

TABLED

TOWNSHIP OF HILLSIDE ORDINANCE NUMBER O-22-05

BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE NORTH AVENUE PUMP STATION, BY AND IN THE TOWNSHIP OF HILLSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$2,465,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,465,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
		Bonanno	X				
X		DeAugustine	X				
	X	Freedman	X				
		Hyatt	X				
		Rios	X				
		Mobley - CVP	X				
		Epps - CP	X				

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TOWNSHIP OF HILLSIDE
ORDINANCE NUMBER O-22-05

**BOND ORDINANCE PROVIDING FOR THE
REHABILITATION OF THE NORTH AVENUE PUMP
STATION, BY AND IN THE TOWNSHIP OF HILLSIDE, IN
THE COUNTY OF UNION, STATE OF NEW JERSEY;
APPROPRIATING \$2,465,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$2,465,000 BONDS
OR NOTES TO FINANCE THE COST THEREOF**

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HILLSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Hillside, in the County of Union, State of New Jersey (the "Township") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the amount of \$2,465,000. Pursuant to the provisions of N.J.S.A. 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as this bond ordinance involves environmental infrastructure projects, which are funded by loans from the New Jersey Infrastructure Bank (the "I-Bank") or the State of New Jersey, acting by and through the Department of Environmental Protection.

SECTION 2. For the financing of said improvements or purposes

described in Section 3 hereof and to meet the \$2,465,000 appropriation, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,465,000 pursuant to, and within all limitations prescribed by, the Local Bond Law. 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 \$2,465,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. The improvements hereby authorized and purposes for the financing of which said debt obligations are to be issued are for the rehabilitation of the North Avenue Pump Station, including, but not limited to, (i) removal of the existing pumps, motors and shafting and replace with new dry-pit submersible pumps and motors with variable drive controllers of the same capacity; (ii) removal and replacement of existing gate valves, check valves and knife gates for each of the three pump assemblies; (iii) removal and replacement of the existing drywell electrical system in its entirety, including all conduits and conductors and all the control panels with the exception of the incoming secondary electrical service and main distribution panel; (iv) furnish and install LED lighting fixtures, wiring and conduits in the drywell and wet well of the buildings; (v) removal and replacement of the existing heating and ventilation equipment within the drywell and wet well buildings and the installation of a new air conditioning system in the drywell building; (vi) cleaning, removal and replacement of the existing sludge grinder assembly; (vii) removal and replacement of the roof gutters and down spouts to the drywell and wet well buildings; (viii) clean and paint the inside of drywell building; and (ix) startup and training of the new pumps, air conditioning system,

heating and ventilation system, electrical controls, and test pits, as needed.

a. All improvements shall include, as applicable, all field work, materials, equipment, engineering, design, architectural, environmental consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

b. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,465,000.

c. The aggregate estimated cost of said improvements or purposes is \$2,465,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a loan, contribution or grant-in-aid to the Township for the improvements authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Union. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Township as a result of using such funds from this bond ordinance as "matching local funds" to receive

such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with the provisions of the New Jersey Infrastructure Trust Act, N.J.S.A. 58:11B-1 ("NJIT Act"). 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 of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law and, as applicable, the provisions of the NJIT Act. 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. 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 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which 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 benefited thereby.

b. The period of usefulness of said improvements is within the limitations of said Local Bond Law and, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, the period of usefulness is 40 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services within 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 the Local Bond Law, is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,465,000 and the said obligations authorized by this bond ordinance will be within all debt limitations

prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$367,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt 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 the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: February 8, 2022

SHAUYN WALKER, Deputy Clerk

ADOPTED ON SECOND READING

DATED: February 22, 2022

SHAUYN WALKER, Deputy Clerk

First Reading and Introduction: February 8, 2022

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
		Bonanno					
		DeAugustine					
		Freedman					
		Hyatt					
		Rios					
		Mobley - CVP					
		Epps - CP					

