Ord. #9-2015

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $3,965,993 THEREFOR AND AUTHORIZING THE ISSUANCE OF $3,723,898 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Mount Olive, in the County of Morris, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $3,965,993, including a $46,100 Community Development Block Grant (the "Grant") for the purpose in Section 3(k)(3) and further including the aggregate sum of $195,995 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets. The amount of the down payment appropriated is 5% of

the $3,919,893 in costs of the improvements which are not to be funded by the above referenced Grant.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of $3,723,898 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
a) Budd Lake Rescue Squad: The acquisition of automated external defibrillators, rescue equipment, backboards, a hydrolic pump, and personal protective equipment, including all related costs and expenditures incidental thereto.	$71,000	$67,450	15 years
b) Office of Emergency Management/Fire Prevention: The acquisition of radios, including all related costs and expenditures incidental thereto.	$235,000	$223,250	10 years

c) <u>Flanders Rescue Squad</u>: The acquisition of portable CO detectors, radio/pager equipment, a pulse oximeter, and blood pressure cuff, rescue struts and rescue gloves, including all related costs and expenditures incidental thereto.	$26,000	$24,700	10 years
<u>d) Flanders Fire Company:</u> The acquisition of self-contained breathing apparatus, personal protective equipment, radios and electronic devices, including all related costs and expenditures incidental thereto.	$126,000	$119,700	10 years
<u>e) Budd Lake Fire Department</u>: Self-contained breathing apparatus, mask, bottle and pack upgrades, upgrades to portable radios and the acquisition of portable radios and alert pagers, including all related costs and expenditures incidental thereto.	$192,000	$182,400	10 years
<u>f) Engineering:</u> The installation of accessible pedestrian signals for International Drive/Continental Drive, including all work and materials necessary therefor and incidental thereto.	$20,000	$19,000	10 years
g) <u>Police Department:</u> 1) The acquisition of utility vehicles, including all related costs and expenditures incidental thereto.	$135,000	$128,250	5 years
2) The acquisition of ipads/tablets, including all related costs and expenditures incidental thereto.	$6,000	$5,700	5 years

3) The acquisition of a digital fingerprint system, in-car digital videos, and solar radar signs, including all related costs and expenditure incidental thereto.	$80,500	$76,475	10 years
h) <u>Information Technology:</u> 1) The acquisition of a server, mobile data computers, Dell Kace 1000, a police server, a DVD backup robot, a color printer and the installation of wi-fi throughout the building, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	$81,965	$77,867	5 years
2) The acquisition of workstations, digital video systems, proximity reader and cameras, and a Flanders Park surveillance system, including all related costs and expenditures incidental thereto.	$57,428	$54,556	10 years
i) <u>Buildings and Grounds:</u> 1) The acquisition of utility carts, including all related costs and expenditures incidental thereto.	$40,000	$38,000	5 years
2) The acquisition of a generator for Town Hall and heaters for the Department of Public Works Garage, including all related costs and expenditures incidental thereto.	$295,000	$280,250	15 years

j) <u>2015 Final Capital Program</u>: The acquisition of asphalt and an air conditioning unit and improvements to Turkey Brook Maintenance Building, including all related costs and expenditures incidental thereto.	$382,000	$362,900	10 years
2) Turkey Brook fence repair, the installation of Turkey Brook concrete/splash pad and the acquisition of a bobcat for the Department of Public Works, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto and	$690,000	655,500	15 years
k) <u>Department of Public Works:</u> 1) The acquisition of a vehicle for the Building Department, minibuses, a sports utility vehicle for Animal Control, a pickup truck with plow and a dump truck, including all related costs and expenditures incidental thereto.	$452,000	$429,400	5 years
2) Road resurfacing, all as set forth on a list on file in the Office of the Clerk, and sidewalk repairs, including all work and materials necessary therefor and incidental thereto.	$375,000	356,250	10 years
3) Drainage improvements to Budd Avenue, including all work and materials necessary therefor and incidental thereto.	$46,100 (includes a $46,100 Community Development Block Grant)	0	N/A

4) The acquisition of an automotive lift, garage doors, diagnostic equipment, a mid-size excavator, and a skidsteerer bobcat, including all related costs and expenditures incidental thereto.	$250,000	$237,500	15 years
I) Sanitation 1) The acquisition of a pickup truck with plow, including all related costs and expenditures incidental thereto.	$40,000	$38,000	5 years
2) The acquisition of a front end loader, a roadside mower, a flatbed/sander for rolloff and a skidsteerer, including all related costs and expenditures incidental thereto.	$365,000	$346,750	15 years
Total:	$3,965,993	$3,723,898	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose, except for Section 3(k)(3) which includes the Grant.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes

issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost

thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.16 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $3,723,898, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $712,200 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

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

improvements or, if other than the Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ATTEST:

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Joseph Nicastro, Council President

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Lisa M. Lashway,
Mount Olive Township Clerk