BOND ORDINANCE 2024-11

Borough of Metuchen
County of Middlesex
State of New Jersey

BOND ORDINANCE APPROPRIATING $6,455,980 AND AUTHORIZING $4,614,000 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Metuchen, New Jersey (the "Borough"). For the said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of $6,455,980, said sum being inclusive of all appropriations heretofore made therefor and including (i) the sum of $258,000 as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes, (ii) grants from the New Jersey Department of Transportation in the amount of $1,483,980 (the "Grants"), and (iii) the sum of $100,000 from capital developer contribution reserves.

Section 2. For the financing of said improvements or purposes and to meet the part of said $6,455,980 appropriation not provided for by application hereunder of said down payment, the Grants, and capital developer contribution reserves, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $4,614,000 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Local Bond Law").

In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding $4,614,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are: (i) acquisition of an automated garbage truck, forklift, radios, underground storage tank upgrades, tree removal equipment, and a light tower generator; (ii) recreation improvements to various parks; (iii) digitization of records and GIS mapping; (iv) acquisition of two police vehicles, rifles and police vehicle cameras; (v) Borough Hall improvements and repairs, including without limitation, restroom renovations, entrance improvements, HVAC system and flooring; (vi) improvements and repairs to Public Works facilities, including without limitation, windows, HVAC system and exterior; (vii) improvements and repairs to the Senior Citizen facility including without limitation, HVAC system; (viii) technology upgrades and related peripherals; (ix) furniture for the Senior Citizen Center; (x) acquisition of fire engine for fire department; (xi) overlay, drainage improvement and reconstruction of Grove Avenue, Rose Street and Newman Street; (xii) curb/sidewalk repair and/or ADA concrete/curbing improvements of various streets, including without limitation, Grove Avenue, Rose Street and Newman Street; (xiii) (xiv) Hillside Avenue bikeway project; (xiv) Grove Avenue walkway rehabilitation project; and (xv) sewer line repairs and replacement, including all work and materials necessary for or incidental to each of the foregoing purposes and improvements.

(b) The estimated maximum amount of bonds or notes to be issued for said purposes is $4,614,000.

(c) The estimated cost of said purposes is $6,455,980, which represents the initial appropriation made by the Borough. The excess of the appropriation of $6,455,980 over the estimated maximum amount of bonds or notes to be issued therefor is the amount of the Grants, capital

developer contribution reserve and the down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited, and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 17.37 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by $4,614,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding $696,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs of said improvements or purposes.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including without limitation the Grants, shall be used for financing said improvements or purposes by application

thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes that will be issued to finance the cost of the improvements described in Section 3 of this bond ordinance is $4,614,000. If the Borough incurs any such costs prior to the issuance of its bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of such bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: March 25, 2024
Date of Publication: March 29, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	**DELIA**				**SECOND**	**GIAMBOI**			
X – INDICATES VOTE			AB- ABSENT		NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a bond ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on March 25, 2024.

Deborah Zupan, RMC
Borough Clerk

THE BOROUGH OF METUCHEN INCORPORATED 1900 NEW JERSEY

Adopted: April 8, 2024
Date of Publication: April 12, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	**DELIA**				**SECOND**	**GIAMBOI**			
X – INDICATES VOTE			AB- ABSENT		NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a bond ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 8, 2024.

Deborah Zupan, RMC
Borough Clerk

THE BOROUGH OF METUCHEN INCORPORATED 1900 NEW JERSEY

ATTEST:

Deborah Zupan, RMC
Borough Clerk

BOROUGH OF METUCHEN

By:
Jonathan M. Busch
Mayor