

NOTICE
Borough of South Bound Brook
Ordinance 2010-004

NOTICE IS HEREBY GIVEN that the following proposed bond ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of South Bound Brook, in the County of Somerset, State of New Jersey, held on the 8th day of June, 2010, and that said ordinance will be taken up for further consideration for final passage at the meeting of said Borough Council to be held at its meeting room in the Borough Hall, 12 Main Street, South Bound Brook, New Jersey, on the 13th day of July, 2010, at 7:30 P.M., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Borough Hall of the Borough, and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the Clerk's office in said Borough Hall, 12 Main Street, South Bound Brook, New Jersey.

Donald E.Kazar
Borough Clerk
Borough of South Bound Brook
County of Somerset
State of New Jersey

**Borough of South Bound Brook
Ordinance 2010-004**

BOND ORDINANCE TO REAUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SOUTH BOUND BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND TO AUTHORIZE THE ISSUANCE OF NOT EXCEEDING \$2,572,000 OF BONDS TO FUND BOND ANTICIPATION NOTES ISSUED OR AUTHORIZED TO BE ISSUED FOR SUCH PUBLIC IMPROVEMENTS.

WHEREAS, the making of the improvements referred to in the Schedule of Purposes and Amounts appearing in Section 2 of this ordinance (the "Schedule") has been duly authorized by bond ordinances duly adopted by the Borough Council of the Borough of South Bound Brook, in the County of Somerset, New Jersey, and bond anticipation notes have been issued or authorized to be issued by bond ordinances duly adopted by said Borough Council to finance the cost thereof as stated in the Schedule, and the Borough Council deems it advisable to reauthorize the making of such improvements and to fund said notes or the authorizations therefor by the issuance of bonds, as hereinafter provided; NOW, THEREFORE,

BE IT ORDAINED by the Borough Council of the Borough of South Bound Brook, in the County of Somerset, New Jersey, as follows:

Section 1. The Borough of South Bound Brook, in the County of Somerset, New Jersey (the "Borough"), hereby determines that (1) the making of the improvements referred to in the Schedule (herein referred to as "purposes") has been duly authorized in the manner provided by law, and shall be reauthorized pursuant to this

ordinance, and (2) none of said purposes is a current expense of the Borough, and (3) each of the ordinances referred to in the Schedule appropriates to the financing of the respective purposes specified in each such ordinance a sum which is not less than five percent of the amount of notes authorized by said ordinance which sum had previously been made available for such purposes by an appropriation in a budget adopted prior to the adoption of such ordinance and the sum so appropriated has been applied to the financing of such purposes, and (4) the issuance of the notes authorized by each such ordinance at the time of the adoption of each such ordinance was within all debt limitations prescribed by the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (5) the Supplemental Debt Statements required by the Local Bond Law were duly made and filed in the office of the Borough Clerk on the dates each of the ordinances were introduced, and (6) such purposes include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The following "Schedule of Purposes and Amounts" shows (1) the several purposes to be financed by the issuance of the bonds authorized by this ordinance, and (2) the number and date of adoption by the Borough Council of the ordinance or ordinances authorizing the issuance of bond anticipation notes to finance each such purpose, and (3) the estimated cost of the purposes authorized by each such ordinance, and (4) the amount of the various grants and the private contribution appropriated by

each such ordinance for the financing of the purposes authorized thereby, and (5) the amount of the down payment appropriated by each such ordinance for the financing of the purposes authorized thereby, and (6) the amount of bonds and bond anticipation notes authorized pursuant to each such ordinance to finance the purposes therein specified, and (7) the maximum amount of notes or authorizations therefor to be funded by the issuance of bonds authorized by this ordinance, and (8) the period of usefulness of the purposes or the average period of usefulness of the several purposes to be financed by each such ordinance, as stated in the original ordinance, and (9) the aggregate amount included in the cost of such purposes authorized in each ordinance to finance such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

SCHEDULE OF PURPOSES AND AMOUNTS

A.(1) The acquisition of real property (120-124 Elizabeth Street), including an existing structure, for use as a municipal parking lot in, by and for the Borough. Said improvement was authorized by Ordinance No. 01-08 adopted by the Borough Council on October 9, 2001.

