2024 (said Resolution, as heretofore supplemented and as so supplemented, being herein called the "Resolution").

As provided in the Resolution, the Series 2024 Bonds, and all other bonds issued under the Resolution on a parity with the Series 2024 Bonds (herein collectively called the “bonds”) are direct and special obligations of the Authority payable solely from and secured as to payment of the principal and redemption price thereof, and interest thereon, in accordance with their terms and the provisions of the Resolution solely by the Pledged Property (as defined in the Resolution), subject only to the provisions of the Resolution permitting the application thereof for the purposes and on the terms and conditions set forth in the Resolution. Pledged Property under the Resolution includes the Revenues, including all moneys received by the Authority under the Service Contract between the Authority and the Township of Ocean, New Jersey, and Funds, including Investment Securities held in any such Funds thereunder, together with all proceeds and revenues of the foregoing and all of the Authority's right, title and interest in and to the foregoing and all other moneys, securities or funds pledged for the payment of the principal or Redemption Price of and interest on the bonds in accordance with the terms and provisions of the Resolution. Copies of the Resolution are on file at the office of the Authority and at the principal corporate trust offices of The Bank of New York Mellon, Woodland Park, New Jersey, as Trustee under the Resolution, or its successor as Trustee (herein called the “Trustee”), and reference is hereby made to the Act and to the Resolution and any and all supplements thereto and modifications and amendments thereof for a description of the pledge and assignment and covenants securing the bonds, the nature, extent and manner of enforcement of such pledge, the rights and remedies of the holders of the bonds with respect thereto, the terms and conditions upon which the bonds are issued and may be issued thereunder, the terms and provisions upon which this bond shall cease to be entitled to any lien, benefit or security under the Resolution and for the other terms and provisions thereof. All covenants, agreements and obligations of the Authority under the Resolution may be discharged and satisfied at or prior to the maturity of redemption of this bond if moneys or certain specified securities shall have been deposited with the Trustee.

As provided in the Resolution, bonds may be issued from time to time pursuant to supplemental resolutions in one or more series, in various principal amounts, may mature at different times, may bear interest at different rates and may otherwise vary as in the Resolution provided. The aggregate principal amount of bonds which may be issued under the Resolution is not limited, and all bonds issued and to be issued under the Resolution are and will be equally secured by the pledge and covenants made therein, except as otherwise expressly provided or permitted in the Resolution.

To the extent and in the manner permitted by the terms of the Resolution, the provisions of the Resolution, or any resolution amendatory thereof or supplemental thereto, may be modified or

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amended by the Authority, with the written consent of the holders of at least a majority in principal amount of the bonds outstanding under the Resolution at the time such consent is given, and, in case less than all of the several series of bonds then outstanding are affected thereby, with such consent of at least a majority in principal amount of the bonds of each series so affected and outstanding; provided, however, that, if such modification or amendment will, by its terms, not take effect so long as any bonds of any specified like series and maturity remain outstanding under the Resolution, the consent of the holders of such bonds shall not be required and such bonds shall not be deemed to be outstanding for the purpose of the calculation of outstanding bonds. No such modification or amendment shall permit a change in the terms of redemption (including sinking fund installments) or maturity of the principal of any outstanding bond or of any installment of interest thereon or a reduction in the principal amount of redemption price thereof or in the rate of interest thereon without the consent of the holder of such bond, or shall reduce the percentages or otherwise affect the classes of bonds the consent of the holders of which is required to effect any such modification or amendment, or shall change or modify any of the rights or obligations of the Trustee or of any Paying Agent without its written assent thereto.

This bond is transferable, as provided in the Resolution, only upon the books of the Authority kept for that purpose at the above mentioned office of the Trustee, as Bond Registrar, by the Registered Owner hereof in person, or by such Registered Owner's attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the Registered Owner or such Registered Owner's duly authorized attorney, and thereupon a new fully registered bond or bonds in the same aggregate principal amount, shall be issued to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges therein prescribed. The Authority, the Trustee and any Paying Agent may deem and treat the Registered Owner as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes.

The principal of, premium, if any, and interest on the Series 2024 Bonds are payable solely from the Pledged Property. The bonds shall not be in any way a debt or liability of the State or of any county or municipality and shall not create or constitute any indebtedness, liability or obligation of the State or of any such county or municipality, either legal, moral or otherwise.

The Authority agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond, which includes but is not limited to costs in connection with the enforcement of the County Guaranty (as defined in the MCIA Bond Resolution) and (ii) its share of the amounts payable pursuant to Section 9(vi)(B) of the Bond Purchase Agreement between the Authority and the MCIA.

It is hereby certified and recited that all conditions, acts and things required by law and the hereinafter-defined Resolution to exist, to have happened and to have been performed precedent to and in the issuance of this bond, exist, have happened and have been performed and that the series of bonds of which this is one, together with all other indebtedness of the Authority, complies
in all

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respects with the applicable laws of the State of New Jersey, including, particularly, the Act.

