

BURLINGTON COUNTY BRIDGE COMMISSION
MEETING MINUTES
OCTOBER 19, 2021

Meeting held via phone conference due to the COVID-19 crisis.

Chairman Riggins called the meeting to order. The Compliance Statement was read by the Commission Secretary:

“This meeting is to be conducted in accordance with notice requirements of P.L. 1975, CH. 231. A ‘Notice of Meeting’ was posted in a public place on November 19, 2020 at the entrance to the Administration Building, Headquarters of this Commission, with copies of such notice being delivered to the *Camden Courier Post* and *Burlington County Times* for publication and posted on the Burlington County Bridge Commission Website.”

Commissioners Present: Chairman Matthew J. Riggins
Vice-Chairwoman Sandra Nunes
Commissioner John B. Comegno II

Others Present: Joseph Andl, Executive Director
Christine J. Nociti, Chief Financial Officer
Kathleen M. Wiseman, Secretary/Office Mgr/Mgr of Records
Anthony T. Drollas Jr., Solicitor
Constance Borman, Human Resources Director
Patrick Reilly, Director of Public Safety and Security
James Fletcher, Director of Maintenance
Dennis Stewart, Assistant Manager,
Burlington-Bristol Bridge
Sascha Harding, Director of Engineering
Michael McCarron,
Director of Tolls and Tower Operations
Elizabeth Verna, Director, Economic Development &
Regional Planning
Ronald Cesaretti, Director/IT & ETC
Stephanie Brandt, Accounting Manager
Kathleen Hanuscin, Senior Administrative Assistant

Commissioner Comegno led the flag salute followed by a moment of silence.

APPROVAL OF THE MINUTES

Vice-Chairwoman Nunes moved to approve the minutes of the September 14, 2021 Commission Meeting. Commissioner Comegno seconded the motion. The motion passed unanimously.

DISBURSEMENTS LIST

Vice-Chairwoman Nunes moved to approve disbursements made from September 15, 2021 through October 19, 2021 as included in the list as presented. Commissioner Comegno seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Andl asked the Commission to consider the following resolutions. Chairman Riggins suggested that they move Resolutions 2021-66 through 2021-71 by block. For those resolutions, Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

The Commission considered the following resolutions:

RESOLUTION NO. 2021-66

**FIRST SUPPLEMENTAL BOND RESOLUTION OF THE
BURLINGTON COUNTY BRIDGE COMMISSION
AUTHORIZING THE ISSUANCE OF LEASE REVENUE
REFUNDING BONDS (BURLINGTON COUNTY SOLID WASTE
PROJECT), SERIES 2021**

ADOPTED October 19, 2021

WITNESSETH:

WHEREAS, the Burlington County Bridge Commission (the "Commission") has been duly created by resolution of the Board of Chosen Freeholders of the County of Burlington, New Jersey (the "County"), duly adopted October 22, 1948, as a public body corporate and politic of the State of New Jersey (the "State") pursuant to and in accordance with the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934 of the State, and the acts amendatory thereof and supplemental thereto (the "Act"); and

WHEREAS, the Commission is authorized by the Act to provide within the County public facilities for use by the State, the County or any municipality in the County, or any subdivisions, departments, agencies or instrumentalities of any of the foregoing for any of their respective governmental purposes; and

WHEREAS, the Commission is authorized by the Act to acquire real estate within the County by lease or purchase and to construct, reconstruct and rehabilitate improvements thereon and to lease same to governmental units, including the County; and

WHEREAS, in 2013, the Commission determined pursuant to the Act to finance the costs of the construction upon certain real property owned by the County and located at Block 44, Lot 5.01 on the Tax Maps of the Township of Mansfield in the County (the "Real Property") **of landfill cells 17, 18, 19 and 20 as part of Phase 5 and 6 of Landfill No. 2 at the Burlington County Resource Recovery Complex, including acquisition and installation of all necessary and incidental equipment**, apparatus, structures and appurtenances which are necessary for the efficient operation thereof (collectively, the "Project") as more specifically set forth and described in Exhibit A to the Original Lease Agreement (as hereinafter defined); and

WHEREAS, the Commission, by a bond resolution, entitled "Resolution of The Burlington County Bridge Commission Authorizing the Issuance of Lease Revenue Bonds (Burlington County Solid Waste Project), Series 2013" duly adopted August 13, 2013 (the "Original Bond Resolution"), determined to proceed with the financing of the Project; and

WHEREAS, on October 7, 2013, the Commission issued \$29,380,000 aggregate principal amount of Lease Revenue Bonds (Burlington County Solid Waste Project), Series 2013 (the "Series 2013 Bonds") to finance the costs of the Project; and

WHEREAS, pursuant to the terms of a certain Lease Agreement, dated as of October 7, 2013 (the "Original Lease Agreement"), the County leased the Real Property to the Commission on which the Project was constructed by the County and the Commission leased the Project and the Real Property to the County; and

WHEREAS, the Series 2013 Bonds are payable from payments of Basic Rent (as defined in the Original Lease Agreement) made by the County pursuant to the terms and conditions set forth in the Original Lease Agreement; and

WHEREAS, the Series 2013 Bonds maturing serially on October 1 in each of the years 2024 through 2027, inclusive, in the aggregate principal amount of \$16,085,000 (collectively, the "Callable 2013 Bonds"), are subject to optional redemption at the discretion of the Commission on any date on or after October 1, 2023 at par; and

