

**TOWNSHIP OF VERNON**

**ORDINANCE #23-15**

**BOND ORDINANCE APPROPRIATING \$2,861,000, AND AUTHORIZING THE ISSUANCE OF \$2,432,486 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY.**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Vernon, in the County of Sussex, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$2,861,000 including the aggregate sum of \$195,624, as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (b) of said Section 3, the sum of \$232,890 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvements or purposes including for the purpose of applicable United States Treasury regulations the reimbursement of expenditures heretofore or hereafter made therefor and to meet the part of said \$2,861,000 appropriations not

provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,432,486 pursuant to the Local Bond Law of New Jersey. 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 \$2,432,486 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 the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional equipment including, without limitation, one (1) asphalt hot box, one (1) wood chipper, one (1) tractor and one (1) vac truck for use by the Department of Public Works of the Township, and radios and various equipment for use by the Fire Departments of the Township, together with all site work, attachments, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$576,000 appropriation hereby made therefor being exclusive of the \$42,500 contribution from the Vernon Township Municipal Utilities Authority for its portion of the vac truck	\$576,000	\$508,095
(b) Improvement of various streets in and by the Township by the construction or reconstruction therein of a roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including also, the paving of the Maple Grange lower lot, together with all structures, appurtenances, milling, curb and sidewalk reconstruction, drainage improvements, guide rails, retaining walls, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$1,295,000 appropriation hereby made therefor being inclusive of the sum of \$232,890 received or expected to be received by		

the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement	1,295,000	981,534
(c) Improvement of municipally-owned properties and facilities in and by the Township including, without limitation, Senior Field by the installation of new lighting, the Department of Public Works garage by the installation of new flooring, and upgrades to various municipal properties and locations, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	505,000	480,952
(d) Acquisition by purchase of new and additional vehicular equipment including, without limitation, one (1) single axle truck and other equipment for use by the Department of Public Works of the Township and one (1) ambulance for use by the Ambulance Squad of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>485,000</u>	<u>461,905</u>
Totals	<u>\$2,861,000</u>	<u>\$2,432,486</u>

Except as otherwise stated in paragraph (b) above with respect to the said grant-in-aid for financing the improvement or purpose described in said paragraph (b), the excess of the appropriation made for each of the improvement or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional 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 each is a property or improvement which the Township may lawfully acquire or make as a general improvement, 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 said Local Bond Law and taking into consideration the respective amounts of the said obligations

authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.08 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been 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 Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,432,486, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$250,000 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 said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Township on account of the \$232,890 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3(b) of this bond ordinance by application thereof either to direct payment of the cost of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such cost shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. 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 shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes at no less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township 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, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said 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 said obligations and interest thereon without limitation of rate or amount.


Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this 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 or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

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

**CERTIFICATION**

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on May 22, 2023, and the same came up for final passage and was adopted at the Meeting of the Township Council held on June 12, 2023 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.

  
 Marcy Gianattasio, Clerk  
 Township of Vernon

  
 Howard Burrell, Mayor

**Township of Vernon**

**INTRODUCED: May 22, 2023**

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Distasi, P.				X		
Rizzuto, P.			X			
Sparta, B.		X	X			
Tadrick, J.	X		X			
Buccieri, N.			X			

**ADOPTED: June 12, 2023**

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Distasi, P.			X			
Rizzuto, P.			X			
Sparta, B.	X		X			
Tadrick, J.		X	X			
Buccieri, N.			X			

## CLERK'S CERTIFICATE

I, **MARCY G. GIANATTASIO**, Township Clerk of the Township of Vernon, in the County of Sussex, New Jersey (the "Township"), **HEREBY CERTIFY** as follows that:

1. The attached copy of Ordinance #23-15 (the "Ordinance") of the Township entitled as set forth below and finally adopted on June 12, 2023, has been compared by me with the original thereof officially recorded in the Ordinance Book of the Township and is a true and correct copy thereof and of the whole of the original Ordinance. The title of the Ordinance is as follows:

**BOND ORDINANCE APPROPRIATING \$2,861,000, AND  
AUTHORIZING THE ISSUANCE OF \$2,432,486 BONDS OR  
NOTES OF THE TOWNSHIP, FOR VARIOUS  
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE  
UNDERTAKEN BY THE TOWNSHIP OF VERNON, IN THE  
COUNTY OF SUSSEX, NEW JERSEY.**

1. The Ordinance was introduced and passed on first reading at a **regular** meeting of the Township Council duly called and held on May 22, 2023 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), and was passed on second reading and finally adopted by the recorded affirmative vote of at least two-thirds of all the members of the Township Council, at a **regular** meeting thereof duly called and held on June 12, 2023 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), following the holding of a public hearing thereon at which all interested persons were given an opportunity to be heard. Notice of such meetings was given in accordance with the provisions of the Open Public Meetings Act.

2. The Ordinance, or a summary thereof, was published after first reading, on May 26, 2023, in "*The New Jersey Herald*", a newspaper published in the county in which the Township is located and circulating in the Township, together with a notice of pending ordinance, containing the date of introduction and the time and place of further consideration of the Ordinance (a true and correct copy of the affidavit of publication of the Ordinance is attached hereto).

3. On May 23, 2023, the Ordinance, or a summary thereof, was posted on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the Township, together with notice of the availability of copies of the Ordinance at the office of the Township Clerk, and such copies of the Ordinance were made available to all members of the general public requesting the same.

4. After final passage, the Ordinance, or a summary thereof, was duly published, together with a notice of adoption and statutory estoppel statement, on June 16, 2023 in "*The New Jersey Herald*", a newspaper published in the county in which the Township is located and circulating in the Township, and no protest by any person against making the improvement or issuing the indebtedness authorized in the Ordinance, 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 nor has any such action or proceeding questioning the validity of the

Ordinance been commenced within twenty (20) days after such publication (a true and correct copy of the affidavit of publication of the Ordinance is attached hereto).

5. The Ordinance when introduced was complete in the form in which it was finally adopted and remained on file in the office of the Township Clerk for public inspection from the date of introduction to the date of final adoption.

6. The attached copy of a Supplemental Debt Statement has been compared by me with the original Supplemental Debt Statement of the Township, prepared as of May 22, 2023, and sworn to on May 22, 2023, by Donelle Bright, who was then the Chief Financial Officer of the Township, and filed in the office of the Township Clerk on May 22, 2023, and that the same is a true and complete copy of said original Supplemental Debt Statement.

7. A complete, executed duplicate of the said original Supplemental Debt Statement was duly filed electronically (before final adoption of the Ordinance) in the Office of the Director of the Division of Local Government Services of the State of New Jersey on May 22, 2023. Attached is a copy of the e-mail transmitting the Supplemental Debt Statement or a copy of the automated e-mail acknowledging receipt of the Supplemental Debt Statement.

**IN WITNESS WHEREOF** I have hereunto set my hand and affixed the corporate seal of the Township this 13 day of June 2023.

(SEAL)

  
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Marcy Gianattasio  
Township Clerk