

**HARDYSTON TOWNSHIP - ORDINANCE 2018-13**

**BOND ORDINANCE APPROPRIATING \$4,825,000, AND AUTHORIZING THE ISSUANCE OF \$4,595,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF HARDYSTON, IN THE COUNTY OF SUSSEX, NEW JERSEY.**

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

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 Hardyston, 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 \$4,825,000 including the aggregate sum of \$230,000 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 by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and by virtue of an emergency appropriation made therefor by resolution adopted by the governing body of the Township on October 24, 2018.

For the financing of said improvements or purposes and to meet the part of said \$4,825,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of

\$4,595,000 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 \$4,595,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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 fire-fighting equipment for the preservation of life and property in the Township, consisting of two (2) fire trucks for use by the Fire Department of the Township, together with all self-contained breathing apparatus, hoses, cameras, radios, 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	\$1,260,000	\$1,200,000
(b) Improvement of various roads and locations in and by the Township by the construction, reconstruction and resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway surface of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including, without limitation, Rock Lodge Road, Park Drive, Stockholm Terrace, Scenic Lakes Road, Silver Lake Road, Post Road, Silver Grove Road, Lakeside Avenue, Hillside Avenue, Lakeshore Road East, Glen Avenue, Maple Avenue, Old Route 23, Deer Trail Road, Buck Haven Trail, Doe Run, White Tail Court, Wilkey Way, Val Court, Franeks Road, Old Quarry Road, Campbell Drive, Sand Pond Road, Shauger Terrace, Dogwood Trail, Orts Road, Cub Lane, Partridge Road, Fox Trail, Vandecker Road, Mountain Road, McDole Road, Hamburg Turnpike, Laurel Court, Tamarack Trail, Lake Shore Road West, Lake Shore Road North, Crescent Court, Elm Drive, Bear Trail, Beaver Trail, Beech Drive, Cottonwood Court, Glen Road, Island Court, Beach View Court, Carriage Lane, Colson Terrace, Lyons Avenue and Laceytown Road, together with all milling, curbing, crack sealing, drainage structures and improvements, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with	<u>3,565,000</u>	<u>3,395,000</u>

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved		
Totals	\$4,825,000	\$4,595,000

The excess of the appropriation made for each of the improvements or purposes 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.

The following additional matters are hereby determined, declared, recited and stated:

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 benefitted thereby.

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 ten (10) years.

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 \$4,595,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by

said Local Bond Law.

Amounts not exceeding \$700,000 in the aggregate for interest on said obligations, costs of issuing said obligations 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 cost of said improvements and are included in the foregoing estimate thereof.

Any grant funds from time to time received by the Township for the improvements or purposes described in Section 3 of this bond ordinance, including without limitation a grant in the amount of \$100,000 received or expected to be received by the Township from the New Jersey Department of Transportation for the improvement of Silver Lake Road, 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 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 costs 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.

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 N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par 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.

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.

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.

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

Dated:

Attest:

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JANE BAKALARCZYK  
Township Clerk

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Carl B. Miller, Mayor

**HARDYSTON TOWNSHIP**

**BOND ORDINANCE STATEMENTS AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Hardyston, in the County of Sussex, New Jersey, on November 28, 2018 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 in the Municipal Building in said Township for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: Bond ordinance 2018-13 appropriating \$4,825,000, and authorizing the issuance of \$4,595,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Hardyston, in the County of Sussex, New Jersey

Purpose(s): Acquisition by purchase of new and additional fire-fighting equipment consisting of two (2) fire trucks for use by the Fire Department of the Township, together with all self-contained breathing apparatus, hoses, cameras, radios, equipment, attachments and accessories necessary therefor or incidental thereto. Improvement of various roads and locations in and by the Township by the construction, reconstruction and resurfacing thereof, including, without limitation, Rock Lodge Road, Park Drive, Stockholm Terrace, Scenic Lakes Road, Silver Lake Road, Post Road, Silver Grove Road, Lakeside Avenue, Hillside Avenue, Lakeshore Road East, Glen Avenue, Maple Avenue, Old Route 23, Deer Trail Road, Buck Haven Trail, Doe Run, White Tail Court, Wilkey Way, Val Court, Franeks Road, Old Quarry Road, Campbell Drive, Sand Pond Road, Shauger Terrace, Dogwood Trail, Orts Road, Cub Lane, Partridge Road, Fox Trail, Vandecker Road, Mountain Road, McDole Road, Hamburg Turnpike, Laurel Court, Tamarack Trail, Lake Shore Road West, Lake Shore Road North, Crescent Court, Elm Drive, Bear Trail, Beaver Trail, Beech Drive, Cottonwood Court, Glen Road, Island Court, Beach View Court, Carriage Lane, Colson Terrace, Lyons Avenue and Laceytown Road, together with all milling, curbing, crack sealing, drainage structures and improvements, equipment, site work, work and materials necessary therefor or incidental thereto.

Appropriation: \$4,825,000

Bonds/Notes Authorized: \$4,595,000

Grants (if any) Appropriated: \$100,000 and any other funds received as grants in aid of financing said purposes

Section 20 Costs: \$700,000

Useful Life: 10 years

Jane Bakalarczyk  
Township Clerk

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