WHEREAS, the Commission has determined that current market conditions permit significant debt service savings to be available on an annual basis if the Callable 2013 Bonds are advance refunded through the issuance of a series of taxable refunding bonds; and

WHEREAS, Section 205 of the Original Bond Resolution allows for the issuance of Refunding Bonds to refund all or a portion of the Outstanding Series 2013 Bonds by the adoption a Supplemental Resolution (as defined in the Original Bond Resolution) authorizing the issuance of an additional Series of Bonds to be issued pursuant to the 2013 Resolution (as hereinafter defined);

NOW THEREFORE BE IT RESOLVED BY THE BURLINGTON COUNTY BRIDGE COMMISSION AS FOLLOWS:

ARTICLE I

AUTHORIZATION AND ISSUANCE OF SERIES 2021 BONDS AND REFUNDING OF THE CALLABLE 2013 Bonds

Section 1. First Supplemental Resolution. This resolution is supplemental to, and is adopted in accordance with Articles II and XI of, the Original Bond Resolution, as amended and supplemented on October __, 2021 by this First Supplemental Resolution (the Original Bond Resolution, as amended and supplemented by this First Supplemental Resolution and as same may be further amended and supplemented from time to time shall hereinafter be collectively referred to as the "2013 Resolution").

Section 2. Definitions. 1. Except as otherwise provided in this First Supplemental Resolution, all terms which are defined in Section 101 of the Original Bond Resolution shall have the same meanings, respectively, in this First Supplemental Resolution as such terms are given in said Section 101 of the Original Bond Resolution.

1. A. In this First Supplemental Resolution, the following terms shall have the meanings assigned to them in the Original Bond resolution and are restated here for incorporation of references to the Series 2021 Bonds:

"Bond Year" shall mean, with respect to the Series 2021 Bonds, the twelve (12) month period ending on each anniversary of the date of original issuance of the Series 2021 Bonds and on the final maturity date of the Series 2021 Bonds.

"Bond" or "Bonds" shall mean the Outstanding Bonds of the Commission issued pursuant to Section 201 of the 2013 Resolution and Section 4 of this First Supplemental Resolution, including the 2013 Non-Refunded Bonds, the Series 2021 Bonds and any additional Series of Refunding Bonds, if any.

"Interest Payment Date" shall mean, with respect to the 2013 Non-Refunded Bonds and the Series 2021 Bonds, the respective dates that are established in the respective Series Certificate pertaining thereto.

"Lease" shall mean, collectively, the Original Lease Agreement, as amended by the First Amendment to Lease.

"Lease Payment Date" shall mean, with respect to the 2013 Non-Refunded

Bonds and the Series 2021 Bonds, such dates as shall be established in the Lease, which dates shall not be later than the thirtieth (30th) day next preceding each Interest Payment Date and Principal Installment Date, as applicable, and such other dates determined in accordance with the 2013 Resolution as may be set forth in a Supplemental Resolution authorizing a Series of Bonds, if any. In the event a Lease Payment Date is not a Business Day, the Lease Payment shall be made by the County on the next succeeding Business Day.

“Principal Installment Date” shall mean any date on which Principal Installment on any Series of Bonds shall become due and payable by the Commission and, with respect to the 2013 Non-Refunded Bonds and the Series 2021 Bonds, the dates set forth in the respective Series Certificates pertaining thereto on which any Principal Installment shall become due and payable by the Commission, or such other date as set forth in a Supplemental Resolution authorizing a Series of Bonds, if any. In the event a Principal Installment Date is not a Business Day, principal shall be paid on the next succeeding Business Day for the Principal Installment payable on the Principal Installment Date.

“Record Date” shall mean, with respect to the 2013 Non-Refunded Bonds and the Series 2021 Bonds, the fifteenth (15th) day next preceding any Interest Payment Date (whether or not a Business Day) or such other dates as set forth in a Supplemental Resolution authorizing a Series of Bonds, if any, or in the Series Certificate relating thereto.

B. In this First Supplemental Resolution, the following terms shall have the meanings assigned below:

“Bond Purchase Contract” shall mean the Bond Purchase Contract entered into between the Commission and the underwriter relating to the purchase by the underwriter of the Series 2021 Bonds.

“Callable 2013 Bonds” shall mean the Series 2013 Bonds maturing serially on October 1 in each of the years 2024 through 2027, inclusive, in the aggregate principal amount of \$16,085,000.

“Continuing Disclosure Agreement” shall mean the Continuing Disclosure Agreement by and among the Commission, the County and the Trustee, acting as dissemination agent, executed in connection with the issuance and delivery of the Series 2021 Bonds and authorized pursuant to Section 8 of the First Supplemental Resolution.

“Escrow Agreement” shall mean the Escrow Deposit Agreement dated as of the date of issuance of the Series 2021 Bonds between the Commission

and the Trustee, acting as escrow agent.

“Escrow Fund” shall mean the escrow fund established under the Escrow Agreement.

“First Amendment to Leases” shall mean the First Amendment to the Improvement Lease, by and between the Commission and the County, who will have amendments to its Basic Rent as a result of the issuance of the Series 2021 Bonds and the refinancing of the Series 2013 Bonds.

