



2020
BOROUGH OF DUMONT
ORDINANCE

| MEMBERS | AYE | NAY | ABSTAIN | ABSENT |
|---------------|-----|-----|---------|--------|
| CHAE | ✓ | | | |
| ENGLESE | ✓ | | | |
| GORMAN | ✓ | | | |
| MANNA | ✓ | | | |
| ROSSILLO | | | | ✓ |
| STEWART | ✓ | | | |
| MAYOR LaBRUNO | | | | |
| TOTALS | 5 | | | 1 |

Ordinance No. 1578

Date: June 16, 2020

Page: 1 of 4

Subject: Supplemental Bond Ordinance of the Borough of Dumont Adding \$3,500,000 in total Appropriation to the Municipal Building Project

Purpose: Authorization

Dollar Amount: \$3,500,000

Prepared By: James Spanarkel, Esq.

Offered by: Borman

Seconded by: Manna

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly

Susan Connelly, RMC, Municipal Clerk

Borough of Dumont, Bergen County, New Jersey

BOND ORDINANCE OF THE BOROUGH OF DUMONT APPROPRIATING \$3,500,000 TO SUPPLEMENT SECTION 3 OF BOND ORDINANCE NO. 1519 FINALLY ADOPTED ON MAY 30, 2017, AS AMENDED BY BOND ORDINANCE NO. 1550 FINALLY ADOPTED ON OCTOBER 16, 2018, AS SUPPLEMENTED BY BY BOND ORDINANCE NO. 1556 FINALLY ADOPTED ON FEBRUARY 5, 2019, AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NO. 1558 FINALLY ADOPTED ON

**FEBRUARY 19, 2019 AND AUTHORIZING THE ISSUANCE
OF \$3,330,000 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUMONT (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Section 3 of Bond Ordinance No. 1519 finally adopted on May 30, 2018 by the Borough of Dumont, a municipal corporation of the State of New Jersey (the "Borough"), as amended by Bond Ordinance No. 1550 of the Borough finally adopted on October 16, 2018, as supplemented by Bond Ordinance No. 1556 of the Borough finally adopted on February 5, 2019, and as amended and supplemented by Bond Ordinance No 1558 finally adopted on February 19, 2019 (collectively, the "Prior Bond Ordinance") is hereby supplemented as set forth within this bond ordinance. The improvement or purpose described in Section 3 of this bond ordinance has been authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$3,500,000 (such sum being in addition to the sums appropriated in the Prior Ordinance), including the sum of \$170,000 as the additional down payment required by the Local Bond Law. The down payment is now available in the Borough's capital surplus fund.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,333,000 (such sum being in addition to the amounts authorized by the Prior Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement or purpose hereby authorized for which bonds or notes are to be issued are the preparation of the former Municipal Complex located on Washington Avenue, known as Block 86, Lot 12, for demolition and potential site remediation to be undertaken by Landmark Dumont LLC or an affiliated entity thereof pursuant to a settlement agreement dated March 7, 2016, which was approved by order of the Superior Court of New Jersey dated June 6, 2016, including the relocation of certain property located therein; purchase of the real property located on West Quackenbush Avenue, known as Block 1215, Lots 6, 7 and 8, and the preparation of same, including demolition of existing structures and potential site remediation, for the construction of a new Municipal Complex to be located in part thereon; the planning, design and construction of a new Municipal Complex to house all Borough Departments in a single facility to be located on Washington Avenue, known as Block 86, Lot 12, and West Quackenbush Avenue, known as Block 1215, Lots 6, 7 and 8, including all work and materials necessary therefor or incidental thereto. This improvement or purpose supplements the improvement and purpose set forth in the Prior Ordinance.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose authorized in this bond ordinance is \$23,166,500, which is the aggregate amount of the appropriations set forth in this bond ordinance, and in the Prior Ordinance.

(c) The estimated cost of the improvement or purpose authorized in this bond ordinance is \$23,900,000, which is the aggregate amount of the appropriations set forth in this bond ordinance, and in the Prior Ordinance.

Section 4. 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 notes issued pursuant to this 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:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes 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 date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the names of the purchaser.

Section 5. 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake 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 period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 40 years.

(c) An aggregate amount not exceeding \$525,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$3,330,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing is a true copy of a refunding bond ordinance introduced and adopted on first reading by the governing body of the Borough of Dumont on June 16, 2020.

Andrew LaBruno, Mayor

Attest:

Susan Connelly, RMC
Municipal Clerk

Introduced: June 16, 2020
Adopted: