

BURLINGTON COUNTY BRIDGE COMMISSION
MEETING MINUTES
SEPTEMBER 20, 2022

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 17, 2021 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 Latham Tiver

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
Rob Wells, Director, Economic Development &
Regional Planning
Sascha Harding, Director of Engineering
Michael McCarron,
Director of Tolls and Tower Operations
Ronald Cesaretti, Director/IT & ETC
Jay Springer, Jr., Manager, Burlington-Bristol Bridge
Stephanie Brandt, Accounting Manager
Geneva Rijs, Assistant Director, HR
Kathleen Hanuscin, Senior Administrative Assistant

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

APPROVAL OF MINUTES

Vice-Chairwoman Nunes moved to approve the minutes of the August 9, 2022 Commission Meeting. Commissioner Tiver seconded the motion. The motion passed unanimously.

DISBURSEMENTS LIST

Vice-Chairwoman Nunes moved to approve disbursements made from August 10, 2022 through September 20, 2022 as included in the list as presented. Commissioner Tiver seconded the motion. The motion passed with the following abstentions:

Commissioner Tiver abstained from Voucher Numbers 22-00816, 22-00767 and 22-00800.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Andl asked the Commission to consider the following resolutions. Chairman Riggins suggested that they move Resolutions 2022-67 through 2022-75 by block. For those resolutions, Vice-Chairwoman Nunes moved to approve. Commissioner Tiver seconded the motion. The motion passed unanimously.

The Commission considered the following resolutions:

RESOLUTION NO. 2022-67

RESOLUTION ADOPTING THE 2023 BUDGET FOR THE FISCAL YEAR PERIOD: OCTOBER 1, 2022 TO SEPTEMBER 30, 2023

WHEREAS, the Annual Budget and Capital Budget Program for the Burlington County Bridge Commission ("Commission") for the fiscal year period beginning October 1, 2022 and ending September 30, 2023 has been presented for adoption before the governing body of the Commission at its meeting of August 9, 2022; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$40,002,580 and Total Appropriations of \$40,002,580; and

WHEREAS, the Capital Budget Program as presented for adoption reflects Total Capital Appropriations of \$18,050,000 and Total Unrestricted Net Position planned to be utilized as funding thereof of \$18,050,000; and

WHEREAS, Resolution 2022-62 anticipated that the Commission would consider the Annual Budget and Capital Budget for Adoption on August 9, 2022 which such date is effectively substituted with this date, September 20, 2022; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Commission, at an open public meeting held on September 20, 2022, that the Annual Budget and Capital Budget Program of the Commission for the fiscal year period beginning October 1, 2022 and ending September 30, 2023, is hereby adopted and shall constitute an appropriation for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Kathleen M. Wiseman, Secretary

(date)

Recorded Vote

Member	Aye	Nay	Abstain	Absent
Matthew J. Riggins	x			
Sandra Nunes	x			
Latham Tiver	x			

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

RESOLUTION NO. 2022-68

**RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF
COMMISSION'S AUDIT FOR THE YEAR ENDING SEPTEMBER
30, 2021**

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report of the Burlington County Bridge Commission

("Commission") for the fiscal year ending September 30, 2021, has been completed and filed with the Commission pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual report of audit, and specifically the section entitled "Schedule of Findings and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual report of audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "Schedule of Findings and Recommendations", in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Burlington County Bridge Commission, County of Burlington, hereby certifies to the Local Finance Board of the State of New Jersey that each Commission board member has personally reviewed the annual report of audit for the year ended September 30, 2021 and specifically has reviewed the sections of the report of audit entitled "Schedule of Findings and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED, that the secretary of the Bridge Commission is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by certified true copy of this Resolution.

IT IS HEREBY CERTIFIED that this
is a true copy of the Resolution adopted
at the Bridge Commission meeting held on
September 20, 2022.

Kathleen M. Wiseman, Secretary

LOCAL AUTHORITIES
GROUP AFFIDAVIT FORM

PRESCRIBED BY

THE NEW JERSEY LOCAL FINANCE BOARD

AUDIT REVIEW CERTIFICATE

We, the members of the governing body of the BURLINGTON COUNTY BRIDGE COMMISSION being of full age and being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the BURLINGTON COUNTY BRIDGE COMMISSION.

2. We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended September 30, 2021, and specifically the sections of the audit report entitled Reportable Conditions and Other Findings.

(PRINT NAME)

(SIGNATURE)

Chairman Matthew J. Riggins

Vice-Chairman Sandra Nunes

Commissioner Latham Tiver

SWORN to and subscribed before me

this 20th day of September, 2022.

Notary Public of New Jersey

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

RESOLUTION NO. 2022-69

**RESOLUTION AWARDING A CONTRACT FOR DEICING
PRODUCT WITH CORROSION/SCALING INHIBITORS (BCBC-
202208) TO CARGILL, INC.**

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires a vendor to provide deicing product with corrosion/scaling inhibitors for use in inclement weather; and

WHEREAS, bids for a contract to procure the required product were received and opened by the Purchasing Agent on August 31, 2022; and

WHEREAS, the only responsive bid received for this solicitation was from Cargill, Inc. (“Cargill”), in the amount of Two Hundred Fifty-Nine Dollars and Seventy-Three Cents (\$259.73) per ton, and it has been determined that Cargill’s product meets all technical characteristics and criteria of the required product; and

WHEREAS, the maximum amount of this contract shall be Two Hundred Fifty-Nine Thousand Seven Hundred Thirty Dollars (\$259,730.00), and sufficient funds are available for payment for this commodity as evidenced by the Certificate of Availability of Funds, attached hereto.

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

1. The Commission hereby awards a contract for Deicing Product with Corrosion/Scaling Inhibitors (BCBC-202208) to Cargill, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with Cargill.

2. The maximum amount of this contract shall not exceed Two Hundred Fifty-Nine Thousand Seven Hundred Thirty Dollars (\$259,730.00) for deicing product with corrosion/scaling inhibitors provided in accordance with the awarded contract.

3. The contract shall extend from September 1, 2022 to and until August 31, 2023.

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

RESOLUTION NO. 2022-70

BURLINGTON COUNTY BRIDGE COMMISSION

SUPPLEMENTAL RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AUTHORIZING THE ISSUANCE OF LEASE REVENUE NOTES, SERIES 2022 C-1 AND SUPPLEMENTING THE COMMISSION'S RESOLUTION ENTITLED "RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS OR NOTES (2015 GOVERNMENTAL LEASING PROGRAM), SERIES 2017, DULY ADOPTED ON SEPTEMBER 18, 2017

BACKGROUND

WHEREAS, the Burlington County Bridge Commission (the "Commission") was created by a resolution adopted by the Board of Chosen Freeholders of the County of Burlington, New Jersey (the "County") pursuant to Self-Liquidating Bridges Act of the State of New Jersey, constituting Article 2 of Chapter 17 of the Pamphlet Laws of 1934, as amended and supplemented (the "Act"); and

WHEREAS, the Commission has the authority to issue notes pursuant to Resolution 2017-84 of the Commission entitled "Resolution of the Burlington County Bridge Commission Authorizing the Issuance of Lease Revenue Bonds or Notes (2015 Governmental Leasing Program) Series 2017", adopted September 18, 2017, as the same may be further amended and supplemented (collectively, the "Bond Resolution"); and

WHEREAS, the Bond Resolution authorized the Commission to issue not-to-exceed \$45,430,737 in Lease Revenue Bonds or Notes for the purpose of temporarily financing a portion of the costs the County's 2015 Capital Budget consisting of the construction of various infrastructure improvements (collectively, the "Improvements") and acquisition and installation of various items of capital equipment (collectively, the "Equipment" and together with the Improvements, the "2015 Capital Program"); and

WHEREAS, on December 13, 2017, the Commission issued its \$12,000,000 Lease Revenue Notes, Series 2017C-1, maturing on December 12, 2018 (as described further below, the "Series 2017C-1 Notes") for the purpose of (i) financing \$12,000,000 in costs of construction of the Improvements and acquisition and installation of items of Equipment (the "2017C-1 Capital Program") and (ii) paying the costs and expenses associated with the issuance of the Series 2017C-1 Notes (the "2017C-1 Project"), and

to secure the Series 2017C-1 Notes, the Commission and the County will execute (x) an Improvement Lease and Agreement, to be dated December 13, 2017 (the "2017-1 Improvement Lease and (y) an Equipment Lease and Agreement, to be dated December 13, 2017 (the "2017-1 Equipment Lease" (the 2017-1 Improvement Lease and the 2017-1 Equipment Lease are hereinafter collectively referred to as the "2017-1 Leases"); and

WHEREAS, the Series 2017C-1 Notes matured on December 12, 2018; and

WHEREAS, at the direction of the County, on November 27, 2018, the Commission issued \$12,000,000 principal amount of Project Notes (Governmental Leasing Program), Series 2018C-1 (the "Series 2018C-1 Notes") to refinance the maturing principal of the Series 2017C-1 Notes; and

WHEREAS, the Series 2018C-1 Notes mature on November 26, 2019; and

WHEREAS, at the direction of the County, on the date hereof, the Commission is selling \$25,000,000 principal amount of Project Notes (Governmental Leasing Program), Series 2019C-1 (the "Series 2019C-1 Notes") for the purpose of: (i) refunding in full the Commission's \$12,000,000 Lease Revenue Notes (2018C-1 Governmental Leasing Program), Series 2018C-1 at maturity; (ii) temporarily financing \$13,000,000 of additional costs associated with the 2015 County Capital Program Improvements and Equipment; and (iii) paying costs and expenses associated with the issuance of the 2019C-1 Notes (collectively, the "2019C-1 Note Project"); and

WHEREAS, in connection with the issuance of the Series 2019C-1 Notes, the Commission and the County desire to further amend certain provisions of the 2017-1 Leases to reflect the results of the sale of the 2019C-1 Notes; and

WHEREAS, the 2019C-1 Notes matured on November 22, 2020; and

WHEREAS, at the direction of the County, the Commission sold it's \$11,665,000 of Lease Revenue Notes (Governmental Leasing Program), Series 2020C-1 (the "Series 2020 C-1 Notes) for the purpose of: (i) refunding a portion of the Commission's 2019C-1 Note at maturity; and (ii) paying costs and expenses associated with the issuance of the 2020 C-1 Bonds; and

WHEREAS, in connection with the issuance of the Series 2020 C-1 Notes, the Commission and the County further amended certain provisions of the 2017-1 Leases to reflect the results of the sale of the Series 2020 C-1 Notes; and

WHEREAS, the 2020 C-1 Notes matured on November 11, 2021; and

WHEREAS, at the direction of the County, the Commission sold it's \$11,665,000 of Lease Revenue Notes (Governmental Leasing Program), Series 2021C-1 (the "Series 2021 C-1 Notes) for the purpose of: (i) refunding a portion of the Commission's 2020 C-

1 Note at maturity; and (ii) paying costs and expenses associated with the issuance of the 2021 C-1 Notes; and

WHEREAS, in connection with the issuance of the Series 2020 C-1 Notes, the Commission and the County further amended certain provisions of the 2017-1 Leases to reflect the results of the sale of the Series 2021 C-1 Notes; and

WHEREAS, the 2021 C-1 Notes will mature on November 10, 2022; and

WHEREAS, at the direction of the County, the Commission will sell not to exceed \$12,000,000 of Lease Revenue Notes (Governmental Leasing Program), Series 2022 C-1 (the "Series 2022 C-1 Notes) for the purpose of: (i) refunding a portion of the Commission's 2021C-1 Note at maturity; and (ii) paying costs and expenses associated with the issuance of the 2022 C-1 Notes; and

WHEREAS, in connection with the issuance of the Series 2022 C-1 Notes, the Commission and the County will further amend certain provisions of the 2017-1 Leases to reflect the results of the sale of the Series 2022C-1 Notes; and

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

ARTICLE I DEFINITIONS AND INTERPRETATION

Section 101. Short Title. This supplemental resolution may hereinafter be cited by the Commission, and is hereinafter sometimes referred to, as "2022 C-1 Supplemental Note Resolution".

Section 102. Authorization for 2022 C-1 Supplemental Note Resolution. This 2022 C-1 Supplemental Note Resolution further supplements the Resolution, and is authorized by, and is adopted pursuant to, the provisions of the Act and Sections 1101 of the Resolution.

Section 103. Certain Definitions. Capitalized terms used but not specifically defined herein and in the recitals hereto shall, unless the context clearly requires otherwise, have the meanings that are ascribed to such terms in the Resolution.

ARTICLE II AUTHORIZATION OF SERIES 2022 C-1 Notes

Section 201. Authorization of Series 2022 C-1 Notes. Pursuant to and in accordance with the provisions of Section 201 of the Resolution, the Commission hereby authorizes the issuance of a series of Lease Revenue Notes, in an aggregate principal amount not to exceed \$12,000,000, in order to pay: (i) the costs of refinancing the \$11,655,000 principal amount of the Series 2021 C-1 Notes; and (ii) paying the costs of issuance relating to the Series 2022 C-1 Notes. The Series 2022 C-1 Notes shall be designated "Lease Revenue Notes (2015 Governmental Leasing Program), Series 2022 C-1."

Section 202. Terms of Series 2022 C-1 Notes. (a) The Series 2022 C-1 Notes shall be dated their date of issuance, shall mature and shall bear interest at such rate of interest per annum as shall be determined by the Series Certificate delivered prior to the authentication and delivery upon original issuance of the Series 2022 C-1 Notes. The Series Certificate may contain such other terms and provisions with respect to the Series 2022 C-1 Notes that are not established by the terms of the Resolution or by the terms hereof and that are not inconsistent with the provisions thereof and hereof.

(b) The Series 2022 C-1 Notes shall be issued in fully registered form in the par amount of the Series 2022 C-1 Notes. Unless the Commission shall otherwise direct the Registrar, the Series 2022 C-1 Notes shall be lettered and numbered R-1 and/or such other letter or letters as determined by the Trustee prefixed to the number. Subject to the provisions of this 2022 C-1 Supplemental Note Resolution, the form of the Series 2022 C-1 Notes and the Trustee's certificate of authentication shall be substantially in the form set forth in Sections 1401 and 1402 of the Resolution.

(c) The Series 2022 C-1 Notes shall be dated, and shall bear interest from the dated date thereof as shall be established in the Series Certificate, except as otherwise provided in Section 301 of the Resolution. The Series 2022 C-1 Notes shall mature on the date and in the Principal Amount, and shall bear interest payable on the Note Payment Date at the rate per annum set forth in the Series Certificate relating thereto.

Section 203. Application of Proceeds of Series 2022 C-1 Notes. The proceeds from the sale of the Series 2022 C-1 Notes shall be applied by the Trustee, upon receipt, in the manner set forth in Section 201 hereof and as may be further set forth in the Series Certificate.

Section 204. Sale of Series 2022 C-1 Notes. (a) Pursuant to and in accordance with the terms of the Resolution, as further amended and supplemented by this 2022 C-1 Supplemental Note Resolution, the Commission hereby determines that the Authorized Commission Representatives are authorized to sell and to award the Series 2022 C-1 Notes on behalf of the Commission to the purchaser thereof, including the power to determine, among other things, (a) the amount of the Series 2022 C-1 Notes to be issued, in an amount not-to-exceed the amount of the Series 2022 C-1 Notes that are authorized to be issued pursuant to the terms of Section 201 hereof, (b) the time and manner of sale of the Series 2022 C-1 Notes, (c) the maturity date of the Series 2022 C-1 Notes (subject to the limitations contained below and in Section 202 hereof) and the provisions pertaining to redemption, if any, of the Series 2022 C-1 Notes, (d) the rate of interest for the Series 2022 C-1 Notes, and (e) such other terms and conditions as may be necessary or related to the sale of the Series 2022 C-1 Notes, and the Authorized Commission Representatives are hereby authorized to determine the details of and execute a contract of purchase or other similar document, if any, in connection with the sale of the Series 2022 C-1 Notes (the "Purchase Contract"). The Authorized Commission Representatives are hereby authorized to award the Series 2022 C-1 Notes to the purchaser or purchasers thereof. Such award shall be evidenced by the execution of a Purchase Contract and a Series Certificate.

(b) The Purchase Contract, if any, and the Series Certificate shall determine the terms and conditions relating to the sale of the Series 2022 C-1 Notes, including the maturity date for the Series 2022 C-1 Notes, the rate of interest to be borne by the Series 2022 C-1 Notes and the Underwriter's discount, if any, that is payable to the Underwriter in connection with the sale of the Series 2022 C-1 Notes; provided, however, that without the further authorization of the Commission, the final maturity date for the Series 2022 C-1 Notes shall be not later than one year from the Date of Issue, the rate of interest (or the net interest rate in the event that the Series 2022 C-1 Notes are issued as fixed interest rate obligations) or the initial rate of interest (in the event the Series 2022 C-1 Notes bear interest at a variable rate of interest), as the case may be, to be borne by the Series 2022 C-1 Notes shall not exceed four percent (4.00%) per annum, and the Underwriter's discount for the Series 2022 C-1 Notes shall not exceed \$2.50 per \$1,000 principal amount of the Series 2022 C-1 Notes. The Purchase Contract and the Series Certificate shall contain such other terms and conditions as shall be deemed necessary in connection with the sale of the Series 2022 C-1 Notes.

(c) Any Authorized Commission Representative is also authorized to accept terms and conditions relating to the Series 2022 C-1 Notes required as a condition to the issuance thereof and to make such necessary changes in this 2022 C-1 Supplemental Note Resolution to reflect such terms and conditions as such Authorized Commission Representative deems necessary and appropriate with the advice of Bond Counsel and to set forth such provisions in the Series Certificate.

(d) The sale and award of the Series 2022 C-1 Notes by the Authorized Commission Representatives shall be evidenced by the execution of the Purchase

Contract and the Series Certificate as of the date of the sale and award of the Series 2022 C-1 Notes, and the Series Certificate shall be presented to the members of the Commission at the next regular meeting of the Commission following such sale and award as evidence of the terms and details of the sale of the Series 2022 C-1 Notes.

(e) The Commission's Bond Counsel and Financial Advisor and the Underwriter are hereby authorized to prepare and distribute a Preliminary Official Statement on behalf of the Commission in connection with the sale of the Series 2022 C-1 Notes. 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 2022 C-1 Notes, the Series 2018A Notes and the Series 2018 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.

(f) The Chairman or the Vice Chairman of the Commission is each hereby authorized to execute the final Official Statement and such officers, including the Chairman or the Vice Chairman, the Executive Director, the Secretary, the Treasurer and any other Authorized Commission Representative, shall execute any closing documents which are required to be executed in connection with the delivery of the Series 2022 C-1 Notes. Any actions which are not determined by this 2022 C-1 Supplemental Note Resolution or any other resolution of the Commission duly adopted prior to the authentication and delivery of the Series 2022 C-1 Notes shall be determined by an Authorized Commission Representative.

(g) The Chairman, Vice Chairman, Secretary 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 this 2018B Note Supplemental Resolution, the Leases (as further amended by the Sixth Amendments to the Leases), the Preliminary Official Statement, the Official Statement and the Purchase Contract and for the authorization, sale and issuance of the Series 2022 C-1 Notes. 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 205. Amendments to Leases. (a) The Sixth Amendment to Improvement Lease, substantially in the form set forth on the draft on file with the

Commission's Executive Director and General Counsel, together with such changes as may be required for such amendment to be effective in the opinion of General Counsel, is hereby approved. An Authorized Commission Representative is hereby authorized to execute the same on behalf of the Commission and the Secretary is hereby directed to seal and attest this document. Upon due execution by the Commission and the County, Exhibit A and Exhibit B of the Improvement Lease Agreement are hereby deleted in their entirety and replaced by Exhibit A and Exhibit B attached to the Sixth Amendment to Improvement Lease, and all references in the Improvement Lease Agreement to Exhibit A or Exhibit B shall be references to Exhibit A or Exhibit B, respectively, attached to the Sixth Amendment to Improvement Lease. The Exhibits to the Sixth Amendment to the Improvement Lease shall exist and coincide with the exhibits attached to the Fourth Amendment to the Improvement Lease executed in connection with the issuance by the Commission of its Lease Revenue Bonds, Series 2020C-1.

(b) The Sixth Amendment to Equipment Lease, substantially in the form set forth on the draft on file with the Commission's Executive Director and General Counsel, together with such changes as may be required for such amendment to be effective in the opinion of General Counsel, is hereby approved. An Authorized Commission Representative is hereby authorized to execute the same on behalf of the Commission and the Secretary is hereby directed to seal and attest this document. Upon due execution by the Commission and the County, Exhibit A of the Equipment Lease Agreement is hereby deleted in its entirety and replaced by Exhibit A attached to the Sixth Amendment to Equipment Lease, and all references in the Equipment Lease Agreement to Exhibit A shall be references to Exhibit A attached to the Sixth Amendment to Equipment Lease. The Exhibits to the Sixth Amendment to the Equipment Lease shall exist and coincide with the exhibits attached to the Fourth Amendment to the Equipment Lease executed in connection with the issuance by the Commission of its Lease Revenue Bonds, Series 2020C-1.

ARTICLE III MISCELLANEOUS

Section 301. Supplemental Resolutions; Amendment of 2022 C-1 Supplemental Note Resolution. At any time or from time to time, a Supplemental Resolution of the Commission may be adopted for the purpose of further supplementing or amending the Resolution or amending or supplementing this 2022 C-1 Supplemental Note Resolution, in each case upon the terms and conditions set forth in Article XI of the Resolution. Notwithstanding the foregoing, the authorization of the issuance and sale of any of the Series 2022 C-1 Notes may be modified or rescinded at any time prior to the issuance or sale thereof by resolution duly adopted by the Commission.

Section 302. Severability of Invalid Provisions. If any one or more of the provisions, covenants or agreements in this 2022 C-1 Supplemental Note Resolution on the part of the Commission or any fiduciary to be performed should be contrary to law,

then such provision or provisions, covenant or covenants, or agreement or agreements shall be deemed separable from the remaining provisions, covenants and agreements and shall in no way affect the validity of the other provisions of this 2022 C-1 Supplemental Note Resolution or of the Series 2022 C-1 Notes.

Section 303. Successors and Assigns. Whenever in this 2022 C-1 Supplemental Note Resolution the Commission is named or referred to, it shall, and shall be deemed to, include its successors and assigns, whether so expressed or not. All of the covenants, stipulations, obligations and agreements by or on behalf of, and other provisions for the benefit of, the Commission contained in this 2022 C-1 Supplemental Note Resolution shall bind and inure to the benefit of such successors and assigns and of any officer, board, commission, authority, agent or instrumentality to whom or to which there shall be transferred by or in accordance with law any right, power or duty of the Commission or of its successors or assigns, the possession of which is necessary or appropriate in order to comply with any such covenants, stipulations, obligations, agreements or other provisions of this 2022 C-1 Supplemental Note Resolution.

Section 304. No Recourse on Series 2022 C-1 Notes. No recourse shall be had for the payment of the principal or redemption price of or interest on the Series 2022 C-1 Notes or for any claim based thereon or on the Resolution or this 2022 C-1 Supplemental Note Resolution against any member, commissioner or other officer of the Commission or any person executing the Series 2022 C-1 Notes. The Series 2022 C-1 Notes are not and shall not be in any way a debt or liability of the State or of any political subdivision thereof (other than the Commission, to the limited extent set forth in the Resolution and this 2022 C-1 Supplemental Note Resolution, and the County, to the extent set forth in the Leases (as further amended by the Sixth Amendments to the Leases)), and do not and shall not create or constitute any indebtedness, liability or obligation of the State or of any political subdivision thereof (other than the Commission, to the limited extent set forth in the Resolution and this 2022 C-1 Supplemental Note Resolution, and the County, to the extent set forth in the Leases (as further amended by the Sixth Amendment to the Lease Agreements)), either legal, moral or otherwise. The Commission has no taxing power.

Section 305. Incorporation of Resolution by Reference. All other provisions of the Resolution, as heretofore amended and supplemented, are incorporated by this reference, as if the same were set forth in full herein, and such provisions shall remain in full force and effect.

Section 306. 2022 C-1 Supplemental Note Resolution to Constitute a Contract; Governing Law. This 2022 C-1 Supplemental Note Resolution shall be deemed to be a contract made under the laws of the State, and for all purposes shall be construed in accordance with the laws of the State.

Section 307. Effective Date. In accordance with the terms of Section 1101 of the Resolution, this 2022 C-1 Supplemental Note Resolution shall be fully effective in accordance with its terms upon the filing with the Trustee of a copy of this 2022 C-1 Supplemental Note Resolution, certified by an Authorized Commission Representative.

RECORDED VOTE

AYES:

ABSTAIN:

Matthew Riggins
Sandra Nunes
Latham Tiver

NAYES:

ABSENT:

The foregoing is a true copy of a resolution adopted by the governing body of the BURLINGTON COUNTY BRIDGE COMMISSION at a meeting thereof duly called and held on September 20, 2022.

