

BOROUGH OF GARWOOD

ORDINANCE NO. 16-08

Adopted: May 10, 2016

Introduced: 4/26/2016

Public Hearing: 5/10/2016

Motion: Councilman Sarno

Motion: Councilwoman Todisco

Seconded: Councilwoman Todisco

Seconded: Councilman Petruzzelli

BOND ORDINANCE NO. 16-08

BOND ORDINANCE TO AMEND SECTIONS 4, 9, 10, 11 AND 14 OF THE BOND ORDINANCE (ORD. NO. 15-15) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$395,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON AUGUST 11, 2015.

BE IT ORDAINED by the Borough Council of the Borough of Garwood, in the County of Union, State of New Jersey, as follows:

Section 1. Section 4 of Ordinance No. 15-15 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$395,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Garwood, in the County of Union, New Jersey (the "Borough") on August 11, 2015 (the "Prior Ordinance") is hereby amended to: (A)(i) increase the appropriation and estimated cost in Section 4.A. from \$290,000 to \$327,000 (an increase of \$37,000); (ii) increase the down payment appropriated in Section 4.A. from \$3,600 to \$5,365 (an increase of \$1,765); and (iii) increase the bonds and notes authorized in Section 4.A. from \$71,400 to \$106,635 (an increase of \$35,235); (B)(i) increase the appropriation and estimated cost in Section 4.B. from \$105,000 to \$133,000

(an increase of \$28,000); (ii) increase the down payment appropriated in Section 4.B. from \$3,500 to \$4,835 (an increase of \$1,335); and (iii) increase the bonds and notes authorized in Section 4.B. from \$69,000 to \$95,665 (an increase of \$26,665); and (C)(i) increase the aggregate appropriation and estimated cost for Section 4 from \$395,000 to \$460,000 (an increase of \$65,000); (ii) increase the aggregate down payment appropriated for Section 4 from \$7,100 to \$10,200 (an increase of \$3,100); and (iii) increase the aggregate amount of bonds and notes authorized in Section 4 from \$140,400 to \$202,300 (an increase of \$61,900); and shall hereafter read as follows:

"Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the various grants hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the following improvements in the Borough as the 2015 Road and Drainage Improvement Project:

Road Resurfacing (including drainage, sidewalk, curb and driveway apron improvements, where necessary)

Third Avenue (from Maple Street to Walnut Street)
Willow Avenue (from New Street east to dead end)

Drainage

Myrtle Avenue (from Oak Street east to dead end)

Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$327,000
State Grant Appropriated	\$215,000
Down Payment Appropriated	\$ 5,365
Bonds and Notes Authorized	\$106,635
Period of Usefulness	10 years

B. Undertaking of the 2015 Sidewalk Repair/ Replacement and Tree Removal/Replacement Program at various locations.

Appropriation and Estimated Cost	\$133,000
Aggregate County Grants Appropriated	\$ 32,500
Down Payment Appropriated	\$ 4,835
Bonds and Notes Authorized	\$ 95,665
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$460,000
Aggregate Grants Appropriated	\$247,500
Aggregate Down Payment Appropriated	\$ 10,200
Aggregate Amount of Bonds and Notes Authorized	\$202,300."

Section 2. Section 9 of the Prior Ordinance is hereby amended to increase the down payment appropriated from \$7,100 to \$10,200 (an increase of \$3,100), and shall hereafter read as follows:

"Section 9. It is hereby determined and stated that moneys exceeding \$10,200, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$10,200 is hereby appropriated from such moneys to the payment of the cost of said purposes."

Section 3. Section 10 of the Prior Ordinance is hereby amended to increase the amount of bonds authorized from \$140,400 to \$202,300 (an increase of \$61,900), and shall hereafter read as follows:

"Section 10. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$202,300 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted."

Section 4. Section 11 of the Prior Ordinance is hereby amended to increase the amount of bond anticipation notes authorized from \$140,400 to \$202,300 (an increase of \$61,900), and shall hereafter read as follows:

"Section 11. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$202,300 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an

amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding."

Section 5. Section 14 of the Prior Ordinance is hereby amended to increase the amount of gross debt of the Borough shown on the Supplemental Debt Statement filed for the ordinance, as amended, from \$140,400 to \$202,300 (an increase of \$61,900), and shall hereafter read as follows:

"Section 14. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Municipal Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$202,300 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law."

Section 6. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Municipal Clerk and is available for public inspection.

Section 7. This ordinance shall take effect twenty days after the first publication thereof after final passage.

APPROVED:

ATTEST:



CHRISTINA M. ARIEMMA, Municipal Clerk

CHARLES P. LOMBARDO, Mayor

RECORDED VOTE	INTRODUCTION (4/26/16)	ADOPTION (5/10/16)
COUNCILWOMAN CUCCARO	AYE	AYE
COUNCILMAN MARTIN	AYE	AYE
COUNCILMAN MATHIEU	AYE	AYE
COUNCILMAN SARNO	AYE	AYE
COUNCILWOMAN TODISCO	AYE	AYE
COUNCIL PRESIDENT PETRUZZELLI	AYE	AYE