Estimated Cost	\$ 360,500
Down Payment	\$ 17,200
Amount of Bonds and Notes Authorized	\$ 343,300
Aggregate Expenses Stated in Ordinance	\$ 53,000
Period of Usefulness	40 years

A.(2) The acquisition of radio equipment for the use of the Police Department in, by and for the Borough. Said improvement was authorized by Ordinance No. 01-08 adopted by the Borough Council on October 9, 2001.

Estimated Cost	\$ 12,500
Down Payment	\$ 600
Amount of Bonds and Notes Authorized	\$ 11,900
Period of Usefulness	10 years

A.(3) The acquisition of turnout gear, fire hose, nozzles and various other equipment for the use of the Fire Department in, by and for the Borough. Said improvement was authorized by Ordinance No. 01-08 adopted by the Borough Council on October 9, 2001.

Estimated Cost	\$ 10,500
Down Payment	\$ 500
Amount of Bonds and Notes Authorized	\$ 10,000
Period of Usefulness	5 years

A.(4) The acquisition of computer upgrade equipment for use by various Borough departments and offices in, by and for the Borough. Said improvement was authorized by Ordinance No. 01-08 adopted by the Borough Council on October 9, 2001.

Estimated Cost	\$ 10,500
Down Payment	\$ 500
Amount of Bonds and Notes Authorized	\$ 10,000
Period of Usefulness	10 years

A.(5) The acquisition of a pickup truck for the use of the Department of Public Works ("DPW") in, by and for the Borough. Said improvement was authorized by Ordinance No. 01-08 adopted by the Borough Council on October 9, 2001.

Estimated Cost	\$ 31,000
Down Payment	\$ 1,700
Amount of Bonds and Notes Authorized	\$ 29,300
Period of Usefulness	5 years

It is hereby determined and stated that the average period of usefulness of the several purposes authorized by the ordinance referred to in this Section 2.A., according to the reasonable lives set forth above, taking into account the maximum authorization of funding bonds to be issued for the said several purposes - \$319,310 (the \$404,500 bonds and notes authorized in the ordinance minus the \$85,190 paydowns made on outstanding notes, applied pro rata against each purpose in the ordinance), is a period of 34.97 years from the date of said bonds.

B.(1) The acquisition of turnout gear, helmets, pagers, self-contained breathing apparatus equipment, gas detectors, equipment for fire trucks and various other equipment for the use of the Fire Department in, by and for the Borough. Said improvements were authorized by Ordinance No. 03-01 adopted by the Borough Council on February 11, 2003.

Estimated Cost	\$ 52,000
Down Payment	\$ 2,500
Amount of Bonds and Notes Authorized	\$ 49,500
Aggregate Expenses Stated in Ordinance	\$ 95,000
Period of Usefulness	5 years

B.(2) The acquisition of an air link tracking system and video cameras for police cars for the use of the Police Department in, by and for the Borough. Said improvements were authorized by Ordinance No. 03-01 adopted by the Borough Council on February 11, 2003.

Estimated Cost	\$ 40,000
Down Payment	\$ 1,910
Amount of Bonds and Notes Authorized	\$ 38,090
Period of Usefulness	10 years

B.(3) The acquisition of a sewer cleaning machine for the use of the DPW and undertaking of major renovations to the Barber Boulevard Sewer Pump Station, including the acquisition of a backup generator and the making of related improvements, in, by and for the Borough. Said improvements were authorized by Ordinance No. 03-01 adopted by the Borough Council on February 11, 2003.

Estimated Cost	\$ 60,000
Down Payment	\$ 2,860
Amount of Bonds and Notes Authorized	\$ 57,140
Period of Usefulness	15 years

B.(4) The acquisition of upgraded computer equipment for use by various Borough departments and offices and the undertaking of various improvements to the Borough Hall, including installation of a new roof and siding and HVAC system improvements in, by and for the Borough. Said improvements were authorized by Ordinance No. 03-01 adopted by the Borough Council on February 11, 2003.