This bond shall not be entitled to any benefit under the Resolution or be valid or become obligatory for any purpose until this bond shall have been manually authenticated by the execution by the Trustee of the Trustee's Certificate of Authentication attached hereto.

IN WITNESS WHEREOF, THE TOWNSHIP OF OCEAN SEWERAGE AUTHORITY has caused this bond to be executed in its name and on its behalf by the manual or facsimile signature of its Chairman or Vice Chairman, and its seal to be impressed, imprinted, engraved or otherwise reproduced hereon, and attested by the signature of its Secretary or an Assistant Secretary, all of the Dated Date hereof.

**THE TOWNSHIP OF OCEAN
SEWERAGE AUTHORITY**

By: _____
Chairman

Attest:

Secretary

TRUSTEE'S CERTIFICATE OF AUTHENTICATION

This bond is one of the Sewer Revenue Bonds, Series 2024 of The Township of Ocean Sewerage Authority delivered pursuant to the within mentioned Resolution.

**THE BANK OF NEW YORK MELLON,
as Trustee**

By: _____
Authorized Officer

Authentication Date: December __, 2024

Exhibit B

Form of the Bond Purchase Agreement

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BOND PURCHASE AGREEMENT

December __, 2024

Township of Ocean Sewerage Authority
244 Roosevelt Avenue
Oakhurst, New Jersey 07755

To Members:

The undersigned, The Monmouth County Improvement Authority (the “Authority”), offers to enter into the following Bond Purchase Agreement with you (the “Borrower”) which, upon your acceptance of this offer, will be binding upon you and upon the Authority. This offer is made subject to acceptance of this Bond Purchase Agreement by the Borrower on or before the date of Closing (as hereinafter defined), and, if not so accepted, will be subject to withdrawal by the Authority upon notice delivered to the Borrower at the address set forth above at any time prior to the acceptance hereof by the Borrower.

The Borrower acknowledges that the Authority is purchasing the bonds described below with the proceeds of the Authority’s Governmental Loan Revenue Bonds, Series 2024 (Monmouth County Guaranteed) (Ocean Township Sewerage Authority Project) (the “Authority Local Unit Bonds”) pursuant to a bond resolution of the Authority adopted October 10, 2024 (said bond resolution, together with any amendments and supplements thereto, is referred to herein as the “Local Unit Bond Resolution”). The Borrower further acknowledges that the Authority will execute a Contract of Purchase pursuant to which it will agree to sell its Governmental Pooled Loan Revenue Bonds, Series 2024 (the “Authority Pooled Bonds”) to the underwriters named therein (the “Underwriters”), the proceeds of which shall be used by the Authority to purchase the Authority Local Unit Bonds. The Authority Pooled Bonds are being issued under and pursuant to Chapter 37A of Title 40 of the New Jersey Statutes and a resolution of the Authority entitled “2024 Governmental Pooled Loan Revenue Bond Resolution” adopted by the Authority on October 10, 2024, as from time to time amended or supplemented in accordance with the terms thereof (the “Bond Resolution”). The Authority agrees to use its best efforts to issue and deliver its Authority Pooled Bonds no later than December __, 2024. The Borrower agrees to comply with the provisions of the Authority’s Bond Resolution as applicable to it.

1. Upon the terms and conditions and upon the basis of the representations, warranties, and covenants set forth herein, the Authority hereby agrees to purchase from the Borrower, and the Borrower hereby agrees to sell to the Authority, \$ _____ principal amount of the Borrower’s \$ _____ sewer revenue bonds (the “Borrower Bonds”), on the date on which the Authority initially issues its Authority Pooled Bonds. The Borrower Bonds shall be dated the date of Closing, shall mature not later than forty years from the date of Closing and shall bear interest at the interest rates per annum as shall be approved by an Authority representative and as shall be approved by the Borrower pursuant to the proceedings taken to authorize and issue such Borrower Bonds under the Sewerage Authorities Law, N.J.S.A. 40:14A-

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1 et seq., or other similar law (the “Sewerage Authorites Law”), including, where applicable, the approval of the New Jersey Local Finance Board and under the Borrower’s General Bond Resolution, adopted June 14, 1985, as amended and supplemented on November 7, 2024 (the approval by the Borrower of the principal amortization schedule and the interest rates per annum thereon shall be herein referred to as the “Series Resolution”; all other proceedings of the Borrower taken to authorize the Borrower Bonds shall be herein referred to as the “Local Proceedings”).

2. The purchase price for the Borrower Bonds shall be equal to \$_____ (representing the principal amount of the Borrower Bonds plus the original issue premium of \$_____). The payment for and delivery of the Borrower Bonds and the other actions contemplated hereby to take place at the time of such payment and delivery, herein called the “Closing,” and as hereinafter further described in paragraph 7 hereof.

The Borrower hereby requests that its share of the costs of issuance of the Authority, \$_____, including but not limited to the County guaranty premium and the underwriters’ discount, be netted against the purchase price for the Borrower Bond.

The Borrower hereby further requests that the Authority apply the purchase price for the Borrower Bonds as follows:

(i) \$_____ shall be transferred to the Borrower’s bond trustee in accordance with wiring instructions provided by the Borrower prior to Closing.

3. The Borrower Bonds shall be as described in, and shall be issued and secured under, the Local Proceedings.

4. It shall be a condition (i) to the obligations of the Borrower to sell and to deliver the Borrower Bonds to the Authority, and (ii) to the obligations of the Authority to purchase, to accept delivery of and to pay for the Borrower Bonds, that the entire issue of Borrower Bonds to be sold pursuant to Paragraph 1 hereof shall be sold and delivered by the Borrower and purchased, accepted and paid for by the Authority at the Closing. The Authority has pledged such Borrower Bonds, when issued, as security for the repayment of the Authority Local Unit Bonds.

5. By virtue of the execution of this Bond Purchase Agreement, the Borrower represents and warrants to, and agrees with, the Authority (and it shall be a condition of the obligation of the Authority to purchase and to accept delivery of the Borrower Bonds that the Borrower shall so represent and warrant as of the date of Closing) that:

(a) The Borrower was duly created and organized as a political subdivision of the State of New Jersey (the “State”), the Borrower is authorized to execute and deliver this Bond Purchase Agreement, to issue the Borrower Bonds, to adopt the Local Proceedings and the Series Resolution and to perform its respective obligations under such instruments and proceedings, and the Borrower has the authority to impose and collect service charges pursuant to its service agreement (the “Service Agreement”) with the Township of Ocean (the “Municipality”) , which service charges are subject to the levy *ad valorem* property

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taxes on all the taxable real property within the geographic area or jurisdiction of the Municipality to provide for the payments required under the Borrower Bonds, , and the obligation of the Municipality to pay service charges under the Service Agreement constitutes a general obligation of such Municipality payable from all available revenues, including ad valorem taxes levied upon all the taxable property within the jurisdiction of such Municipality which is subject to the levy *ad valorem* taxes, without limitation as to rate or amount, with respect to any amount of the service charges that is necessary for the Borrower to meet its debt service obligations;

(b) The officers of the Borrower are the duly qualified and presently acting officers of the Borrower;

(c) The Borrower has complied with the provisions of all laws of the State relating to the issuance of the Borrower Bonds and has full power and authority to issue the Borrower Bonds and to carry out and consummate all transactions contemplated to be performed by it pursuant to this Bond Purchase Agreement, the Borrower Bonds, the Local Proceedings, the Series Resolution and the Service Agreement, and any and all other agreements relating hereto and thereto;

(d) The Borrower will not take any action, or fail or omit to take any action (or to the extent it exercises control or direction, permit any action), with respect to the proceeds of the sale of the Borrower Bonds to the Authority (i) which would result in any of the Borrower Bonds becoming an “arbitrage bond” within the meaning of Section 148(a) of the Internal Revenue Code of 1986, as amended (the “Code”), or (ii) which could adversely affect the exclusion from federal gross income of interest on the Borrower Bonds or the Authority Pooled Bonds pursuant to Section 103 of the Code;

(e) At the time of the Borrower’s acceptance of this Bond Purchase Agreement and at all times subsequent thereto up to and including the date of the Closing, the financial and other information supplied by such Borrower to the Authority does not and will not contain any untrue statement of a material fact or omit to state a material fact required or necessary to be stated therein in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading;

(f) The Borrower has duly authorized all necessary action to be taken by it for (i) the issuance and sale of the Borrower Bonds upon the terms set forth herein; (ii) the adoption, delivery and due performance of the Local Proceedings and, as of the date of Closing, the Series Resolution; and (iii) the execution, delivery and performance by the Borrower of this Bond Purchase Agreement, the Borrower Bonds, an arbitrage certificate, and any and all other agreements and instruments that may be required to be executed, delivered and received by the Borrower in order to carry out, give effect to and consummate the transactions contemplated by each of said documents and the Local Proceedings;

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(g) Between the date of this Bond Purchase Agreement and the Closing, the Borrower will not, without advising the Authority, issue any bonds, notes or other obligations, other than the Borrower Bonds sold hereby;