“First Supplemental Resolution” shall mean this First Supplemental Resolution duly adopted October __, 2021 which amends and supplements the Original Bond Resolution in connection with the issuance of the Series 2021 Bonds.

“Official Statement” means the final Official Statement of the Commission relating to the Series 2021 Bonds.

“Original Bond Resolution” shall mean the bond resolution, entitled “Resolution of the Burlington County Bridge Commission Authorizing the Issuance of Lease Revenue Bonds (Burlington County Solid Waste Project)” duly adopted by the Commission on August 13, 2013 in connection with the issuance of the Series 2013 Bonds.

“Original Lease Agreement” shall mean the Lease Agreement, dated as of October 7, 2013, entered into by the Commission and the County in connection with the issuance of the Series 2013 Bonds and the financing of the Project.

“Preliminary Official Statement” shall mean the Preliminary Official Statement of the Commission relating to the Series 2021 Bonds.

“2021 Series Certificate” shall have the meaning provided therefor in Section 202(k) of the 2013 Resolution with respect to the Series 2013 Bonds and, with respect to the Series 2021 Bonds, shall mean the certificate of an Authorized Commission Representative dated the date of delivery of the Series 2021 Bonds upon original issuance which specifies and sets forth the information required in Section 202(f) of the 2013 Resolution, authorized pursuant to the provisions of Section 4(4) of the First Supplemental Resolution.

“Series 2021 Bonds” shall mean the Lease Revenue Refunding Bonds (Burlington County Solid Waste Project), Series 2021, authorized by Section 4 of the First Supplemental Resolution which, upon issuance, shall

constitute a Series of Refunding Bonds, for purposes of the 2013 Resolution.

“2013 Non-Refunded Bonds” shall mean the Series 2013 Bonds maturing serially on October in each of the years 2022 and 2023 which are non-callable and will be paid on their respective maturity dates.

“2013 Refunded Bonds” shall mean all or a portion of the Callable 2013 Bonds advance refunded with the proceeds of the Series 2021 Bonds as set forth in the Series Certificate.

“2013 Resolution” shall mean, collectively, the Original Bond Resolution, as amended and supplemented by the First Supplemental Resolution and as same may be further amended and supplemented from time to time.

Section 3. Authority for this First Supplemental Resolution.

This First Supplemental Resolution is adopted (i) pursuant to the provisions of the Act, and (ii) in accordance with Articles II and XI of the 2013 Resolution.

Section 4. Series 2021 Bonds. 1. There is hereby authorized an Series of Refunding Bonds pursuant to the 2013 Resolution which shall be designated and shall be distinguished from the Bonds of all other Series by the title, “Lease Revenue Refunding Bonds (Burlington County Solid Waste Project), Series 2021” and which shall be in the aggregate principal amount not to exceed \$18,000,000.

2. The Series 2021 Bonds shall be issued for the purposes of (i) refunding all or a portion of the Callable 2013 Bonds as set forth in the Series Certificate for the Series 2021 Bonds, and (ii) paying the costs of authorization, issuance, sale and delivery of the Series 2021 Bonds.

3. The Commission hereby determines that the Chairman, the Vice Chairman, the Executive Director and the Treasurer (each an “Authorized Commission Representative”) are each hereby designated and authorized to sell and to award the Series 2021 Bonds on behalf of the Commission to the purchaser or purchasers thereof, including the power to determine, among other things, (a) the principal amount of Series 2021 Bonds to be issued, (b) the time and the manner of sale of the Series 2021 Bonds, (c) the Callable 2013 Bonds or portion thereof to be advance refunded, (d) the dated date, the maturity dates and the Principal Installment Dates of the Series 2021 Bonds and the provisions pertaining to redemption thereof and/or Sinking Funds Installments established therefor, (e) the rate or rates of interest for the Series 2021 Bonds, the Interest Payment Dates and the Lease Payment Dates, (f) the underwriter or underwriters for the Series 2021 Bonds, and (g) such other terms and conditions as may be necessary or related to the sale of the Series 2021 Bonds; provided, however, that (i) the aggregate principal amount of the Series 2021 Bonds shall not exceed \$5,500,000 (inclusive of

original issue discount), (ii) the final maturity date of the Series 2021 Bonds shall not be later than October 1, 2027, (iii) the underwriter's discount for the Series 2021 Bonds shall not exceed \$6.50 per \$1,000 principal amount thereof (inclusive of counsel fees and expenses); and (iv) the Redemption Price of any Series 2021 Bond subject to redemption shall not be greater than one hundred two percent (102%) per annum of the principal amount of Series 2021 Bonds or portion thereof to be redeemed, plus accrued interest to the date of redemption.

4. The sale and award of the Series 2021 Bonds by an Authorized Commission Representative shall be evidenced by the execution of a Series Certificate and such Series Certificate shall be presented to the members of the Commission at the next regular meeting of the Commission following the sale and award of the Series 2021 Bonds as evidence of the terms and details of the sale of such Series 2021 Bonds.

