

Ord.#14-2018 Bond Ordinance Amending In Its Entirety Bond Ordinance #8-2017 of the Township of Mount Olive, in the County of Morris, New Jersey Providing for Various Capital Improvements, Finally Adopted February 28, 2017, to Include Additional Projects, to Decrease the Appropriation and Authorization Amounts, to Increase the Down Payment and to Delete References to the State of New Jersey Department of Transportation Grant from the Local Aid Infrastructure Fund.

CLERK:

Delivered to Mayor:

Date: 4/11/2018

Time: 9:00am

Signed: _____

Township Clerk
Michelle Masser

MAYOR:

Action by Mayor: _____

Approved: ☒ _____

Date: 4/11/2018

Vetoed: ☐ _____

Date: _____

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: _____

Mayor

CLERK:

Returned: _____

Date: _____

Time: 9:10 AM

Not returned with in (10) days

Date: _____

Signed: _____

Township Clerk

ORD.#14-2018

BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND
ORDINANCE #8-2017 OF THE TOWNSHIP OF MOUNT
OLIVE, IN THE COUNTY OF MORRIS, NEW JERSEY
PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS,
FINALLY ADOPTED FEBRUARY 28, 2017, TO INCLUDE
ADDITIONAL PROJECTS, TO DECREASE THE
APPROPRIATION AND AUTHORIZATION AMOUNTS, TO
INCREASE THE DOWN PAYMENT AND TO DELETE
REFERENCES TO THE STATE OF NEW JERSEY
DEPARTMENT OF TRANSPORTION GRANT FROM THE
LOCAL AID INFRASTRUCTURE FUND.

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 One. Bond ordinance numbered #8-17 of the Township of Mount Olive, in the
County of Morris, New Jersey (the "Township"), finally adopted February 28, 2017 ("Bond
Ordinance #8-17") is hereby amended and restated in its entirety to read as follows:

"BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE TOWNSHIP OF MOUNT
OLIVE, IN THE COUNTY OF MORRIS, NEW JERSEY,
APPROPRIATING \$4,928,108 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$4,647,498 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 \$4,928,108, including a \$36,320 Community Development Block Grant (the "CDBG") for the purpose in Section 3(m)(v) and further including the aggregate sum of \$244,290 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.

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 CDBG referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,647,498 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:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Budd Lake Rescue Squad:</u>			
(i) The acquisition of an ambulance, including all related costs and expenditures incidental thereto.	\$215,000	\$204,250	5 years
(ii) The acquisition of general rescue equipment, including all related costs and expenditures incidental thereto.	<u>\$35,000</u>	<u>\$33,250</u>	15 years
TOTAL:	<u>\$250,000</u>	<u>\$237,500</u>	
b) <u>Office of Emergency Management/Fire Prevention:</u>			
The acquisition of radios and radio upgrades, including all related costs and expenditures incidental thereto.	\$100,000	\$95,000	10 years
c) <u>Municipal Court:</u>			
The replacement of a recording system, including all related costs and expenditures incidental hereto.	\$3,359	\$3,191	10 years
d) <u>Engineering Department:</u>			
Improvements to International Drive North, International Drive North and South road resurfacing and general Township road resurfacing, including all work and materials necessary therefor and incidental thereto.	\$425,000	\$403,750	10 years
e) <u>Flanders Rescue Squad:</u>			
(i) The acquisition of an ambulance, including all related costs and expenditures incidental thereto.	\$100,000	\$95,000	5 years

(ii) The acquisition of radio/pager equipment, including all related costs and expenditures incidental thereto.	\$5,000	\$4,750	10 years
(iii) The acquisition of general rescue equipment, including all related costs and expenditures incidental thereto.	<u>\$10,000</u>	<u>\$9,500</u>	15 years
TOTAL:	<u>\$115,000</u>	<u>\$109,250</u>	

f) Flanders Fire Company:

(i) The replacement of a special services truck, including all related costs and expenditures incidental thereto.	\$70,000	\$66,500	5 years
(ii) The acquisition of various electrical devices, including radios, thermal and meters, including all related costs and expenditures incidental thereto.	\$20,000	\$19,000	10 years
(iii) The installation of a system to remove exhaust and the acquisition of general rescue equipment, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	<u>\$92,500</u>	<u>\$87,875</u>	15 years
TOTAL:	<u>\$182,500</u>	<u>\$173,375</u>	

g) Recreation:

(i) The acquisition of a Ford transit vehicle, including all related costs and expenditures incidental thereto.	\$25,000	\$23,750	5 years
(ii) The acquisition of a portable light tower and a shed for recreation supplies for the Municipal Building, including all related costs and expenditures incidental thereto.	<u>\$25,800</u>	<u>\$24,510</u>	15 years
TOTAL:	<u>\$50,800</u>	<u>\$48,260</u>	

h) Information Technology:

(i) The acquisition and installation of various equipment, including Dell workstations, Poweredge servers, Datalux mobile data computers, a Council live feed system and a Hughes proximity reader and the acquisition of surface tablets, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

	\$58,099	\$55,194	5 years
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ii) The acquisition and installation of a Triad 4 security system, including all related costs and expenditures incidental thereto.