(h) To the knowledge of any official of the Borrower, after due inquiry, there is no action, suit, proceeding, inquiry or investigation at law or in equity or before or by any court, public board or body pending or, to the knowledge of any official of the Borrower, threatened affecting the Borrower wherein an unfavorable decision, ruling or finding would adversely affect (i) the corporate existence or organization of the Borrower or the title to office of any officer of the Borrower or any power of the Borrower, (ii) the validity or enforceability of the Service Agreement, Borrower Bonds, the Local Proceedings and, as of the date of Closing, the Series Resolution, this Bond Purchase Agreement, or any agreement or instrument to which the Borrower is a party and which is used or contemplated for use in consummation of the transactions contemplated by this Bond Purchase Agreement, (iii) the financial position of the Borrower, or (iv) the tax-exempt status of the Borrower or the exclusion from federal gross income of interest on the Borrower Bonds;

(i) The execution, delivery and performance by the Borrower of the events and documents provided for in this Bond Purchase Agreement, the Local Proceedings, the Series Resolution, and the Borrower Bonds and compliance with the provisions hereof and thereof, will not violate any provision of any law of the State or any applicable judgment, order or regulation of any court or any public or governmental agency or authority of the State and will not conflict with, or result in any breach of any of the provisions of, or constitute a default under, any agreement or instrument to which the Borrower is a party or by which the Borrower or any of its properties is or may be bound, nor will such action result in any violation of the Constitution or laws of the State relating to the establishment of the Borrower or its affairs, or any statute, order, rule or regulation of any court or of any federal, state or other regulatory agency or other governmental body having jurisdiction over the Borrower, and all consents, approvals, authorizations and orders of any governmental or regulatory agency, including but not limited to, the New Jersey Local Finance Board, which are required for the consummation of the transactions contemplated hereby have been obtained or will be obtained prior to the delivery of the Borrower Bonds, and are or will be in full force and effect;

(j) When delivered to and paid for by the Authority in accordance with the terms of this Bond Purchase Agreement, except insofar as the enforcement thereof may be limited by any applicable bankruptcy, insolvency, moratorium, reorganization or similar laws relating to the enforcement of creditors' rights generally, the Borrower Bonds will be duly authorized, executed, authenticated (if applicable), issued and delivered by the Borrower, and will constitute legal, valid and binding obligations of the Borrower enforceable in accordance with their terms and will be entitled to the benefit of the Local Proceedings and the Series Resolution;

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(k) Any certificate which is executed on behalf of the Borrower by any authorized officer of the Borrower, or by any duly appointed agent of the Borrower, and delivered to the Authority shall be deemed to be a representation by the Borrower to the Authority as to the truth of the statements made therein;

(l) If, between the date of this Bond Purchase Agreement and the date of the Closing, an event occurs affecting the Borrower, of which any official of the Borrower has knowledge, which would cause the financial and other information supplied by the Borrower to contain an untrue statement of a material fact or omit to state a material fact required or necessary to be stated therein in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading, the Borrower shall notify the Authority, and, if in the reasonable opinion of the Authority, such event requires an amendment or supplement to such information, the Borrower will amend or supplement such information, at the expense of the Borrower, in a form and in a manner approved by the Authority; and

(m) All approvals, consents and orders of any governmental authority or agency having jurisdiction in any matter, including but not limited to the New Jersey Local Finance Board, which would constitute a condition precedent to the performance by the Borrower of its obligations hereunder have been obtained and are in full force and effect.

6. As a condition to the effectiveness of this Bond Purchase Agreement, the Borrower is required to deliver at or prior to the Closing: (A) an opinion of counsel, dated the date of the acceptance hereof and addressed to the County of Monmouth, New Jersey (the "County") and the Authority, to the effect that (i) the Borrower has the right and power to enter into and carry out its obligations under this Bond Purchase Agreement, (ii) the Borrower has duly authorized, executed and delivered this Bond Purchase Agreement, and (iii) this Bond Purchase Agreement is a valid and binding agreement of the Borrower enforceable in accordance with its terms, subject to (x) applicable bankruptcy, insolvency, moratorium, debt adjustment, reorganization or other similar laws affecting creditors' rights generally, and (y) the availability of any particular remedy; and (B) certified copies of the Local Proceedings.

7. At or prior to 2:00 P.M., New York time, on December __, 2024, or at such earlier or later time on such date as may be mutually agreeable to the Authority and the Borrower, the Borrower will deliver the Borrower Bonds to the Authority in substantially the form provided in Exhibit A to this Bond Purchase Agreement, duly executed, and the Authority will accept delivery, at which time the Authority will, upon receiving the documents hereinafter mentioned, and, subject to the terms and conditions hereof, pay the purchase price for the Borrower Bonds as set forth in Paragraph 2 hereof. Delivery of the Borrower Bonds as provided above shall be at the offices of Bond Counsel to the Authority, or at such other place as shall have been mutually agreed upon by the Borrower and the Authority.

