

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 14-2023

**BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 16-2017
ADOPTED ON DECEMBER 26, 2017, PROVIDING FOR THE HISTORIC
STREETScape IMPROVEMENT PROJECT - PHASE II, IN ORDER TO INCREASE
THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER
N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF ALLENTOWN, IN
THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Borough of Allentown, in the County of Monmouth, New Jersey (the “Borough”) adopted Bond Ordinance No. 16-2017 on December 26, 2017 (the “Prior Ordinance”), authorizing Phase II of the Historic Streetscape Improvement Project; and

WHEREAS, the Borough has determined that the \$400,000 allocation of the \$1,900,000 appropriation authorized by the Prior Ordinance for purposes permitted under N.J.S.A. 40A:2-20 is insufficient and desires to increase such allocation by \$50,000, to an aggregate amount of \$450,000, without increasing the aggregate appropriation or debt authorization for said purposes, by amendment of the Prior Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL of the BOROUGH OF ALLENTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 5(d) of the Prior Ordinance is hereby amended to read as follows:

(d) An aggregate amount not exceeding \$450,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section Two. The aggregate appropriation of \$1,900,000, the aggregate debt authorization of \$1,000,000, and other authorizations of the Prior Ordinance remain unchanged and are hereby confirmed.

Section Three. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Four. This amendatory bond ordinance shall take effect twenty (20) days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

ATTEST:

THOMAS FRITTS, Mayor

LAURIE A. ROTH, MAS, RMC, CMR
Municipal Clerk

Introduced: September
Adopted: September 26, 2023

12, 2023

CERTIFICATE AS TO BOND ORDINANCE

I, LAURIE A. ROTH, Borough Clerk of the Borough of Allentown, in the County of Monmouth, New Jersey, HEREBY CERTIFY that annexed hereto is a true and complete copy of Bond Ordinance No. 14-2023 which was introduced at a duly convened meeting of the Borough Council on _____, 2023, and finally adopted at a duly convened meeting of the Borough Council on _____, 2023.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough this _____ day of _____, 2023.

BOROUGH OF ALLENTOWN, IN
THE COUNTY OF MONMOUTH, NEW JERSEY

LAURIE A. ROTH, Borough Clerk

(SEAL)

DOCUMENT LIST

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 16-2017 ADOPTED ON DECEMBER 26, 2017, PROVIDING FOR THE HISTORIC STREETScape IMPROVEMENT PROJECT, PHASE II, IN ORDER TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF ALLENTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

- *1. General Certificate of Borough Clerk regarding Incumbency of Municipal Officers
 - a. Original newspaper affidavits of publication attached showing publication of regular meetings in compliance with the Open Public Meetings Act
2. Certificate as to Debt Statements (NOT APPLICABLE)
 - a. Annual Debt Statement
 - b. Supplemental Debt Statement showing date of filing with Borough Clerk (prior to introduction of ordinance) and endorsement of Director of the Division of Local Government Services.
3. Certificate of Financial Officer Concerning Down Payment
4. Notice of Pending Ordinance
5. Extract of Minutes showing Introduction of Ordinance and Certificate of Borough Clerk
6. Extract of Minutes showing Public Hearing and Final Adoption of Ordinance and Certificate of Borough Clerk
7. Notice of Final Adoption and Certificate of Borough Clerk
8. Certificate as to Capital Budget (NOT APPLICABLE)
9. Borough Clerk's Certificate Concerning Publication and No-Protest
10. Affidavits of Publication showing Bond Ordinance as introduced and on final passage

*If introduction, public hearing or adoption of ordinance occurred at a meeting where special notice was given, please provide an affidavit of publication with respect thereto.

GENERAL CERTIFICATE OF BOROUGH CLERK

2023

(On file - please contact if any changes)

2a.

ANNUAL DEBT STATEMENT

(Attach certified copy of Annual Debt Statement as filed with the Division of Local Government Services. You may submit the Annual Debt Statement once a year.)

2b.

SUPPLEMENTAL DEBT STATEMENT

(Attach to the preceding Certificate certified copy of Supplemental Debt Statement showing date of filing with the Borough Clerk, on or prior to the date of introduction, and showing the date of endorsement of the Director of the Division of Local Government Services, on or prior to the date of final passage. Please submit such Supplemental Debt Statement for each Ordinance.)

