

ORDINANCE NO. 3408
INTRODUCED BY: COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: DECEMBER 4, 2018
PUBLISHED: DECEMBER 6, 2018
PUBLIC HEARING: DECEMBER 18, 2018 /ADOPTED DECEMBER 20, 2018
PUBLISHED: DECEMBER 27, 2018

ORDINANCE NO. 3408

BOND ORDINANCE APPROPRIATING \$1,670,000, AND AUTHORIZING THE ISSUANCE OF \$1,586,500 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

- The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of Nutley, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum, except as described in Section 3(i) hereof, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,670,000 including the aggregate sum of \$83,500 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.
- For the financing of said improvements or purposes and to meet the part of said \$1,670,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,586,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,586,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.
- The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS <u>AND</u> NOTES</u>
(a) Improvement of municipally-owned properties and facilities in and by the Township, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as	\$305,000	\$290,400

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shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(b) Acquisition by purchase of new and additional vehicular and other equipment for use by the Parks Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

121,500	115,000
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(c) Improvement of municipal parks and playgrounds in and by the Township, together with all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

243,500	231,900
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(d) Improvement of De Mauro Park in and by the Township, by renovation of the track thereof, together with all equipment, structures, landscaping, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

183,000	174,200
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(e) Improvement of municipally-owned properties and facilities in and by the Township, including by the upgrade of the heating, ventilation and air conditioning system at the Parks and Recreation Building, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications

146,000	139,000
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therefor on file or to be filed in the office of the Township Clerk and hereby approved

(f) Acquisition by purchase of new computer equipment for use by various departments of the Township, together with equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

	60,500	57,000
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(g) Acquisition by purchase of a new street sweeper for use by the Department of Public Works of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

	121,500	115,000
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(h) Acquisition by purchase of new and additional vehicular and other equipment for use by the Department of Public Works of the Township, together with all accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

	60,500	57,000
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(i) Acquisition by purchase of new and additional fire-fighting equipment for the preservation of life and property in the Township, including one (1) pumper truck for use by the Fire Department of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$243,500 hereby appropriated therefor being a partial appropriation therefor

	243,500	231,000
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and the total cost thereof is estimated to be approximately \$500,000

(j) Acquisition by purchase of new personal protective equipment for use by the Fire Department of the Township, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	14,500	13,800
(k) Acquisition by purchase of new communication equipment for use by the Fire Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	109,500	104,200
(l) Acquisition by purchase of new equipment for use by the Police Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	30,500	29,000
(m) Acquisition by purchase of new license plate readers for use by the Police Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>30,500</u>	<u>29,000</u>
Totals	\$1,670,000	\$1,586,500

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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 said down payment for said purpose.

- The following additional matters are hereby determined, declared, recited and stated:
- The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.42 years.
- The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township 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, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,586,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- Amounts not exceeding \$300,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.
- All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The 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 the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the 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 dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such

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report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

- The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.
- The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.
- This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X Via Phone	X Via Phone	X	X Via Phone	X Via Phone
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					