8. The Authority has entered into this Bond Purchase Agreement in reliance upon the accuracy of the representations and warranties of the Borrower contained herein and to

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be contained in the documents and instruments to be delivered at the Closing and upon the performance by the Borrower of its obligations hereunder at or prior to the date of the Closing. Accordingly, the Authority's obligation under this Bond Purchase Agreement to purchase, to accept delivery of and to pay for the Borrower Bonds shall be subject to the performance by the Borrower of its obligations to be performed hereunder and under the documents and instruments described herein, at or prior to the Closing, and such obligation shall also be subject to the following conditions:

(a) The representations and warranties of the Borrower contained herein shall be true, complete and correct on the date of the acceptance hereof, and on and as of the date of the Closing with the same effect as if made on the date of the Closing;

(b) At the time of the Closing, the Service Agreement, the Local Proceedings and the Series Resolution shall be in full force and effect, and shall not have been rescinded, amended, modified or supplemented;

(c) On the date of the acceptance hereof, and on and as of the date of the Closing, there shall have been taken in connection with the issuance of the Borrower Bonds all such actions as shall, in the opinion of the Authority, Bond Counsel to the Authority, and Bond Counsel to the Borrower, be necessary and appropriate in connection with the transactions contemplated hereby;

(d) On and as of the date of Closing, (i) no Event of Default or condition, event or act which with notice or lapse of time or both shall result in an Event of Default shall have occurred and be continuing under the Bond Resolution or the Borrower Bonds and (ii) sufficient funds shall be available to the Authority in the Loan Fund under the Bond Resolution to purchase the Borrower Bonds;

(e) At or prior to the Closing, the Borrower shall have performed all of its obligations required under or specified in this Bond Purchase Agreement and under the Local Proceedings and the Series Resolution to be performed at or prior to the date of the Closing, and the Authority shall have received each of the following documents:

(1) A certified copy of the record of the Local Proceedings, the Service Agreement and the Series Resolution;

(2) An unqualified final approving opinion, dated the date of the Closing and addressed to the Borrower, the County, the Underwriters and the Authority, of Bond Counsel to the Borrower, which shall be a firm satisfactory to the Authority, to the effect that (a) the Local Proceedings and the Series Resolution have been validly adopted and are in full force and effect, (b) the Borrower Bonds are special and limited obligations of the Borrower enforceable in accordance with their terms and the terms of the Local Proceedings and the Series Resolution and, that the Borrower is obligated to impose and collect service charges pursuant to the Service Agreement to the extent necessary to make the payments required on its Borrower Bonds, (c) the obligation of the Municipality to pay service charges under the Service Agreement constitutes a

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general obligation of such Municipality payable from all available revenues, including ad valorem taxes levied upon all the taxable property within the jurisdiction of such Municipality which is subject to the levy *ad valorem* taxes, without limitation as to rate or amount, with respect to any amount of the service charges that is necessary for the Borrower to meet its debt service obligations and (d) the interest on the Borrower Bonds is excluded from gross income for federal income tax purposes and interest on the Borrower Bonds and any gain on the sale thereof is not includable as gross income under the New Jersey Gross Income Tax Act;

(3) An opinion or opinions, dated the date of the Closing and addressed to the Borrower, the County, the Underwriters and the Authority, of Bond Counsel to the Borrower, to the effect that (a) the Borrower Bonds have been duly authorized, executed and delivered by the Borrower, (b) the Borrower Bonds are exempt securities within the meaning of Section 3(a)(2) of the Securities Act of 1933, as amended, and Section 304(a)(4) of the Trust Indenture Act of 1939, as amended, respectively, to the extent provided in such acts, and that it is not necessary in connection with the sale of the Borrower Bonds to the public to register the Borrower Bonds under the Securities Act of 1933, as amended, or to qualify the Local Proceedings or the Series Resolution under the Trust Indenture Act of 1939, as amended, (c) this Bond Purchase Agreement has been duly authorized, executed and delivered by, and constitutes a legal, valid and binding agreement of the Borrower enforceable in accordance with its terms, except to the extent that enforcement thereof may be limited by bankruptcy, insolvency or other laws or equitable principles affecting the enforcement of creditors' rights generally, and (d) nothing has come to such counsel's attention which would cause them to believe that the statements and information relating to the Borrower contained in the Official Statement under the captions "SECURITY FOR THE SERIES 2024 BONDS - Obligation of the Borrowers – Local Authority Borrower," and "SUMMARY OF CERTAIN PROVISIONS OF THE BORROWER BONDS AND BOND PURCHASE AGREEMENTS - Obligation of the Borrowers," and as of its date and the date of Closing, contained any untrue statement of a material fact required to be stated therein or necessary in order to make the statements therein, in light of the circumstances under which they were made, not misleading. Such letter may state that it is solely for the benefit of the Authority, the Underwriters, the Borrower and the County.