(NOT APPLICABLE)

**CERTIFICATE OF FINANCIAL OFFICER
CONCERNING DOWN PAYMENT**

I, JUNE MADDEN, Chief Financial Officer of the Borough of Allentown, in the County of Monmouth, New Jersey (hereinafter "Borough"), HEREBY CERTIFY that prior to the final adoption on _____, 2023 of Bond Ordinance No. 14-2023 entitled:

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 16-2017 ADOPTED ON DECEMBER 26, 2017, PROVIDING FOR THE HISTORIC STREETScape IMPROVEMENT PROJECT, PHASE II, IN ORDER TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF ALLENTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

there was available as a down payment for the purposes authorized by said ordinance the sum of \$-0- which amount was appropriated as a down payment by said ordinance and was made available from one or more of the following sources:

- * _____ 1.a. by provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes; or
- * _____ b. from moneys then actually held by the Borough and previously contributed for such purpose other than by the Borough; or
- * _____ c. by emergency resolution; or
- * _____ 2. a down payment is not necessary because obligations were authorized for a purpose referred to in paragraphs a, b, c, d, e, or h of N.J.S.A. 40A:2-7; or
- * _____ 3. a down payment is not necessary because no additional debt was authorized.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _____, 2023.

BOROUGH OF ALLENTOWN, IN
THE COUNTY OF MONMOUTH, NEW JERSEY

JUNE MADDEN, Chief Financial Officer

* Please initial appropriate section.

FORM OF NOTICE ON INTRODUCTION

Instructions to Municipal Clerk: Complete the notice on the next page and forward for publication. The ordinance must be published in a newspaper published in your municipality, or if there is no such newspaper, then a newspaper published in your county and circulating in your municipality. You need not return this document to us, provided we receive the Affidavit of Publication upon Introduction (See Document No. 10).

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 14-2023

NOTICE OF PENDING BOND ORDINANCE

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 Borough of Allentown, in the County of Monmouth, New Jersey, held on _____, 2023. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held at Borough Hall, 8 N. Main Street, Allentown, New Jersey, on _____, 2023, at __:__ 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 Municipal Complex of the Borough during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Allentown, in the County of Monmouth, New Jersey. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 16-2017 ADOPTED ON DECEMBER 26, 2017, PROVIDING FOR THE HISTORIC STREETScape IMPROVEMENT PROJECT, PHASE II, IN ORDER TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF ALLENTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Purpose(s): Providing for Phase II of the Historic Streetscape Improvement Project.

Appropriation: \$1,900,000

Bonds/Notes Authorized: \$1,000,000

Section 20 Costs: \$450,000

Useful Life: 15 Years

Grant Funds: \$854,000 Transportation Alternatives Program

\$235,000 NJDOT

\$138,000 CDBG

LAURIE A. ROTH, Municipal Clerk
Borough of Allentown
County of Monmouth, New Jersey

**CERTIFICATE OF BOROUGH CLERK
EXTRACT OF MINUTES
SHOWING INTRODUCTION OF ORDINANCE**

I, LAURIE A. ROTH, Borough Clerk of the Borough of Allentown, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY that the annexed extract from the minutes of a meeting of the governing body of said Borough, duly called and held on _____, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said governing body and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to Bond Ordinance No. 14-2023 and the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough, this ____ day of _____, 2023.

BOROUGH OF ALLENTOWN, IN
THE COUNTY OF MONMOUTH, NEW JERSEY

LAURIE A. ROTH, Borough Clerk

(SEAL)

ATTACH TO THE PRECEDING CERTIFICATE THE MINUTES OR
EXTRACT OF MINUTES SHOWING INTRODUCTION
OF BOND ORDINANCE

**CERTIFICATE OF BOROUGH CLERK
EXTRACT OF MINUTES
SHOWING PUBLIC HEARING
AND FINAL ADOPTION OF ORDINANCE**

I, LAURIE A. ROTH, Borough Clerk of the Borough of Allentown, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY that the annexed extract from the minutes of a meeting of the governing body of said Borough, duly called and held on _____, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said governing body and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to Bond Ordinance No. 14-2023 and the subject matter referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough, this ____ day of _____, 2023.