Kathleen M. Wiseman, Secretary

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

RESOLUTION NO. 2022-71

BURLINGTON COUNTY BRIDGE COMMISSION

SUPPLEMENTAL RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AUTHORIZING THE ISSUANCE OF LEASE REVENUE NOTES, SERIES 2022 C-2 AND SUPPLEMENTING THE COMMISSION'S RESOLUTION ENTITLED "RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS OR NOTES (2017 GOVERNMENTAL LEASING PROGRAM), SERIES 2017, DULY ADOPTED ON SEPTEMBER 18, 2017

BACKGROUND

WHEREAS, the Burlington County Bridge Commission (the "Commission") was created by a resolution adopted by the Board of Chosen Freeholders of the County of Burlington, New Jersey (the "County") pursuant to Self-Liquidating Bridges Act of the State of New Jersey, constituting Article 2 of Chapter 17 of the Pamphlet Laws of 1934, as amended and supplemented (the "Act"); and

WHEREAS, the Commission has the authority to issue notes pursuant to Resolution 2017-85 of the Commission entitled "Resolution of the Burlington County Bridge Commission Authorizing the Issuance of Lease Revenue Bonds or Notes (2017 Governmental Leasing Program) Series 2017", adopted September 18, 2017, as the same may be further amended and supplemented (collectively, the "2017-2 Bond Resolution"); and

WHEREAS, the 2017-2 Bond Resolution authorized the Commission to issue not-to-exceed \$84,913,100 in Lease Revenue Bonds or Notes for the purpose of temporarily financing a portion of the costs the County's 2017 Capital Budget consisting of the construction of various infrastructure improvements (collectively, the "Improvements") and acquisition and installation of various items of capital equipment (collectively, the "Equipment" and together with the Improvements, the "2017 Capital Program"); and

WHEREAS, on December 13, 2017, the Commission issued its \$8,000,000 Lease Revenue Notes, Series 2017C-2, maturing on December 12, 2018 (as described further below, the "Series 2017C-2 Notes") for the purpose of (i) financing \$8,000,000 in costs of construction of the Improvements and acquisition and installation of items of Equipment (the "2017C-2 Capital Program") and (ii) paying the costs and expenses associated with the issuance of the Series 2017C-2 Notes (the "2017C-2 Project"), and to secure the Series 2017C-2 Notes, the Commission and the County will execute (x) an Improvement Lease and Agreement, to be dated December 13, 2017 (the "2017-2 Improvement Lease and Agreement") and (y) an Equipment Lease and Agreement, to be dated December 13, 2017 (the "2017-2 Equipment Lease and Agreement") (the 2017-2 Improvement Lease and the 2017-2 Equipment Lease are hereinafter collectively referred to as the "2017-2 Leases"); and

WHEREAS, the Series 2017C-2 Notes matured on December 12, 2018; and

WHEREAS, at the direction of the County, the Commission sold its \$18,000,000 principal amount of Project Notes (Governmental Leasing Program), Series 2018C-2 (the "Series 2018C-2 Notes") to refinance the maturing principal of the Series 2017C-2 Notes and fund an additional \$10,000,000 in capital projects set forth in the 2017C-2 Capital Program; and

WHEREAS, in connection with the issuance of the Series 2018C-2 Notes, the Commission and the County amended certain provisions of the 2017-2 Leases to reflect

the results of the sale of the 2018C-2 Notes; and

WHEREAS, the 2018C-2 Note matured on November 26, 2019; and

WHEREAS, at the direction of the County, the Commission sold its \$55,000,000 principal amount of Project Notes (Governmental Leasing Program), Series 2019C-2 (the "Series 2019C-2 Notes") for the purpose of: (i) refunding in full the Commission's 2018C-2 at maturity; (ii) temporarily financing \$37,000,000 of additional costs associated with the 2017 County Capital Program Improvements and Equipment; and (iii) paying costs and expenses associated with the issuance of the 2019C-2 Notes; and

WHEREAS, in connection with the issuance of the Series 2019C-2 Notes, the Commission and the County further amended certain provisions of the 2017-2 Leases to reflect the results of the sale of the 2019C-2 Notes; and

WHEREAS, the 2019C-2 Notes matured on November 22, 2020; and

WHEREAS, at the direction of the County, the Commission sold the Commission's \$45,340,000 Series 2020 C-2 Notes (the "Series 2020 C-2 Notes") for the purpose of: (i) refunding a portion of the Commission's 2019C-2 Note at maturity; (ii) funding an additional \$7,000,000 in additional capital improvements and equipment (the 2020 C-2 Capital Plan) and (iii) paying costs and expenses associated with the issuance of the 2020 C-2 Notes; and

WHEREAS, in connection with the issuance of the Series 2020 C-2 Notes, the Commission and the County further amended certain provisions of the 2017-2 Leases to reflect the results of the sale of the Series 2021 C-2 Notes; and

WHEREAS, the 2020 C-2 Notes matured on November 11, 2021; and

WHEREAS, at the direction of the County, the Commission sold the Commission's \$45,340,000 Series 2021 C-2 Notes (the "Series 2021 C-2 Notes") for the purpose of: (i) refunding a portion of the Commission's 2020C-2 Note at maturity; and (ii) paying costs and expenses associated with the issuance of the 2021 C-2 Notes; and

WHEREAS, in connection with the issuance of the Series 2020 C-2 Notes, the Commission and the County further amended certain provisions of the 2017-2 Leases to reflect the results of the sale of the Series 2021 C-2 Notes; and

WHEREAS, the 2021 C-2 Notes will mature on November 10, 2022; and

WHEREAS, at the direction of the County, the Commission will sell not to exceed \$46,100,000 of Lease Revenue Notes (Governmental Leasing Program), Series 2022 C-2 (the "Series 2022 C-2 Notes") for the purpose of: (i) refunding the Commission's 2021 C-2 Note at maturity; and (ii) paying costs and expenses associated with the issuance of

the 2022 C-2 Notes; and

WHEREAS, in connection with the issuance of the Series 2022 C-2 Notes, the Commission and the County will further amend certain provisions of the 2017-2 Leases to reflect the results of the sale of the Series 2022 C-2 Notes; and

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

**ARTICLE I
DEFINITIONS AND INTERPRETATION**

Section 101. Short Title. This supplemental resolution may hereinafter be cited by the Commission, and is hereinafter sometimes referred to, as "2022 C-2 Supplemental Note Resolution".

Section 102. Authorization for 2022 C-2 Supplemental Note Resolution. This 2022 C-2 Supplemental Note Resolution further supplements the Resolution, and is authorized by, and is adopted pursuant to, the provisions of the Act and Sections 1101 of the Resolution.

