

Riverview/Hiland Sewer Assessment
Bond Ordinance 2007-07

1. A Supplemental Debt Statement must be prepared, executed and sworn to by the Chief Financial Officer and filed with the Clerk on or prior to the date of introduction of the bond ordinance.

Date: _____

2. The bond ordinance may be introduced and read by title only, and adopted by a majority of the members of the governing body present, assuming a quorum.

Date: _____

3. After introduction of the bond ordinance, the Supplemental Debt Statement(s) must be forwarded to Trenton and filed, prior to the final adoption of the bond ordinance, with the Division of Local Government Services.

Date: _____

4. To comply with the capital budget regulations, the bond ordinance contains a provision amending the capital budget or temporary capital budget (as applicable). To the extent the governing body has not adopted the capital budget, it should adopt a temporary capital budget including the projects listed in the bond ordinance. To the extent of any inconsistency with the bond ordinance, the bond ordinance should be filed with the Division of Local Government Services along with the Supplemental Debt Statement and the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget or temporary capital budget (as applicable). This resolution is not published.

Date: _____

******Ordinance, Supplemental Debt Statement & Temp Budget Resolution were all sent to the Director of DLGS at once on March 15, 2007******

5. After introduction, the bond ordinance must be published in full, together with a "Notice of Pending Ordinance," a copy of which is enclosed for your convenience. The bond ordinance together with the Notice must be published at least ten (10) days before the date set for the second reading, and the second reading must be at a meeting which is at least (10) days after the meeting at which the ordinance was introduced. **Note that unlike a general improvement bond ordinance which requires publication one (1) week before second reading, a special assessment ordinance must be published at least ten (10) days prior to the public hearing date.**

Date: _____

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In addition, in accordance with N.J.S.A. 40:49-6, at least one (1) week prior to second reading, a copy of the ordinance, together with notice of the introduction thereof and the time and place when and where the ordinance will be further considered for final passage, must be mailed to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, directed to that person's last known post office address. The ordinance should be mailed to the landowners by certified mail and records of the receipt of the ordinance should be maintained. Note also that, since the bond ordinance provides for a special assessment, in accordance with N.J.S.A. 40:49-2, we have included in the "Notice of Pending Bond Ordinance" a statement of the purpose of the bond ordinance.

Date: _____

6. At least one (1) week prior to the date scheduled for further consideration, the bond ordinance should be posted on the bulletin board customarily used for notices, together with the enclosed "Notice of Pending Ordinance". Copies of the bond ordinance should be made available to anyone who requests them of the Clerk.

Date: _____

7. If the Township Planning Board has adopted any portion of its "master plan" and the bond ordinance involves projects described therein, then prior to the governing body taking any action necessitating the expenditure of public funds, the action must be referred to the municipal planning board for review and recommendation in conjunction with the master plan (N.J.S.A. 40:55D-31), and the governing body must have received such recommendation or forty-five (45) days must have elapsed without such recommendation being received.

Date: _____

8. Please notify us prior to introduction if any of the proposed projects is located within a county-designated "agricultural development area" or involves a "municipally approved program" therein, as certain other requirements must be met under N.J.S.A. 4:1C-19 and 25 (including 30 days advance notice to certain county and State agencies).

Date: _____

9. The bond ordinance can be considered for final adoption not less than ten (10) days after the date of introduction, and not less than seven (7) days after the first publication of the bond ordinance. If the bond ordinance has been posted and copies made available as indicated in paragraph 6 above, then the bond ordinance may be read at this second reading by title only; otherwise the bond ordinance must be read in full. After the appropriate reading of the bond ordinance, the governing body must hold a public hearing and give all members of the public a chance to be heard on the bond ordinance. After the public hearing, the bond ordinance can be finally adopted by the affirmative vote of not less than two thirds of the full membership of the governing body and, if the Mayor's approval is required for the passage of ordinance, upon approval by (or passage over the veto of) the Mayor.

Date: _____

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10. The bond ordinance must then be published in full, together with the "Notice of Adoption of Bond Ordinance", a copy of which is enclosed. The bond ordinance will not become effective until twenty days after the publication of the full text of the bond ordinance along with the exact words of the "Notice of Adoption of Bond Ordinance".

Date: _____

11. Please complete the enclosed certificate and return the completed certificate to us, with the indicated attachments, as soon as possible after the twenty days have elapsed after final publication. Please make sure that all publications are in a newspaper published and circulating in the Township (if there is one), or, if there is no such newspaper, in a newspaper published in Somerset County and circulating in the Township.

Date: _____