	<u>\$8,000</u>	<u>\$7,600</u>	10 years
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TOTAL:

	<u>\$66,099</u>	<u>\$62,794</u>	
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i) Police Department:

(i) The acquisition of utility vehicles and an e-ticketing system, including all related costs and expenditures incidental thereto.

	\$230,000	\$218,500	5 years
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(ii) The replacement of in-car digital videos, including all related costs and expenditures incidental thereto.

	\$12,000	\$11,400	10 years
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(iii) The acquisition of rifle equipment and parts, including all related costs and expenditures incidental thereto.

	<u>\$15,000</u>	<u>\$14,250</u>	15 years
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TOTAL:

	<u>\$257,000</u>	<u>\$244,150</u>	
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j) Various Sports Groups:

(i) The replacement of the Flanders Park basketball courts for the Mount Olive Basketball Association, the acquisition and installation of fencing for the Soccer 6 field and Drakesbrook Fields, seeding and topdressing at the Lacrosse field and drainage

improvements at the Russ Nagle Field for the Mount Olive Baseball and Softball Associations, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

\$129,000	\$122,550	15 years
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k) Budd Lake Fire Department:

(i) The replacement of fire engines, including all related costs and expenditures incidental thereto.

\$450,000	\$427,500	10 years
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(ii) The acquisition of general rescue equipment, including all related costs and expenditures incidental thereto.

<u>\$30,000</u>	<u>\$28,500</u>	15 years
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TOTAL:

<u>\$480,000</u>	<u>\$456,000</u>
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l) Buildings and Grounds:

(i) The acquisition of a Ford F-350 pickup and a Ford F-250, including all related costs and expenditures incidental thereto.

\$80,000	\$76,000	5 years
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(ii) Improvements to the Turkey Brook Park maintenance building and various building improvements, including all work and materials necessary therefor and incidental thereto.

\$300,000	\$285,000	10 years
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(iii) The acquisition of various equipment, including a Toro 5910 mower, Toro sand pros, a Caterpillar mini excavator, deer carts and a generator for the Department of Public Works garage, upgrades to Flanders Park, general park improvements, the acquisition and installation of lights at Turkey Brook Park, repairs to the Turkey Brook Park fence, phase protection of electrical equipment and various building improvements, including all related

costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$1,224,000	\$1,162,800	15 years
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TOTAL:	\$1,604,000	\$1,523,800	
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m) Department of Public Works:

(i) The acquisition of a speed alert radar sign, including all related costs and expenditures incidental thereto.	\$36,000	\$34,200	10 years
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(ii) Road resurfacing, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$750,000	\$712,500	10 years
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(iii) Budd Lake Fire Department lot repairs and resurfacing and resurfacing and improvements to the beach parking lot, including all work and materials necessary therefor and incidental thereto.	\$227,030	\$215,678	10 years
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(iv) The acquisition of various equipment, including a backhoe, a road saw and a truck lift, including all related costs and expenditures incidental thereto.	\$210,000	\$199,500	15 years
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(v) Drainage improvements at Budd Lake, including all work and materials necessary therefor and incidental thereto.	\$42,320 ¹	\$6,000	40 years
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TOTAL:	\$1,265,350	\$1,167,878	
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GRAND TOTAL:	\$4,928,108	\$4,647,498	
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¹ Includes the CDBG.

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 and the CDBG.

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 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 11.05 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 \$4,647,498, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$500,000 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.

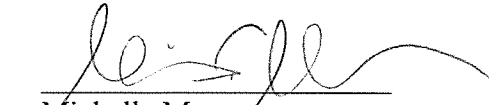
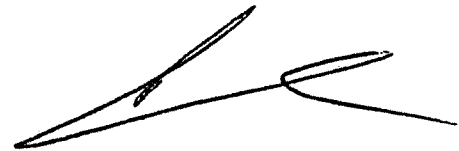
Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the CDBG referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. 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: 4/10/2018

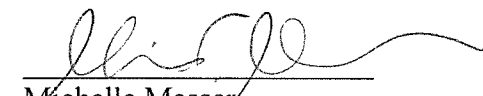
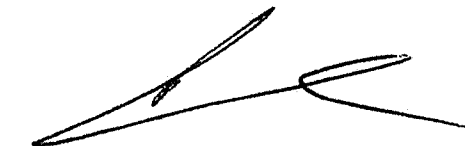

Michelle Masser,
Mount Olive Township Clerk
Joseph Nicastro, Council President

Section Two. 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 Three. All actions previously taken by the Township officials in connection with the purposes described in Bond Ordinance #8-17 of the Township are hereby ratified and confirmed and shall have been deemed to have been taken pursuant to this bond ordinance.

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

ATTEST: 4/10/2018


Michelle Masser
Mount Olive Township Clerk
Joseph Nicastro, Council President