5. Any Authorized Commission Representative is hereby authorized to select a Bond Insurer, if any, for the Series 2021 Bonds (provided that the Commission's financial advisor determines that the premium for the bond insurance will result in positive economic benefit and provided further such Authorized Commission Representative determines, in consultation with the Commission's financial advisor, that bond insurance for the Series 2021 Bonds is necessary and desirable in order to market the Series 2021 Bonds), to execute a commitment letter for the issuance of a Bond Insurance Policy by such Bond Insurer (or a certificate evidencing selection of the Bond Insurer), to carry out the Commission's obligations thereunder (including payment of the premium for the Bond Insurance Policy), and to accept terms and conditions relating to the Series 2021 Bonds required by the Bond Insurer as a condition to issuance of the Bond Insurance Policy and to incorporate such terms and conditions in the Series Certificate, as such Authorized Commission Representative deems necessary and appropriate with the advice of Bond Counsel.

6. The Series 2021 Bonds shall be dated, shall bear interest from their dated date payable on the dates and at the rates per annum, and shall mature on the dates and in each of the years and in the principal amounts as set forth in the Series Certificate.

7. TD Bank, National Association is hereby appointed Bond Registrar and Paying Agent for the Series 2021 Bonds.

8. The Series 2021 Bonds shall be issued in registered form in the Authorized Denominations and shall be numbered from one upward, preceded by the letter "R" prefixed to the number.

9. The proceeds, including accrued interest, if any, of the Series 2021 Bonds shall be paid to the Trustee and applied simultaneously with the initial issuance and delivery of the Series 2021 Bonds in accordance with an order of the Commission as follows:

(A) There shall be deposited in the Debt Service Fund, an amount, if any, equal to the interest accrued on the Series 2021 Bonds to the date of initial issuance and delivery of the Series 2021 Bonds;

(B) There shall be deposited in the Escrow Fund established under the Escrow Agreement, the amount necessary to effectuate the advance refunding and defeasance of the 2013 Refunded Bonds, and

(C) The balance of the proceeds of the Series 2021 Bonds shall be deposited in the Operating Fund and used to pay costs of issuing the Series 2021 Bonds.

10. Prior to delivery of any of the Series 2021 Bonds upon original issuance and notwithstanding anything to the contrary herein, any Authorized Commission Representative may, by execution of the Series Certificate evidencing same, modify or amend any of the terms or provisions of this First Supplemental Resolution in any respect or for any purpose without any further action by the members of the Commission; provided, however, that such modifications or amendments shall be approved by the Commission's Chairman or Vice Chairman in consultation with the Commission's Bond Counsel.

Section 5. Form of Series 2021 Bonds and Trustee's Certificate of Authentication. Subject to the provisions of the 2013 Resolution, the form of the Series 2021 Bonds and the Trustee's Certificate of Authentication shall be of substantially the following tenor:

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No. R-__

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
BURLINGTON COUNTY BRIDGE COMMISSION**

**LEASE REVENUE REFUNDING BOND
(BURLINGTON COUNTY SOLID WASTE PROJECT), SERIES 2021**

<u>DATED</u> <u>DATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>DATE OF</u> <u>AUTHENTICATION</u>	<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM</u>	<u>CUSIP</u> <u>NUMBER</u>
December1, 20__	October1, 20__	__December 20__	1, _____%	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:
(\$ _____)

DOLLARS

The BURLINGTON COUNTY BRIDGE COMMISSION (hereinafter called the "Commission"), a public body corporate and politic organized and existing under and by virtue of the laws of the State of New Jersey, acknowledges itself indebted and for value received hereby promises to pay to the REGISTERED OWNER stated above, or registered assigns, the PRINCIPAL SUM stated above, on the MATURITY DATE stated above or on the date fixed for redemption, as the case may be, together with interest on such PRINCIPAL SUM from the date of this Bond (as hereinafter defined) until the Commission's obligation with respect to the payment of such PRINCIPAL SUM shall be discharged, at the INTEREST RATE PER ANNUM stated above on _____ 1, 20____, and semiannually thereafter on the first days of _____ and _____. This Bond, as to principal, when due, will be payable at the principal corporate trust office of TD Bank, National Association (the "Trustee"). Interest on this Bond will be payable by check or draft which will be mailed or shall be by wire transfer to the REGISTERED OWNER hereof whose name shall appear on the registration books of the Commission which shall be kept and maintained by the Bond Registrar hereinafter mentioned, as determined on the fifteenth day of _____ and _____ (whether or not a Business Day) (each a "Record Date"); provided however, that a Registered Owner of \$1,000,000 or more in principal amount of Bonds shall be entitled, upon five (5) Business Days' written notice to the Trustee in advance of the applicable Record Date, to receive interest payments by wire transfer of immediately available funds. Payment of the principal of and interest on this Bond shall be made 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.

This Bond is one of the duly authorized issue of Refunding Bonds (as defined in the 2013 Resolution), each designated as "Lease Revenue Refunding Bonds (Burlington County Solid Waste Project), Series 2021" (the "Bonds" or "Series 2021 Bonds") of the Commission, limited to the aggregate principal amount of \$18,000,000 and authorized and issued under and pursuant to the Self-Liquidating Bridges Act, P.L. 1934, c.17, as amended and supplemented, and under and in accordance with a resolution of the Commission duly adopted August 13, 2013 entitled "Resolution of the Burlington County Bridge Commission Authorizing the Issuance of Lease Revenue Bonds (Burlington County Solid Waste Project)", as amended and supplemented by a Supplemental Resolution duly adopted October __, 2021 entitled "First Supplemental Bond Resolution of the Burlington County Bridge Commission Authorizing the Issuance of Lease Revenue Refunding Bonds (Burlington County Solid Waste Project), Series 2021" (collectively, the "2013 Resolution") and the Series Certificate executed in connection with the issuance thereof. Copies of the 2013 Resolution are on file in the office of the Commission in Palmyra, New Jersey and at the principal corporate trust office of the Trustee.