Section 103. Certain Definitions. Capitalized terms used but not specifically defined herein and in the recitals hereto shall, unless the context clearly requires otherwise, have the meanings that are ascribed to such terms in the Resolution.

**ARTICLE II
AUTHORIZATION OF SERIES 2022 C-2 NOTES**

Section 201. Authorization of Series 2022 C-2 Notes. Pursuant to and in accordance with the provisions of Section 201 of the Resolution, the Commission hereby authorizes the issuance of a series of Lease Revenue Notes, in an aggregate principal amount not-to-exceed \$46,100,000, in order to pay: (i) the costs of refinancing a portion of the Series 2022 C-2 Notes; and (ii) paying the costs of issuance relating to the Series 2010 C-2 Notes. The Series 2022 C-2 Notes shall be designated "Lease Revenue Notes (2017 Governmental Leasing Program), Series 2022 C-2."

Section 202. Terms of Series 2022 C-2 Notes. (a) The Series 2022 C-2 Notes shall be dated their date of issuance, shall mature and shall bear interest at such rate of interest per annum as shall be determined by the Series Certificate delivered prior to the authentication and delivery upon original issuance of the Series 2022 C-2 Notes. The Series Certificate may contain such other terms and provisions with respect to the Series 2022 C-2 Notes that are not established by the terms of the Resolution or by the terms hereof and that are not inconsistent with the provisions thereof and hereof.

(b) The Series 2022 C-2 Notes shall be issued in fully registered form in the par amount of the Series 2022 C-2 Notes. Unless the Commission shall otherwise direct the Registrar, the Series 2022 C-2 Notes shall be lettered and numbered R-1 and/or such other letter or letters as determined by the Trustee prefixed to the number. Subject to the provisions of this 2022 C-2 Supplemental Note Resolution, the form of the Series 2022 C-2 Notes and the Trustee's certificate of authentication shall be substantially in the form set forth in Sections 1401 and 1402 of the Resolution.

(c) The Series 2022 C-2 Notes shall be dated, and shall bear interest from the dated date thereof as shall be established in the Series Certificate, except as otherwise provided in Section 301 of the Resolution. The Series 2022 C-2 Notes shall mature on the date and in the Principal Amount, and shall bear interest payable on the Note Payment Date at the rate per annum set forth in the Series Certificate relating thereto.

Section 203. Application of Proceeds of Series 2022 C-2 Notes. The proceeds from the sale of the Series 2022 C-2 Notes shall be applied by the Trustee, upon receipt, in the manner set forth in Section 201 hereof and as may be further set forth in the Series Certificate.

Section 204. Sale of Series 2022 C-2 Notes. (a) Pursuant to and in accordance with the terms of the Resolution, as further amended and supplemented by this 2020 Supplemental Bond Resolution, the Commission hereby determines that the Authorized Commission Representatives are authorized to sell and to award the Series 2022 C-2 Notes on behalf of the Commission to the purchaser thereof, including the power to determine, among other things, (a) the amount of the Series 2022 C-2 Notes to be issued, in an amount not-to-exceed the amount of the Series 2022 C-2 Notes that are authorized to be issued pursuant to the terms of Section 201 hereof, (b) the time and manner of sale of the Series 2022 C-2 Notes, (c) the maturity date of the Series 2022 C-2 Notes (subject to the limitations contained below and in Section 202 hereof) and the provisions pertaining to redemption, if any, of the Series 2022 C-2 Notes, (d) the rate of interest for the Series 2022 C-2 Notes, and (e) such other terms and conditions as may be necessary or related to the sale of the Series 2022 C-2 Notes, and the Authorized Commission Representatives are hereby authorized to determine the details of and execute a contract of purchase or other similar document, if any, in connection with the sale of the Series 2022 C-2 Notes (the "Purchase Contract"). The Authorized Commission Representatives are hereby authorized to award the Series 2022 C-2 Notes to the purchaser or purchasers thereof. Such award shall be evidenced by the execution of a Purchase Contract and a Series Certificate.

(b) The Purchase Contract, if any, and the Series Certificate shall determine the terms and conditions relating to the sale of the Series 2022 C-2 Notes, including the maturity date for the Series 2022 C-2 Notes, the rate of interest to be borne by the Series 2022 C-2 Notes and the Underwriter's discount, if any, that is payable to the Underwriter in connection with the sale of the Series 2022 C-2 Notes; provided, however, that without the further authorization of the Commission, the final maturity date for the Series 2022 C-2 Notes shall be not later than one year from the Date of Issue, the rate of interest (or the net interest rate in the event that the Series 2022 C-2 Notes are issued as fixed interest rate obligations) or the initial rate of interest (in the event the Series 2022 C-2 Notes bear interest at a variable rate of interest), as the case may be, to be borne by the Series 2022 C-2 Notes shall not exceed four percent (4.00%) per annum, and the Underwriter's discount for the Series 2022 C-2 Notes shall not exceed \$2.50 per \$1,000 principal amount of the Series 2022 C-2 Notes. The Purchase Contract and the Series Certificate shall contain such other terms and conditions as shall be deemed necessary in connection with the sale of the Series 2022 C-2 Notes.

(c) Any Authorized Commission Representative is also authorized to accept terms and conditions relating to the Series 2022 C-2 Notes required as a condition to the issuance thereof and to make such necessary changes in this 2022 C-2 Supplemental Note Resolution to reflect such terms and conditions as such Authorized Commission Representative deems necessary and appropriate with the advice of Bond Counsel and to set forth such provisions in the Series Certificate.

(d) The sale and award of the Series 2022 C-2 Notes by the Authorized Commission Representatives shall be evidenced by the execution of the Purchase Contract and the Series Certificate as of the date of the sale and award of the Series 2022 C-2 Notes, and the Series Certificate shall be presented to the members of the Commission at the next regular meeting of the Commission following such sale and award as evidence of the terms and details of the sale of the Series 2022 C-2 Notes.

(e) The Commission's Bond Counsel and Financial Advisor and the Underwriter are hereby authorized to prepare and distribute a Preliminary Official Statement on behalf of the Commission in connection with the sale of the Series 2022 C-2 Notes. 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 2022 C-2 Notes, the Series 2018A Notes and the Series 2018 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.