(4) An opinion, dated the date of the Closing and addressed to the Borrower, the County, the Underwriters and the Authority, of counsel to the Borrower, to the effect that (A) there is no litigation pending or, to such counsel's knowledge, threatened against the Borrower wherein an unfavorable decision, ruling or finding would adversely affect (i) the corporate existence or organization of the Borrower or the title to office of any officer of the Borrower or any power of the Borrower, (ii) the validity or enforceability of the Service Agreement, the Borrower Bonds, the Local Proceedings, the Series Resolution, this Bond Purchase Agreement, or any agreement or instrument to which the Borrower is a party and which is used or contemplated for use in consummation of the transactions contemplated by this Bond Purchase Agreement, (iii) the financial position of the Borrower, or (iv) the tax-exempt status of the Borrower or the exclusion from federal gross income of interest on the Borrower Bonds; and (B) nothing has come to such counsel's attention which would cause him to believe that the statements and information relating to the Borrower contained in the Official Statement under the caption "LITIGATION—The

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Borrower” and as of its date and the date of Closing, contained any untrue statement of a material fact required to be stated therein or necessary in order to make the statements therein, in light of the circumstances under which they were made, not misleading;

(5) A certificate or certificates, satisfactory in form and substance to the Authority and the County, of a duly authorized officer of the Borrower, dated as of the date of the Closing, to the effect that (i) each of the representations and warranties of the Borrower set forth in this Bond Purchase Agreement is true, accurate and complete as of the date of the Closing; (ii) the executed copies of the Service Agreement and this Bond Purchase Agreement and the certified copies of the Local Proceedings and the Series Resolution are true, correct and complete copies of such documents and have not been modified, amended, superseded or rescinded, and remain in full force and effect as of the date of the Closing; (iii) the Borrower Bonds have been duly authorized, executed and delivered by the Borrower; (iv) this Bond Purchase Agreement and any and all other agreements and documents required to be executed and delivered by the Borrower in order to carry out, give effect to and consummate the transactions contemplated hereby have each been duly authorized, executed and delivered by or on behalf of the Borrower, and as of the date of the Closing, each is in full force and effect; (v) no litigation is pending or, to such authorized officer’s knowledge, threatened to restrain or enjoin the issuance or sale of the Borrower Bonds or in any way contesting the validity or affecting the authority for the issuance of the Borrower Bonds, the authorization, execution or performance of the Service Agreement, the Local Proceedings, the Series Resolution, the Bond Purchase Agreement or the existence or powers of the Borrower; (vi) no further authorization, approval, consent or other order of any governmental authority or agency, or of any other entity or person (or persons) is required for the valid authorization, execution and delivery of the Borrower Bonds or the Local Proceedings, the Series Resolution, the Bond Purchase Agreement or any other agreement or instrument to which the Borrower is a party and which is used in the consummation of the transactions contemplated by the Bond Purchase Agreement; (vii) the authorization, execution and delivery of the Borrower Bonds, the Local Proceedings, the Series Resolution, the Bond Purchase Agreement and any other agreement or instrument to which the Borrower is a party and which is used in the consummation of the transactions contemplated by the Bond Purchase Agreement and the fulfillment of the terms and provisions of said agreements and instruments by the Borrower will not, to the best of his knowledge (a) conflict with, violate or result in a breach of any law any administrative order, regulation or decree applicable to the Borrower, or (b) conflict with, or result in a breach of, or constitute a default under, any indenture, mortgage, deed of trust, agreement or other instrument to which the Borrower is a party, or by which it is bound or any order, rule or regulation applicable to the Borrower of any court or other governmental body; (viii) such officer has reviewed the Official Statement dated December __, 2024 relating to the Authority Pooled Bonds (the “Official Statement”); (ix) to the best of such officer’s knowledge, the information contained in the Official Statement relating to the Borrower is true and correct, and the Official Statement, solely with respect to the information relating to the Borrower, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading; (x) there are no facts known to such officer that the Borrower has failed to disclose to the County that, in such officer’s opinion, individually or in the aggregate, materially adversely affect or will materially adversely

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affect the operations, affairs, properties, conditions (financial or otherwise) or prospects of the Borrower and (xi) no event has occurred and is continuing that constitutes or that with notice or the lapse of time or both would constitute a default under the Local Proceedings;

(6) An unqualified opinion of Bond Counsel to the Authority addressed to the Authority to the effect that the purchase of the Borrower Bonds by the Authority, the use of the proceeds thereof by the Borrower as represented by the Borrower to such Bond Counsel and the pledge of the Borrower Bonds under the Local Unit Bond Resolution complies in all respects with the Local Unit Bond Resolution and does not adversely affect the exclusion from gross income for federal income tax purposes of the interest on the Authority Pooled Bonds;

(7) An arbitrage certificate, in form and substance satisfactory to Bond Counsel to the Authority, executed by an authorized officer of the Borrower;

