

ORDINANCE NO. 5-2014

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW ADDITIONAL FURNISHINGS IN, BY AND FOR THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,285,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT OR FULLY FUND APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND, 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.

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BE IT ORDAINED by the Township Council of the Township of Aberdeen, in the County of Monmouth, State of New Jersey, as follows:

Section 1. The Township of Aberdeen, in the County of Monmouth, State of New Jersey (the "Township") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology equipment and new additional furnishings in, by and for said Township, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the various grants and Capital Improvement Fund

moneys (either to make a down payment or to fully fund appropriations) appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

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 grants hereinafter appropriated, and (3) the amount of each sum which is to be provided by the appropriation from the Capital Improvement Fund hereinafter made to either fully fund the appropriation or to provide a down payment, 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 road improvements: (i) design and engineering phase for the reconstruction of Avondale Lane, (ii) reconstruction and elevation of Lakeshore Drive (from Ravine Way to Greenwood Avenue) and (iii) reconstruction or resurfacing of Inglewood Drive and Rose Street. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Council, there

may be additions to or deletions from the roads referenced in clause (iii) of the preceding sentence. 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	\$1,992,000
State Grants Appropriated	435,000
Down Payment Appropriated	\$ 74,150
Bonds and Notes Authorized	\$1,482,850
Period of Usefulness	20 years

B. Undertaking of the following improvements to public property: (i) various improvements to Cliffwood Waterfront Park, (ii) beach dune restoration at Cliffwood Waterfront Park, (iii) improvements to the former First Aid Squad Building (Township-owned) for various municipal uses and (iv) installation of a prefabricated salt shed at the Department of Public Works Yard. It is hereby determined and stated that the former First Aid Squad Building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$1,160,000
Federal Grant Appropriated	73,845
Down Payment Appropriated	\$ 127,850
Bonds and Notes Authorized	\$ 958,305
Period of Usefulness	15 years

C. Acquisition of new information technology equipment consisting of records management equipment for the use of the Department of Planning, Zoning and Development.

Appropriation and Estimated Cost	\$ 7,000
Capital Improvement Fund Appropriated	\$ 7,000
Period of Usefulness	5 years

D. Acquisition of new communication and signal systems equipment and new additional or replacement equipment and machinery for the use of the Police Department consisting of (i) portable radios and accessories, (ii) video surveillance equipment, (iii) an antenna, (iv) a cargo trailer and (v) livescan fingerprinting equipment.

Appropriation and Estimated Cost	\$ 82,000
Capital Improvement Fund Appropriated	\$ 82,000
Period of Usefulness	10 years

E. Acquisition of new communication and signal systems equipment consisting of emergency radio upgrade equipment for the use of the Office of Emergency Management.

Appropriation and Estimated Cost	\$ 4,000
Capital Improvement Fund Appropriated	\$ 4,000
Period of Usefulness	10 years

F. Acquisition of new information technology equipment and new additional furnishings for the use of the Administration consisting of (i) computer equipment and (ii) furniture and filing cabinets.

Appropriation and Estimated Cost	\$ 40,000
Capital Improvement Fund Appropriated	\$ 40,000
Period of Usefulness	5 years

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Aggregate Appropriation and Estimated Cost	\$3,285,000
Aggregate Grants Appropriated	\$ 508,845
Aggregate Capital Improvement Fund Appropriated either as a Down Payment or to Fully Fund Appropriations	\$ 335,000
Aggregate Amount of Bonds and Notes Authorized	\$2,441,155

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$300,000 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 6. The sum of \$250,000 received or to be received as a grant from the State of New Jersey Department of Transportation (the "NJDOT") is hereby appropriated to the

payment of the cost of the improvement of Rose Street authorized in Section 4.A hereof.

Section 7. The sum of \$185,000 received or to be received as a grant from the NJDOT is hereby appropriated to the payment of the cost of the improvement of Lakeshore Drive authorized in Section 4.A hereof.

Section 8. The sum of \$73,845 received or to be received as a grant from the Monmouth County Community Development program, pursuant to the Federal Housing and Community Development Act, is hereby appropriated to the payment of the cost of the improvement of the former First Aid Squad Building authorized in Section 4.B above.

Section 9. It is hereby determined and stated that moneys exceeding \$335,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$335,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 10. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$2,441,155 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 11. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$2,441,155 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 12. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within

limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Municipal Clerk or Deputy Municipal Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 13. It is hereby determined and declared that the average period of usefulness of the purposes to be financed with bonds or notes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 18.03 years computed from the date of said bonds.

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 Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by

\$2,441,155 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 15. Any funds received from private parties, the County of Monmouth, 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, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 16. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 4.A and 4.B of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 17. 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 ordinance. Said obligations shall be direct, unlimited and

general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 18. 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 Municipal Clerk and is available for public inspection.

Section 19. This ordinance shall take effect twenty days after the first publication thereof after final passage.