(f) The Chairman or the Vice Chairman of the Commission is each hereby

authorized to execute the final Official Statement and such officers, including the Chairman or the Vice Chairman, the Executive Director, the Secretary, the Treasurer and any other Authorized Commission Representative, shall execute any closing documents which are required to be executed in connection with the delivery of the Series 2022 C-2 Notes. Any actions which are not determined by this 2022 C-2 Supplemental Note Resolution or any other resolution of the Commission duly adopted prior to the authentication and delivery of the Series 2022 C-2 Notes shall be determined by an Authorized Commission Representative.

(g) The Chairman, Vice Chairman, Secretary 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 this 2018B Note Supplemental Resolution, the Leases (as further amended by the Sixth Amendments to the Leases), the Preliminary Official Statement, the Official Statement and the Purchase Contract and for the authorization, sale and issuance of the Series 2022 C-2 Notes. 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 205. Amendments to Leases. (a) The Sixth Amendments to Improvement Lease, substantially in the form set forth on the draft on file with the Commission's Executive Director and General Counsel, together with such changes as may be required for such amendment to be effective in the opinion of General Counsel, is hereby approved. An Authorized Commission Representative is hereby authorized to execute the same on behalf of the Commission and the Secretary is hereby directed to seal and attest this document. Upon due execution by the Commission and the County, Exhibit A and Exhibit B of the Improvement Lease Agreement are hereby deleted in their entirety and replaced by Exhibit A and Exhibit B attached to the Sixth Amendment to Improvement Lease, and all references in the Improvement Lease Agreement to Exhibit A or Exhibit B shall be references to Exhibit A or Exhibit B, respectively, attached to the Sixth Amendment to Improvement Lease. The Exhibits to the Sixth Amendment to the Improvement Lease shall exist and coincide with the exhibits attached to the Fourth Amendment to the Improvement Lease executed in connection with the issuance by the Commission of its Lease Revenue Bonds, Series 2020 C-2.

(b) The Sixth Amendment to Equipment Lease, substantially in the form set forth on the draft on file with the Commission's Executive Director and General Counsel, together with such changes as may be required for such amendment to be effective in the opinion of General Counsel, is hereby approved. An Authorized Commission Representative is hereby authorized to execute the same on behalf of the Commission

and the Secretary is hereby directed to seal and attest this document. Upon due execution by the Commission and the County, Exhibit A of the Equipment Lease Agreement is hereby deleted in its entirety and replaced by Exhibit A attached to the Sixth Amendment to Equipment Lease, and all references in the Equipment Lease Agreement to Exhibit A shall be references to Exhibit A attached to the Sixth Amendment to Equipment Lease. The Exhibits to the Sixth Amendment to the Equipment Lease shall exist and coincide with the exhibits attached to the Fourth Amendment to the Equipment Lease executed in connection with the issuance by the Commission of its Lease Revenue Bonds, Series 2020 C-2.

ARTICLE III MISCELLANEOUS

Section 301. Supplemental Resolutions; Amendment of 2022 C-2 Supplemental Note Resolution. At any time or from time to time, a Supplemental Resolution of the Commission may be adopted for the purpose of further supplementing or amending the Resolution or amending or supplementing this 2022 C-2 Supplemental Note Resolution, in each case upon the terms and conditions set forth in Article XI of the Resolution. Notwithstanding the foregoing, the authorization of the issuance and sale of any of the Series 2022 C-2 Notes may be modified or rescinded at any time prior to the issuance or sale thereof by resolution duly adopted by the Commission.

Section 302. Severability of Invalid Provisions. If any one or more of the provisions, covenants or agreements in this 2022 C-2 Supplemental Note Resolution on the part of the Commission or any fiduciary to be performed should be contrary to law, then such provision or provisions, covenant or covenants, or agreement or agreements shall be deemed separable from the remaining provisions, covenants and agreements and shall in no way affect the validity of the other provisions of this 2022 C-2 Supplemental Note Resolution or of the Series 2022 C-2 Notes.

Section 303. Successors and Assigns. Whenever in this 2022 C-2 Supplemental Note Resolution the Commission is named or referred to, it shall, and shall be deemed to, include its successors and assigns, whether so expressed or not. All of the covenants, stipulations, obligations and agreements by or on behalf of, and other provisions for the benefit of, the Commission contained in this 2022 C-2 Supplemental Note Resolution shall bind and inure to the benefit of such successors and assigns and of any officer, board, commission, authority, agent or instrumentality to whom or to which there shall be transferred by or in accordance with law any right, power or duty of the Commission or of its successors or assigns, the possession of which is necessary or appropriate in order to comply with any such covenants, stipulations, obligations, agreements or other provisions of this 2022 C-2 Supplemental Note Resolution.

Section 304. No Recourse on Series 2022 C-2 Notes. No recourse shall be had for the payment of the principal or redemption price of or interest on the Series 2022 C-2 Notes or for any claim based thereon or on the Resolution or this 2022 C-2 Supplemental

Note Resolution against any member, commissioner or other officer of the Commission or any person executing the Series 2022 C-2 Notes. The Series 2022 C-2 Notes are not and shall not be in any way a debt or liability of the State or of any political subdivision thereof (other than the Commission, to the limited extent set forth in the Resolution and this 2022 C-2 Supplemental Note Resolution, and the County, to the extent set forth in the Leases (as further amended by the Sixth Amendments to the Leases)), and do not and shall not create or constitute any indebtedness, liability or obligation of the State or of any political subdivision thereof (other than the Commission, to the limited extent set forth in the Resolution and this 2022 C-2 Supplemental Note Resolution, and the County, to the extent set forth in the Leases (as further amended by the Sixth Amendment to the Lease Agreements)), either legal, moral or otherwise. The Commission has no taxing power.

Section 305. Incorporation of Resolution by Reference. All other provisions of the Resolution, as heretofore amended and supplemented, are incorporated by this reference, as if the same were set forth in full herein, and such provisions shall remain in full force and effect.

Section 306. 2022 C-2 Supplemental Note Resolution to Constitute a Contract; Governing Law. This 2022 C-2 Supplemental Note Resolution shall be deemed to be a contract made under the laws of the State, and for all purposes shall be construed in accordance with the laws of the State.

Section 307. Effective Date. In accordance with the terms of Section 1101 of the Resolution, this 2022 C-2 Supplemental Note Resolution shall be fully effective in accordance with its terms upon the filing with the Trustee of a copy of this 2022 C-2 Supplemental Note Resolution, certified by an Authorized Commission Representative.