**TOWNSHIP OF HILLSIDE
UNION COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Hillside, in the County of Union, State of New Jersey, on February 8, 2022. It will be further considered for final passage, after public hearing thereon at a virtual meeting of the governing body to be held on February 22, 2022 at 6:30 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.hillsidenj.us. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE NORTH AVENUE PUMP STATION, BY AND IN THE TOWNSHIP OF HILLSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$2,465,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,465,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

Purpose(s): Providing for the rehabilitation of the North Avenue Pump Station. For a complete description of the improvements to be undertaken, please refer to the full text of the Bond Ordinance.

Appropriation: \$2,145,000

Bonds/Notes Authorized: \$2,465,000

Section 20 Costs: \$367,000

Useful Life: 40 years

SHAUYN WALKER,
Deputy Clerk of the Township of Hillside

**TOWNSHIP OF HILLSIDE
UNION COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Hillside, in the County of Union, State of New Jersey on February 22, 2022, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE NORTH AVENUE PUMP STATION, BY AND IN THE TOWNSHIP OF HILLSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$2,465,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,465,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

Purpose(s): Providing for the rehabilitation of the North Avenue Pump Station. For a complete description of the improvements to be undertaken, please refer to the full text of the Bond Ordinance.

Appropriation: \$2,465,000

Bonds/Notes Authorized: \$2,465,000

Section 20 Costs: \$367,000

Useful Life: 40 years

SHAUYN WALKER,
Deputy Clerk of the Township of Hillside

**TOWNSHIP OF HILLSIDE
UNION COUNTY, NEW JERSEY**

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Deputy Clerk of the Township of Hillside, in the County of Union, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on February 8, 2022 at 6:30 p.m. at the Township's Municipal Building or via a virtual meeting and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Township and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2022.

(SEAL)

SHAUYN WALKER,
Deputy Clerk of the Township of Hillside

**TOWNSHIP OF HILLSIDE
UNION COUNTY, NEW JERSEY**

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Deputy Clerk of the Township of Hillside, in the County of Union, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on February 22, 2022 at 6:30 p.m. at the Township's Municipal Building or via a virtual and meeting that the following was the roll call:

Present:

Absent:

I DO FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Township and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2022.

(SEAL)

SHAUYN WALKER,
Deputy Clerk of the Township of Hillside

**TOWNSHIP OF HILLSIDE
UNION COUNTY, NEW JERSEY**

**DEPUTY CLERK'S CERTIFICATE CONCERNING
BOND ORDINANCE ADOPTION PROCEDURES**

I, SHAUYN WALKER, DO HEREBY CERTIFY that I am the Deputy Clerk of the Township of Hillside, in the County of Union (the "Township"), State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on February 8, 2022 and finally adopted on February 22, 2022 and approved by the Mayor, as applicable, on _____, 2022.

2. After introduction, the bond ordinance was published as required by applicable law on _____, 2022 in _____ (local newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body of the Township. Copies of the bond ordinance were made available to all who requested same.

4. After final adoption, the bond ordinance was duly approved by the Mayor of the Township (if applicable) and duly published as required by law on _____, 2022 in _____ (local newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Township or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

5. The bond ordinance has not been amended, added to, altered or repealed and said bond ordinance is now in full force and effect.

6. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this ___ day of _____, 2022.

(SEAL)

SHAUYN WALKER,
Deputy Clerk of the Township of Hillside

**TOWNSHIP OF HILLSIDE
UNION COUNTY, NEW JERSEY**

**CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT
FOR BOND ORDINANCE**

I, the undersigned, Deputy Clerk of the Township of Hillside, in the County of Union, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Glynn Jones, the Chief Financial Officer as of February 8, 2022, that such Supplemental Debt Statement was filed in my office on February 8, 2022, and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on _____, 2022.

SHAUYN WALKER,
Deputy Clerk of the Township of Hillside