This Bond is a direct, limited and special obligation of the Commission payable from and secured by a lien on the Pledged Property of the Commission, as such term is

defined in the 2013 Resolution, and from any other moneys pledged therefor under the 2013 Resolution; provided, however, that the power and obligation of the Commission to cause application of such Pledged Property and other funds to the payment of the principal or Redemption Price of and the interest on the Bonds is subject to the terms of the 2013 Resolution.

The Bonds are issued in the form of registered bonds without coupons in book-entry form only in Authorized Denominations.

As defined in the 2013 Resolution, and for purposes of this Bond, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee, the Bond Registrar, the Commission or any Paying Agent is legally authorized to close. All other terms used herein which are not defined shall have the meanings ascribed to such terms in the 2013 Resolution.

The Bonds are not subject to redemption prior to maturity.

Pursuant to the 2013 Resolution, the Commission may hereafter issue additional Refunding Bonds for the purposes, in the amounts and on the conditions prescribed in the 2013 Resolution. All Bonds issued and to be issued under the 2013 Resolution, including the Outstanding Bonds (including the Outstanding Series 2013 Bonds and the Series 2021 Bonds), are and will be equally secured by the pledge of funds and Revenues provided in the 2013 Resolution except as otherwise provided in or pursuant to the 2013 Resolution.

To the extent and in the respects permitted by the 2013 Resolution, the provisions of the 2013 Resolution or any additional resolution amendatory thereof or supplemental thereto may be modified or amended by action taken on behalf of the Commission in the manner and subject to the conditions and exceptions which are set forth in the 2013 Resolution. The pledge of the Pledged Property and other obligations of the Commission under the terms of the 2013 Resolution may be discharged at or prior to the maturity or redemption of the Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the 2013 Resolution.

This Bond is transferable, as provided in the 2013 Resolution, only upon the registration books of the Commission which are kept and maintained for that purpose at the principal corporate trust office of TD Bank, National Association (the "Bond Registrar"), as registrar under the 2013 Resolution, or its successor as Bond Registrar, by the REGISTERED OWNER hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer which is satisfactory to the Bond Registrar and which is duly executed by the REGISTERED OWNER or by such duly authorized attorney, together with the required signature guarantee, and thereupon the Commission shall issue in the name of the transferee a new registered Series 2021 Bond or Series 2021 Bonds, of the same aggregate principal

amount and Series designation, maturity and interest rate as the surrendered Series 2021 Bond as provided in the 2013 Resolution, upon payment of the charges therein prescribed. The Commission, the Trustee, the Bond Registrar and any Paying Agent of the Commission may treat and consider the person in whose name this Series 2021 Bond is registered as the Holder and absolute owner of this Series 2021 Bond for the purpose of receiving payment of the principal or Redemption Price of and interest due thereon and for all other purposes whatsoever.

Reference to the 2013 Resolution and the Act is made for a description of the nature and extent of the security for the Bonds, the Pledged Property, the funds pledged for the payment thereof, the nature, manner and extent of the 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 upon which they may be issued thereunder, and a statement of the rights, duties, liabilities and obligations of the Commission and of the Trustee.

THE ACT PROVIDES THAT NEITHER THE MEMBERS OF THE COMMISSION NOR ANY PERSON EXECUTING THE BONDS SHALL BE LIABLE PERSONALLY ON THE BONDS BY REASON OF THE ISSUANCE THEREOF.

THE BONDS ARE NOT AND SHALL NOT BE IN ANY WAY A DEBT OR LIABILITY OF THE STATE OF NEW JERSEY OR ANY SUBDIVISION THEREOF OTHER THAN THE COMMISSION AND DO NOT AND SHALL NOT CREATE OR CONSTITUTE ANY INDEBTEDNESS, LIABILITY OR OBLIGATION OF SAID STATE, OR OF ANY SUBDIVISION OTHER THAN THE COMMISSION EITHER LEGAL, MORAL OR OTHERWISE. THE COMMISSION IS OBLIGATED TO PAY THE PRINCIPAL OR REDEMPTION PRICE OF, AND INTEREST ON THE BONDS FROM THE REVENUES AND FUNDS PLEDGED THERETO. NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE STATE OF NEW JERSEY OR ANY POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OR REDEMPTION PRICE OF OR INTEREST ON THE BONDS.

It is hereby certified and recited that all conditions, acts and things which are required by the Constitution or by the statutes of the State of New Jersey or by the 2013 Resolution to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that the Bonds, together with all other indebtedness of the Commission, are within every debt and other limit prescribed by said Constitution or statutes.

This Bond shall not be entitled to any security or benefit under the terms of the 2013 Resolution or be valid or obligatory for any purpose unless the Certificate of Authentication has been manually executed by the Trustee upon original issuance and thereafter by the Bond Registrar.

IN WITNESS WHEREOF, the BURLINGTON COUNTY BRIDGE COMMISSION

has caused this Bond to be signed in its name and on its behalf by the manual or facsimile signature of its Chairman and its corporate seal to be affixed, impressed or reproduced hereon, and this Bond and such seal to be attested by the manual or facsimile signature of its Secretary, all as of the DATED DATE set forth above.