RECORDED VOTE

AYES:

ABSTAIN:

Matthew Riggins
Sandra Nunes
Latham Tiver

NAYES:

ABSENT:

The foregoing is a true copy of a resolution adopted by the governing body of the BURLINGTON COUNTY BRIDGE COMMISSION at a meeting thereof duly called and held on September 20, 2022.

Kathleen M. Wiseman, Secretary

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

RESOLUTION NO. 2022-72

**RESOLUTION AWARDING THE ANNUAL CONTRACT
FOR MAINTENANCE OF BRIDGES, EQUIPMENT AND
OTHER FACILITIES TO A. P. CONSTRUCTION, INC.**

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires a contractor to provide for the regular maintenance of the Commission’s bridges, equipment and other facilities; and

WHEREAS, bids were solicited by the Purchasing Agent for a contract entitled “Maintenance of Bridges, Equipment and Other Facilities (BCBC-202206)” for the period ending September 30, 2023 pursuant to N.J.S.A. 40A:11-15(6); and accepted and opened said bids on September 7, 2022; and

WHEREAS, the Commission is satisfied that A. P. Construction, Inc. (“A.P.”) was the lowest of two bidders and has submitted a satisfactory and responsive bid, and has the required knowledge and expertise to perform such services; and

WHEREAS, the maximum amount of this contract shall be One Million, Four Hundred and Sixty Thousand, Five Hundred and Seventy-One Dollars and Sixty Cents (\$1,460,571.60); and

WHEREAS, sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached hereto; and

WHEREAS, the Purchasing Agent and the Resident Engineer have reviewed and made recommendations for the award of the contract, and A.P. has indicated that it will honor the bid prices submitted on September 7, 2022.

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

1. The Commission hereby awards the annual maintenance contract to A.P., and the Executive Director and the Secretary of the Bridge Commission are hereby authorized to execute a contract with A.P.

2. The maximum amount of this contract shall not exceed One Million, Four Hundred and Sixty Thousand, Five Hundred and Seventy-One Dollars and Sixty Cents (\$1,460,571.60), and the contract shall extend for the period October 1, 2022 to September 30, 2023.

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

RESOLUTION NO. 2022-73

**RESOLUTION AMENDING CONTRACT WITH IEW FOR
MAINTENANCE REPAIRS OF ELECTRICAL EQUIPMENT
AND SYSTEMS TO IEW CONSTRUCTION GROUP, INC.**

WHEREAS, pursuant to Resolution 2021-55, the Commission entered into a contract with IEW Construction Group, Inc. ("IEW") to provide for the maintenance and repairs of electrical equipment and systems of the Commission's bridges, equipment and other facilities; and

WHEREAS, bids were solicited by the Commission for a contract (the "Contract") entitled "Maintenance and Repairs of Electrical Equipment and Systems (BCBC-202105)" for the period ending September 30, 2022; and

WHEREAS, in anticipation of the conclusion of the Contract, bids were solicited for maintenance and repairs of electrical equipment and systems of the Commission's bridges, equipment and other facilities for the period ending September 30, 2023, however, no bids were received; and

WHEREAS, the Commission has determined that it is necessary to have maintenance and repairs of electrical equipment and systems of the Commission's bridges, equipment and other facilities services available for the safe operation of the bridges and desires to extend the Contract with IEW to provide time to issue a second solicitation for bids.

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

1. The terms, conditions and duties outlined in Resolution 2022-55, and the contract executed pursuant thereto, are incorporated herein by reference, and for the reasons herein above expressed, the required additional services are hereby authorized, and an additional sum of Six Hundred Thousand Dollars (\$600,000.00) be and hereby is appropriated and the contract shall extend as approved for one month, with an option to extend for two additional months as shall be evaluated, determined and approved by the Executive Director after consult with the Director of Engineering.

2. The total maximum extension period authorized by this Resolution if each monthly extension is authorized and approved as set forth herein shall be December 31, 2022.

3. Sufficient funds are available for payment for the above services provided under the contract, as evidenced by the Certificate of Availability of Funds, attached.

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

RESOLUTION NO. 2022-74

RESOLUTION AWARDING A CONTRACT TO REMINGTON AND VERNICK FOR DESIGN OF TACONY-PALMYRA BRIDGE REPLACEMENT SWITCHES

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires the services of an engineering firm with expertise to provide design services for the Tacony-Palmyra Bridge replacement switches; 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, which they have identified as Task 25, that provided favorable contract terms and conditions for the Commission; and

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 design of Tacony-Palmyra Bridge replacement switches.

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 Forty-Three Thousand Nine Hundred Dollars (\$43,900.00), and the contract shall extend for the time period from June 1, 2022 until the project is completed.

Vice-Chairwoman Nunes moved to approve. Commissioner Tiver seconded the

motion. The motion passed unanimously.

RESOLUTION NO. 2022-75

**RESOLUTION AWARDING A CONTRACT TO REMINGTON
AND VERNICK FOR PREPARATION OF AS-BUILT
DRAWINGS FOR THE TACONY-PALMYRA BRIDGE
MOVEABLE SPAN CONTROLS**

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires the services of an engineering firm with expertise to provide as-built drawings for the Tacony-Palmyra Bridge moveable span controls; 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, which they have identified as Task 26, that provided favorable contract terms and conditions for the Commission; and

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 the Tacony-Palmyra Bridge as-built drawings for the Tacony-Palmyra Bridge moveable span controls.
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-Five Thousand Five Hundred and Sixty Dollars (\$25,560.00), and the contract shall extend for the time period from August 1, 2022 until the project is completed.

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

HUMAN RESOURCES

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

<u>PROMOTION – Requires Commission Approval</u>	<u>Effective</u>
Frederick M. Gabriele Director of Maintenance	09/19/2022
<u>PROBATION – Requires Commission Approval</u>	<u>Effective</u>
Michael J. Sapp, Sr. F/T Police	08/23/2022
<u>RESIGNATIONS – Requires Commission Approval</u>	<u>Effective</u>
Paul L. Schnabel F/T Tolls	08/22/2022
Robert A. Chatman P/T Tolls	09/02/2022

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

OLD BUSINESS

Chairman Riggins called for any old business to come before the Commission. There was no old business reported to the Commission.

NEW BUSINESS

Chairman Riggins called for any new business to come before the Commission. There was no new business reported to the Commission.

PUBLIC COMMENT

Chairman Riggins called for any public comment to come before the Commission. The Commission received no public comment, and the Chairman closed the public comment portion of the meeting accordingly.

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

Respectfully submitted,


Kathleen M. Wiseman
Secretary