(8) A certificate, dated the date of the Closing, signed by official representatives of the Borrower (i) consenting to the use by the Underwriters in the Official Statement of the financial and other information relating to the Borrower and (ii) regarding the “deemed final” nature of certain information concerning the Borrower set forth in the Preliminary Official Statement, in accordance with Securities and Exchange Commission Rule 15c2-12;

(9) If the Authority shall determine that the Borrower is or will be an “obligated person” with respect to the Authority Pooled Bonds within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission, an executed Continuing Disclosure Agreement in substantially the form appended hereto as Exhibit B; and

(10) Such additional legal opinions, certificates, instruments and other documents as the Authority or the County may reasonably request to evidence the truth and accuracy, as of the date hereof and as of the date of the Closing, of the Borrower’s representations, warranties and covenants contained herein and the due performance or satisfaction by the Borrower, at or prior to the Closing, of all agreements then to be performed and all conditions then to be satisfied by the Borrower.

If the Borrower shall be unable to satisfy, after good faith efforts on its part, the conditions to the obligations of the Authority contained in this Bond Purchase Agreement to purchase, to accept delivery of and to pay for the Borrower Bonds, or if the obligations of the Authority to purchase, to accept delivery of and to pay for the Borrower Bonds shall be terminated for any reason permitted by this Bond Purchase Agreement, this Bond Purchase Agreement shall immediately terminate and neither the Authority nor the Borrower shall be under further obligation hereunder except as set forth in Section 9 hereof. No failure to purchase Borrower Bonds hereunder due to a failure to satisfy any condition precedent (whether or not within the control of the Borrower) shall give rise to any liability of the Authority to such Borrower.

9. The Authority shall be under no obligation to pay, and the Borrower shall pay (whether or not Borrower Bonds are purchased hereunder), all expenses incidental hereto and to the performance of the Borrower’s obligations hereunder, including but not limited to: (i) the

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cost of the preparation of the Local Proceedings and the Series Resolution; (ii) the cost of the preparation and printing of the Borrower Bonds; (iii) the fees and disbursements of Bond Counsel to the Borrower; (iv) the fees and disbursements of the Borrower's counsel, financial advisor, independent auditor, and advisers, if any, and of any other experts or consultants retained by the Borrower; (v) the fees and disbursements of any paying agent or bond registrar for the Borrower Bonds; (vi) the Borrower's proportionate share of (A) the Authority's Cost of Issuance (as defined in the Bond Resolution) to the extent not paid from proceeds of the Authority Pooled Bonds and (B) the ongoing fees that the Trustee, Paying Agent and Registrar under the Bond Resolution and the Local Unit Bond Resolution charge in connection with the Bond Resolution and the Local Unit Bond Resolution; (vii) the cost of preparing, mailing and delivering any financial or other information about the Borrower; (viii) any applicable taxes or fees for issuance and purchase of any Borrower Bonds or other related expenses; and (ix) all costs and expenses (including legal fees) in connection with the administration and enforcement of the Borrower Bonds, which includes but is not limited to costs in connection with the enforcement of the County Guaranty (as defined in the Bond Resolution). The Borrower's proportionate share of the costs and fees referenced in clause (vi) (A) of the immediately preceding sentence shall be \$ _____; provided, however, that to the extent that the Borrower is solely responsible for the incurrence of any payments referenced in clause (vi)(B), the Borrower shall be obligated to make all such payments.

10. Any notice or other communication to be given to the Borrower under this Bond Purchase Agreement may be given by delivering the same in writing at the Borrower's address set forth above, and any notice or other communication to be given to the Authority under this Bond Purchase Agreement may be given by delivering the same in writing to The Monmouth County Improvement Authority, Hall of Records, 1 East Main Street, Freehold, New Jersey 07728, attention: Marion Masnick, Secretary.

11. This Bond Purchase Agreement is made solely for the benefit of the Borrower, the County and the Authority (including the successors or assigns of each), and no other person shall acquire or have any right hereunder by virtue hereof. All of the Borrower's representations, warranties and covenants contained in this Bond Purchase Agreement shall remain operative and in full force and effect subsequent to the delivery of and payment for the Borrower Bonds pursuant to this Bond Purchase Agreement.

12. This Bond Purchase Agreement shall not be amended nor shall any provision hereof be waived by either party hereto without the prior written consent of the Borrower, the County and the Authority.

13. This Bond Purchase Agreement shall be construed in accordance with and shall be governed by the laws of the State of New Jersey.

14. This Bond Purchase Agreement shall become effective upon the execution of the acceptance hereof on behalf of the Borrower by such officer authorized by resolution to so execute it, shall be valid and enforceable as of the time of such acceptance and consent and shall

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remain in full force and effect until the Borrower Bonds shall have been fully paid in accordance with their terms and all payments due and owing pursuant to paragraph 9 hereof shall have been paid in full.

THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY

By: _____
William C. Barham
Chairman

Accepted:

This ___ day of December 2024

Township of Ocean Sewerage Authority:

By _____

Title _____

Roll Call, Galvin, Johnson, Miller, Valentino
Yes Yes Yes Yes

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson			X			
Miller		X	X			
Theodora						X
Valentino	X		X			

24-56

**AUTHORIZING AWARD OF A CONTRACT TO EVOQUA WATER TECHNOLOGIES
LLC FOR FURNISHING AND DELIVERY OF ACQUEOUS CALCIUM NITRATE AND
TWICE-YEARLY SYSTEM MAINTENANCE**

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WHEREAS, the Township of Ocean Sewerage Authority advertised for the receipt of bids for the furnishing and delivery of aqueous calcium nitrate and twice-yearly system maintenance on October 12, 2024 in the Asbury Park Press; and

WHEREAS, bids were received, opened and announced by the Authority at its offices on October 31, 2024; and

WHEREAS, in accordance with law, the Authority intends to award a contract to the lowest responsible bidder meeting the bids specifications for the term that is most advantageous to the Authority; and

WHEREAS, EVOQUA WATER TECHNOLOGIES LLC., submitted the apparent lowest bid in the amount of \$3.49 per gallon; and

WHEREAS, the Authority’s Executive Director has certified that funds are available for this contract from the Bioxide line item (01-61-601-401).

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority awards a two-year contract to EVOQUA WATER TECHNOLOGIES LLC. for the furnishing and delivery of aqueous calcium nitrate and twice-yearly system maintenance; and

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized and directed to execute the contract for the award on behalf of the Authority.

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson		X	X			
Miller	X		X			
Theodora						X
Valentino			X			

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Regular Meeting held on November 7, 2024.

David Miller, Secretary

Roll Call, Galvin, Johnson, Miller, Valentino
Yes Yes Yes Yes

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24-57

**AUTHORIZING APPOINTMENT OF NICHOLAS
PATTERSON AS AUTHORITY SAFETY OFFICER**

WHEREAS, the Township of Ocean Sewerage Authority recognizes the importance of the safety of its employees; and

WHEREAS, the resignation of the prior Safety Officer requires the designation of a new Safety Officer; and

WHEREAS, the position was posted for seven days in the break room; and

WHEREAS, Nicholas Patterson applied for the position; and

WHEREAS, Nicholas Patterson has received significant safety training in his career and has been recommended for the Safety Officer position.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority appoints Nicholas Patterson as the Authority’s Safety Officer effective immediate at an annual stipend of \$2,000 for the first six months and increased by \$2,000 upon a satisfactory review at six months, payable with the bi-weekly employee compensation.

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson		X	X			
Miller			X			
Theodora						X
Valentino	X		X			

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Meeting held on November 7, 2024.

David Miller, Secretary

Roll Call, Galvin, Johnson, Miller, Valentino
Yes Yes Yes Yes

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It is 7:55 and the Board wishes to go into closed session, seeing as there are no additional items for discussion for tonight’s public meeting a motion is made by Mr. Miller to go into closed session and Mr. Johnson seconds the motion. Amy Stewart gives Ms. Berlen the language to read to the public before going into closed session.

Roll Call, Galvin, Johnson, Miller, Valentino
 Yes Yes Yes Yes

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson		X	X			
Miller	X		X			
Theodora						X
Valentino			X			

Carol Berlen reads the following statement:

**TOWNSHIP OF OCEAN SEWERAGE AUTHORITY
AUTHORIZING CLOSED EXECUTIVE SESSION**

The Authority is subject to the requirements of the Open Public Meetings Act.

The Open Public Meetings Act, N.J.S.A. 10::4-12 provides that a closed session, not open to the public, may be held for certain specific purposes when authorized by resolution of the Authority.

It is necessary for the Authority 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. The general nature of the subject matter to be discussed is: potential litigation i.e. litigation, acquisition of property, attorney client privilege etc.) or matters which by provision of federal law, state statute of rule of court shall be rendered confidential.

The meeting shall be closed to the public for the specific items noted and this meeting:

(X) shall not reconvene this evening; or

() shall reconvene in public session upon conclusion of the discussion

And that the minutes or other record of these discussions shall be available to be disclosed to the public when the need for its exclusion from the public no longer exists as determined by the vote of the Commissioners at a public session.

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The public has signed off.

The Board is back in regular session.

Since there were no items to discuss at this time the meeting was adjourned.

Mr. Valentino makes a motion to adjourn the meeting and Mr. Miller seconded the motion, an all-in favor vote follows. 7:26PM

Roll Call, Galvin, Johnson, Miller, Valentino

Yes Yes Yes Yes

	Motion	Second	Aye	Nay	Abstain	Absent
Galvin			X			
Johnson			X			
Miller		X	X			
Theodora						X
Valentino	X		X			

Respectfully Submitted,

David Miller, Secretary