BURLINGTON COUNTY
BRIDGE COMMISSION

ATTEST:

Secretary

By:

Chairman

[SEAL]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____

(PLEASE PRINT OR TYPE NAME, ADDRESS AND TAXPAYER IDENTIFICATION NO. OF ASSIGNEE) the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, as Attorney, to transfer the within Bond on the registration books of the Burlington County Bridge Commission with full power of substitution and revocation.

NOTICE: The signature to this assignment must correspond with the name of the registered owner hereof as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Dated: _____

SIGNATURE GUARANTY:

By: _____

NOTICE: Signature(s) must be

guaranteed by an approved eligible guarantor institution which is a participant in a Securities Transfer Association.

CERTIFICATE OF AUTHENTICATION

This Bond is one of the issue of Lease Revenue Refunding Bonds (Burlington County Solid Waste Project), Series 2021 of the Burlington County Bridge Commission, described and delivered pursuant to the within mentioned 2013 Resolution.

TD BANK, NATIONAL ASSOCIATION,
as Trustee and Registrar

By: _____
Authorized Signature

Section 6. Approval of Bond Purchase Contract. The Series 2021 Bonds shall be sold to the underwriter or underwriters named in the Bond Purchase Contract at the purchase price and on the terms and conditions set forth in the Bond Purchase Contract. The Authorized Commission Representatives be, and each of them hereby is, authorized on behalf of the Commission to approve and execute the Bond Purchase Contract, with the advice of Bond Counsel, and to deliver it to the underwriter or underwriters and each of said Authorized Commission Representatives is, and all other officers of the Commission are, hereby authorized and directed to carry out or cause to be carried out all obligations of the Commission under the Bond Purchase Contract and to take all action contemplated to be taken by the Commission pursuant to the terms of the Bond Purchase Contract. The execution and delivery of the Bond Purchase Contract shall be deemed to constitute approval by the Commission of the final terms and conditions of the Bond Purchase Contract.

Section 7. Approval of Preliminary Official Statement and Official Statement. The Commission's Bond Counsel, financial advisor and auditor and the underwriter or underwriters are hereby authorized to prepare and distribute a Preliminary Official Statement on behalf of the Commission in connection with the sale of the Series 2021 Bonds. The form and content of such Preliminary Official Statement shall, prior to the distribution thereof, be approved by the Commission, or by any Authorized Commission Representative, as the case may be, acting on behalf of the Commission. Subsequent to obtaining such approval, the Preliminary Official Statement may be revised, if necessary, and may contain additional terms and information relating to the sale of the Series 2021 Bonds; provided, however, that the form and content of such revised Preliminary Official Statement shall have been previously approved by the Commission, or by any Authorized Commission Representative, as the case may be, acting on behalf of the Commission, prior to the distribution thereof.

The Authorized Commission Representatives be, and each of them hereby is, authorized on behalf of the Commission to execute and deliver the final Official Statement with such changes, insertions and omissions as may be approved by the officer of the Commission executing the Official Statement, said execution being conclusive evidence of such approval, and any amendments or supplements to the Official Statement as may be necessary or desirable in order to comply with the provisions of the Bond Purchase Contract. After execution, the officer of the Commission executing the Official Statement is hereby authorized to deliver to the underwriter or underwriters an executed copy or copies of the Official Statement and any amendments or supplements thereto as required by the Bond Purchase Contract.

Section 8. Continuing Disclosure. In order to comply with Securities and Exchange Commission Rule 15c2-12, the Authorized Commission Representatives be, and each of them hereby is, authorized on behalf of the Commission to execute and deliver the Continuing Disclosure Agreement in substantially the form presented at this meeting with such changes, insertions and omissions as may be approved by the Authorized Commission Representative executing the Continuing Disclosure Agreement, said execution being conclusive evidence of such approval.

Section 9. Authorization of Other Officers of the Commission. The Chairman, Vice Chairman, Secretary, Executive Director and any other Authorized Commission Representative be, and each of them hereby is, authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by the 2013 Resolution, this First Supplemental Resolution, the First Amendment to Lease, the Escrow Agreement, the Preliminary Official Statement, the Official Statement and the Bond Purchase Contract and for the authorization, sale and issuance of the Series 2021 Bonds. The execution by such officers of any such documents with such changes, insertions or omissions as shall be approved by the Commission's Chairman or Vice Chairman in consultation with the Commission's Bond Counsel shall be conclusive evidence of the approval of such changes, insertions or omissions and no further ratification or other actions by the Commission members shall be required with respect thereto.

Section 10. Election to Redeem Callable 2013 Bonds. Pursuant to the provisions of Section 205 of the 2013 Resolution, the Commission hereby elects to redeem all or a portion of the Callable 2013 Bonds, on October 1, 2023 (the "Redemption Date"), at a Redemption Price equal to 100% of the principal amount thereof to be redeemed, together with accrued interest thereon.

Section 11. Notice of Redemption of 2013 Refunded Bonds. Pursuant to the provisions of Section 405 of the 2013 Resolution, notice of the redemption of the 2013 Refunded Bonds to be optionally redeemed shall be mailed by the Trustee, not less than thirty (30) days nor more than sixty (60) days prior to the Redemption Date, to the registered owners of the 2013 Refunded Bonds, at their last addresses appearing on the

registration books maintained by the Commission at the principal corporate trust office of the Trustee.