Estimated Cost	\$ 52,000
Down Payment	\$ 2,500
Amount of Bonds and Notes Authorized	\$ 49,500
Period of Usefulness	10 years

B.(5) (i) The reconstruction of Cedar Street from the Franklin Township border to Main Street, including roadway reconstruction and construction of new curbs and sidewalks, and (ii) the resurfacing of Prospect Street from Madison Street to Elizabeth Street in, by and for the Borough. Said improvements were authorized by Ordinance No. 03-01 adopted by the Borough Council on February 11, 2003.

Estimated Cost	\$ 443,000
Federal Grant Appropriated	\$ 37,135
State Grants Appropriated	\$ 191,000
Private Contribution Appropriated	\$ 135,300
Down Payment	\$ 3,795
Amount of Bonds and Notes Authorized	\$ 75,770
Period of Usefulness	10 years

B.(6) The construction of a parking lot for municipal and school purposes at 120-124 Elizabeth Street in, by and for the Borough. Said improvement was authorized by Ordinance No. 03-01 adopted by the Borough Council on February 11, 2003.

Estimated Cost	\$ 160,000
Down Payment	\$ 8,000
Amount of Bonds and Notes Authorized	\$ 152,000
Period of Usefulness	15 years

It is hereby determined and stated that the average period of usefulness of the several purposes authorized by the ordinance referred to in this Section 2.B., according to the reasonable lives set forth above, taking into account the maximum authorization of funding bonds to be issued for the said several purposes - \$308,000 (the \$422,000 bonds and notes authorized in the ordinance minus the \$114,000 paydowns made on outstanding notes, applied pro rata against each purpose in the ordinance), is a period of 11.89 years from the date of said bonds.

C. The acquisition of real property (14 Main Street and 16 Elm Street), including existing buildings, for future use as the sites of a new Borough Hall and a new DPW Garage in, by and for the Borough. Said improvements were authorized by Ordinance No. 04-03 adopted by the Borough Council on April 13, 2004.

Estimated Cost	\$1,500,000
Down Payment	\$ 72,000
Amount of Bonds and Notes Authorized	\$1,428,000
Aggregate Expenses Stated in Ordinance	\$ 275,000
Period of Usefulness	40 years
Maximum Authorization to be Funded by Bonds	\$1,222,300

D. The reconstruction of Van Sickle Boulevard and Armstrong Street, including roadway reconstruction, and construction or reconstruction of curbs and sidewalks in, by and for the Borough. Said improvements were authorized by Ordinance No. 04-07 adopted by the Borough Council on August 10, 2004.

Estimated Cost	\$ 540,000
State Grants Appropriated	\$ 290,000
Down Payment	\$ 12,000
Amount of Bonds and Notes Authorized	\$ 238,000
Aggregate Expenses Stated in Ordinance	\$ 74,500
Period of Usefulness	10 years
Maximum Authorization to be Funded by Bonds	\$ 200,000

E. The acquisition of real property (19 Elm Street), including existing structures, for future use as a portion of the site of a new Borough Hall in, by and for the Borough. Said improvement was authorized by Ordinance No. 05-14 adopted by the Borough Council on September 6, 2005.

Estimated Cost	\$ 170,000
Down Payment	\$ 8,100
Amount of Bonds and Notes Authorized	\$ 161,900
Aggregate Expenses Stated in Ordinance	\$ 45,000
Period of Usefulness	40 years
Maximum Authorization to be funded by Bonds	\$ 159,090

F. The reconstruction of Maple Avenue and Baldwin Avenue, including roadway reconstruction, construction or reconstruction of curbs and sidewalks and undertaking drainage improvements, where necessary, in, by and for the Borough. Said improvements were authorized by Ordinance No. 05-16 adopted by the Borough Council on November 8, 2005.