BOROUGH OF ALLENTOWN, IN
THE COUNTY OF MONMOUTH, NEW JERSEY

LAURIE A. ROTH, Borough Clerk

(SEAL)

ATTACH TO THE PRECEDING CERTIFICATE THE MINUTES OR
EXTRACT OF MINUTES OF GOVERNING
BODY SHOWING PUBLIC HEARING AND
FINAL ADOPTION OF BOND ORDINANCE

FORM OF NOTICE OF FINAL ADOPTION

Instructions to Municipal Clerk: The statement and notice on the next page must be published after final adoption of the ordinance. You need not return this document to us, provided we receive a copy of the Affidavit of Publication upon final adoption (See Document No. 10).

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 14-2023

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the governing body of the Borough of Allentown, in the County of Monmouth, State of New Jersey, by the recorded affirmative votes of at least two-thirds (2/3rds) of the full membership of the governing body on _____, 2023, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, 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 AMENDING IN PART BOND ORDINANCE NO. 16-2017 ADOPTED ON DECEMBER 26, 2017, PROVIDING FOR THE HISTORIC STREETScape IMPROVEMENT PROJECT, PHASE II, IN ORDER TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF ALLENTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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Appropriation: \$1,900,000

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Section 20 Costs: \$450,000

Useful Life: 15 Years

Grant Funds: \$854,000 Transportation Alternatives Program

\$235,000 NJDOT

\$138,000 CDBG

LAURIE A. ROTH,
Municipal Clerk
Borough of Allentown
County of Monmouth, New Jersey

**BOROUGH CLERK'S CERTIFICATE
CONCERNING PUBLICATION AND NO-PROTEST**

I, LAURIE A. ROTH, Borough Clerk of the Borough of Allentown, in the County of Monmouth, State of New Jersey (the "Borough"), HEREBY CERTIFY that:

1. I am and was at all times referred to herein, the duly appointed Borough Clerk of the Borough. In this capacity, I have the responsibility to maintain the Minutes of the meetings of the governing body of the Borough and the records relative to all ordinances and resolutions of the Borough. The representations made herein are based upon the records of the Borough.

2. Attached hereto is a true and complete copy of Bond Ordinance No. 14-2023 which was passed by the governing body of the Borough on first reading on _____, 2023 and finally adopted by said governing body on _____, 2023 and the Mayor approved on _____, 2023.

3. On _____, 2023, I caused to be posted, in the principal municipal building of the Borough at the place where public notices are customarily posted, a copy of said Ordinance and a notice that copies of the Ordinance would be made available to the members of the general public of the Borough who requested copies, up to and including the time of further consideration of the Ordinance by the governing body. Copies of the Ordinance were made available to all who requested same.

4. After introduction, the Ordinance was duly published on _____, 2023 and after final passage, the Ordinance was duly published on _____, 2023. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the Ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication following final adoption or at any other time after the final passage thereof.

5. A certified copy of the Ordinance and a copy of the amended capital budget form, if required, have been filed with the Director of the Division of Local Government Services.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough, this ____ day of _____, 2023.

BOROUGH OF ALLENTOWN, IN THE
COUNTY OF MONMOUTH

LAURIE A. ROTH, Borough Clerk

(SEAL)

(NOTE: THIS CERTIFICATE MUST BE EXECUTED NO EARLIER THAN 21 DAYS FOLLOWING THE FIRST PUBLICATION AFTER ADOPTION OF THE ORDINANCE.)

CERTIFICATE AS TO AFFIDAVITS OF PUBLICATION

I, LAURIE A. ROTH, Borough Clerk of the Borough of Allentown, in the County of Monmouth, New Jersey, HEREBY CERTIFY, that annexed hereto are true and complete copies of the Affidavits of Publication relating to Bond Ordinance No. 14-2023, as published on _____, 2023 following introduction and as published on _____, 2023 following final adoption.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough of Allentown this ____ day of _____, 2023.

BOROUGH OF ALLENTOWN, IN
THE COUNTY OF MONMOUTH, NEW JERSEY

LAURIE A. ROTH, Borough Clerk

(SEAL)

AFFIDAVITS OF PUBLICATION

ATTACH ORIGINALS OR COMPLETE COPIES OF THE AFFIDAVITS OF PUBLICATION WITH THE SPECIMEN PUBLICATION

Councilwoman Darling Moved, Councilman Drennan Seconded, Council President Elder Yea, Councilman Drennan Yea, Councilwoman Johnson Yea, Councilman Payson Yea, Councilwoman DeKranes Yea, Councilwoman Darling Yea