Section 12. Approval of Escrow Agreement. The Escrow Agreement, in substantially the form submitted to this meeting and made a part of this First Supplemental Resolution as though set forth in full herein, is hereby approved. The Authorized Commission Representatives be, and each of them hereby is, authorized on behalf of the Commission to execute and deliver the Escrow Agreement with such changes, insertions and omissions as may be approved by the Authorized Commission Representative executing the Escrow Agreement, said execution being conclusive evidence of such approval, and each of said Authorized Commission Representatives is, and all other officers of the Commission are, hereby authorized and directed to carry out or cause to be carried out all obligations of the Commission under the Escrow Agreement and to take all action contemplated to be taken by the Commission pursuant to the terms of the Escrow Agreement.

Section 13. Approval of First Amendment to Lease. The First Amendment to Lease, in substantially the form submitted to this meeting and made a part of this First Supplemental Resolution as though set forth in full herein, is hereby approved. The Authorized Commission Representatives be, and each of them hereby is, authorized on behalf of the Commission to execute and deliver the First Amendment to Lease with such changes, insertions and omissions as may be approved by the Authorized Commission Representative executing the First Amendment to Lease, said execution being conclusive evidence of such approval, and each of said Authorized Commission Representatives is, and all other officers of the Commission are, hereby authorized and directed to carry out or cause to be carried out all obligations of the Commission under the First Amendment to Lease and to take all action contemplated to be taken by the Commission pursuant to the terms of the First Amendment to Lease.

Section 14. Resolution to Remain in Effect. Save and except as supplemented and amended by this First Supplemental Resolution, the Original Bond Resolution shall remain in full force and effect.

Section 15. Effective Date. This First Supplemental Resolution shall take effect upon the filing with the Trustee and the County of a copy of this First Supplemental Resolution certified by an Authorized Commission Representative, and upon the written consent of the County.

Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-67

**RESOLUTION AWARDING A CONTRACT TO KONICA
MINOLTA FOR THE PROCUREMENT OF CAPTURE,
PROCESS, MANAGEMENT, STORAGE AND
PRESERVATION OF RECORDS SERVICES**

WHEREAS, pursuant to N.J.S.A. 52:34-6.2b(3), and as authorized by the New Jersey Department of Community Affairs pursuant to Local Finance Notice No. 2012-10, local contracting units such as the Burlington County Bridge Commission ("Commission") may purchase goods and services without formal bidding by entering into a contract with a nationally-recognized and accepted cooperative, which is located within the State of New Jersey or in another state, and who has developed an appropriate cooperative purchasing agreement to provide goods and services to interested purchasers; and

WHEREAS, Sourcewell, a regional organization of governments operating under the laws of the State of Minnesota, and which is a political subdivision of the State of Minnesota, is one such cooperative; and

WHEREAS, the Commission follows retention procedures for the preservation of Commission records, and the Commission has determined that procurement of capture, process, management, storage and preservation of records services through a national cooperative such as Sourcewell will result in cost savings, after all factors, including charges for service, materials, and delivery, have been considered, and that it is otherwise advantageous to the Commission; and

WHEREAS, the Commission is aware that the Sourcewell cooperative has awarded a contract to Konica Minolta ("Konica Minolta") to provide services described under Contract #090320-KON for capture, process, management, storage and preservation of records services through the above-referenced cooperative, and whose sales services are available to the Commission pursuant to a cooperative purchasing agreement; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission, as follows:

1. A contract for the purchase of capture, process, management, storage, and preservation of records services be and is hereby awarded to Konica Minolta, pursuant to the Sourcewell cooperative, without public bidding, and as permitted by law.
2. The Executive Director is hereby authorized and directed to execute an appropriate Agreement and any other forms necessary for the fulfilment of this contract

with Konica Minolta, consistent with the terms of this Resolution and subject to the approval of the Commission's Solicitor.

Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-68

**RESOLUTION AWARDING A CONTRACT FOR 2021
FACILITY INSPECTIONS INCLUDING MECHANICAL,
ELECTRICAL AND PLUMBING COMPONENTS TO TRI-
STATE ARCHITECTS**

WHEREAS, the Burlington County Bridge Commission ("Commission") requires the services of an engineering firm with expertise in facilities inspection services including mechanical, electrical and plumbing components; and

WHEREAS, by way of a fair and open process authorized by N.J.S.A. 19:44A-20.4 et seq., and upon receipt and review of a proposal submitted in response to the Commission's RFP for specialized engineering services, pursuant to Resolution No. 2020-79 the Commission determined that Tri-State Architects, PC ("Tri-State") was qualified to serve the Commission, and

WHEREAS, the Commission also determined that Tri-State submitted a proposal that provided favorable contract terms and conditions for the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The Executive Director and Secretary of the Commission are hereby authorized to execute an Agreement with Tri-State for the performance of 2021 facility inspections including mechanical, electrical and plumbing components for the Commission.

2. This contract is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.

3. The amount of the contract shall not exceed One Hundred and Twenty Thousand Dollars (\$120,000.00), and the contract shall extend for the period from October 19, 2021 to and until the project is completed.

Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-69

**RESOLUTION AMENDING THE CONTRACT WITH
REMINGTON AND VERNICK FOR ENGINEERING
CONSULTING SERVICES RELATED TO THE
COMMISSION'S 2020 BRIDGE INSPECTION REPORT
AND THE PRIORITY RANKING OF ELECTRICAL REPAIR
AND MAINTENANCE PROJECTS**

WHEREAS, the Burlington County Bridge Commission ("Commission") has determined that it requires the services of a consulting engineer with expertise needed for the provision of engineering consulting services needed for the preparation of the Commission's 2020 Bridge Inspection Report and the priority ranking of electrical repair and maintenance projects; and

WHEREAS, pursuant to Resolution No. 2021-26 the Commission entered into a contract with Remington and Vernick ("R&V") to provide these professional engineering services; and

WHEREAS, the Commission has determined that it is necessary to increase the appropriation for R&V's continued services on current projects by an additional sum of Ten Thousand Dollars (\$10,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The terms, conditions and duties outlined in Resolution No. 2021-26 appointing R&V are incorporated herein by reference, and for the reasons hereinabove expressed, an additional sum of Ten Thousand Dollars (\$10,000.00) be and hereby is appropriated to pay the fees, expenses and costs pursuant to the existing contract between the Commission and R&V.

2. Sufficient funds are available for payment of those services as evidenced by the Certificate of Availability of Funds, attached hereto.

3. Notice of adoption of this Resolution shall be published in the Burlington County Times, as required by law.

Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-70

**RESOLUTION AWARDING A CONTRACT TO REMINGTON
AND VERNICK FOR TOLL BUILDING CASH ROOM DOOR
AND WINDOWS REPLACEMENT, ENGINEERING
CONSTRUCTION MANAGEMENT AND INSPECTION
SERVICES**

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires the services of an engineering firm with expertise needed for construction management/inspection services for the toll building cash room door and windows replacement; and

WHEREAS, by way of a fair and open process authorized by N.J.S.A. 19:44A-20.4 et seq., and upon receipt and review of a proposal submitted in response to the Commission’s RFP for specialized engineering services, pursuant to Resolution No. 2020-78 the Commission determined that the Remington Vernick firm (“R&V”) was qualified to serve the Commission, and

WHEREAS, the Commission also determined that R&V submitted a price proposal for specialized engineering services that provided favorable contract terms and conditions for the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The Executive Director and Secretary of the Commission are hereby authorized to execute an Agreement with R&V for engineering consulting services needed for construction management/inspection services for the toll building cash room door and windows replacement.

2. This contract is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.

3. The amount of the contract shall not exceed Twenty Thousand Dollars (\$20,000.00), and the contract shall extend for the time period from March 1, 2021 to and until the completion of work on the project.

Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-71

**RESOLUTION AMENDING THE CONTRACT WITH
REMINGTON AND VERNICK FOR THE DESIGN OF THE
TACONY-PALMYRA BRIDGE CONSOLE REPLACEMENT
AND REWIRING PROJECT**

WHEREAS, the Burlington County Bridge Commission (“Commission”) has determined that it requires the services of a consulting engineer with expertise for the design of the console replacement and rewiring project for the Tacony-Palmyra Bridge; and

WHEREAS, pursuant to Resolution No. 2021-25 the Commission entered into a contract with Remington and Vernick (“R&V”) to provide these professional engineering services; and

WHEREAS, the Commission has determined that it is necessary to increase the appropriation for R&V’s continued services on current projects by an additional sum of One Hundred and Fifty Thousand Dollars (\$150,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The terms, conditions and duties outlined in Resolution No. 2021-25 appointing R&V are incorporated herein by reference, and for the reasons hereinabove expressed, an additional sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) be and hereby is appropriated to pay the fees, expenses and costs pursuant to the existing contract between the Commission and R&V.

2. Sufficient funds are available for payment of those services as evidenced by the Certificate of Availability of Funds, attached hereto.

3. Notice of adoption of this Resolution shall be published in the Burlington County Times, as required by law.

Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

HUMAN RESOURCES

Director Constance Borman reported on the following personnel issues for Commission approval:

PROBATION – Requires Commission Approval

		<u>Effective</u>
Glen K. McManus, Sr.	Maintenance Foreman	09/14/2021
Kenneth M. Lallo	Maintenance Foreman	09/14/2021
Frederick M. Gabriele	Maintenance Foreman	09/14/2021
Kai R. Ash	Toll Auditor	09/22/2021

TRANSFER - Requires Commission Approval

		<u>Effective</u>
Gary Beaver	Police to Maintenance	11/01/2021

Chairman Riggins requested to approve by block. Vice-Chairwoman Nunes moved to approve. Commissioner Comegno seconded the motion. The motion passed unanimously.

OLD BUSINESS

Chairman Riggins called for any old business to come before the Commission.

NEW BUSINESS

Chairman Riggins called for any new business to come before the Commission.

PUBLIC COMMENT

Chairman Riggins called for any additional public comment to come before the Commission.

Chairman Riggins asked for any further business to come before the Commission. Hearing none, Vice-Chairwoman Nunes moved to adjourn the meeting. Commissioner Comegno seconded the motion. The motion passed unanimously.

Respectfully submitted,



Kathleen M. Wiseman
Secretary