Estimated Cost	\$ 475,000
State Grants Appropriated	\$ 290,000
Down Payment	\$ 8,900
Amount of Bonds and Notes Authorized	\$ 176,100
Aggregate Expenses Stated in Ordinance	\$ 62,000
Period of Usefulness	10 years
Maximum Authorization to be Funded by Bonds	\$ 116,300

G. The improvement of LaTourette Avenue, including roadway reconstruction and resurfacing, construction or reconstruction of curbs and sidewalks and undertaking sanitary sewer and drainage improvements, where necessary, in, by and for the Borough. Said improvements were authorized by Ordinance No. 07-2006 adopted by the Borough Council on October 10, 2006.

Estimated Cost	\$ 300,000
State Grant Appropriated	\$ 150,000
Down Payment	\$ 7,200
Amount of Bonds and Notes Authorized	\$ 142,800
Aggregate Expenses Stated in Ordinance	\$ 50,000
Period of Usefulness	10 years
Maximum Authorization to be Funded by Bonds	\$ 42,000

H. The reconstruction of Clinton Street, including roadway reconstruction, construction or reconstruction of curbs and sidewalks and undertaking sanitary sewer and drainage improvements, where necessary, in, by and for the Borough. Said improvements were authorized by Ordinance No. 007-2008 adopted by the Borough Council on November 11, 2008.

Estimated Cost	\$ 460,000
State Grant Appropriated	\$ 150,000
Down Payment	\$ 15,000
Amount of Bonds and Notes Authorized	\$ 295,000
Aggregate Expenses Stated in Ordinance	\$ 90,000
Period of Usefulness	10 years
Maximum Authorization to be Funded by Bonds	\$ 205,000

Aggregate Estimated Cost	\$4,677,000
Aggregate Grants and Private Contribution	
Appropriated	\$1,243,435
Aggregate Down Payment Appropriated	\$ 165,265
Aggregate Amount of Bonds and Notes	
Authorized	\$3,268,300
Aggregate Expenses Stated in Ordinances	\$ 744,500
Aggregate Maximum Authorization to be Funded	
by Bonds	\$2,572,000

Section 3. The cost of the purposes, as hereinbefore stated, includes the aggregate amount of \$744,500 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on

such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the aggregate sum of \$1,071,000 received or to be received as grants from the State of New Jersey Department of Transportation is hereby appropriated and reappropriated to the payment of the cost of such purposes.

Section 5. It is hereby determined and stated that the sum of \$37,135 received or to be received as a grant from the Somerset County Community Development Program, pursuant to the Federal Housing and Community Development Act, is hereby appropriated and reappropriated to the payment of the cost of such purposes.

Section 6. The sum of \$135,300 received or to be received as a contribution from the Elizabethtown Water Company is hereby appropriated to the payment of the cost of such purposes.

Section 7. It is hereby determined and stated that moneys exceeding \$165,265 appropriated and reappropriated 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 \$165,265 is hereby appropriated and reappropriated from such moneys to the payment of the cost of said purposes.

Section 8. It is hereby determined and stated, as required by the Local Bond Law, that the estimated cost of the funding of said authorized bonds and notes is \$2,572,000 and that the estimated maximum amount of bonds necessary to be issued for such funding is \$2,572,000.

Section 9. To fund the principal of said bond anticipation notes issued or authorized to be issued by said ordinances and required to be funded as hereinbefore stated, bonds of the Borough of the aggregate principal amount not exceeding \$2,572,000 are hereby authorized and shall be issued pursuant to and in accordance with the provisions of the Local Bond Law. Said bonds shall bear interest at a rate or rates 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 10. It is hereby determined and stated that the average period of usefulness of the several purposes hereinbefore described, according to their reasonable lives, taking into consideration the respective amounts of bonds to be issued for the said several purposes, is a period of 29.43 years computed from the date of said bonds.

Section 11. Any private contributions, any grant funds received from the County of Somerset, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the various grants and private contribution hereinabove

appropriated and reappropriated), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes or bonds have been issued, to the payment of the bond anticipation notes or bonds.

Section 12. The capital budget is hereby amended to conform with the provisions of this 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 Borough Clerk and is available for public inspection.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds authorized by this ordinance. Said bonds shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Attest: Donald E. Kazar, Borough Clerk

Mayor Terry G. Warrelmann

