

**BOROUGH OF MILLTOWN
COUNTY OF MIDDLESEX**

BOND ORDINANCE NO. 16-1431

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW FIRE TRUCK AND CANOPY TENT TO TEMPORARILY SHELTER SAME, APPROPRIATING \$720,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$684,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MILLTOWN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Milltown, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$720,000, said sum being inclusive of all appropriations heretofore made therefore, including the sum of \$36,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$684,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, 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 improvements hereby authorized and the purposes for which the obligations are to be issued consist of the acquisition of a new fire truck and canopy tent to temporarily shelter same, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$684,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$720,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$720,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$36,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who 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. 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 such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake 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 the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough 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. 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 in this bond ordinance by \$684,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. 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, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

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.

Introduced: June 13, 2016

Recorded Vote

Motion made by Councilman Guyette
Second by Council President Dixon

Roll Call

	Aye	Nay	Abstain	Absent
Council President Dixon	X			
Councilman Farkas		X		
Councilman Guthlein	X			
Councilman Guyette	X			
Councilwoman Kerber	X			
Councilman Ligotti	X			

Adopted on First Reading
Dated: June 13, 2016

Gabriella Siboni, RMC
Borough Clerk

Adopted: July 11, 2016

Recorded Vote

Motion Made by Councilman Guyette
Second by Councilwoman Kerber

	Aye	Nay	Abstain	Absent
Council President Dixon	X			
Councilman Farkas		X		
Councilman Guthlein	X			
Councilman Guyette	X			
Councilwoman Kerber	X			
Councilman Ligotti				X

Adopted on Second Reading
Dated:

Gabriella Siboni, RMC
Borough Clerk

Approval by the Mayor on this 11th day of July, 2016.

Eric A. Steeber, Mayor

CERTIFICATE AS TO BOND ORDINANCE

I, GABRIELLA SIBONI, Municipal Clerk of the Borough of Milltown, in the County of Middlesex, New Jersey, HEREBY CERTIFY that annexed hereto is a true and complete copy of Bond Ordinance No. 16-1431 which was introduced at a duly convened meeting of the Borough Council on June 13, 2016, and finally adopted at a duly convened meeting of the Borough Council on July 11, 2016.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough this 12th day of July, 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY



GABRIELLA SIBONI,
Municipal Clerk

(SEAL)

**CERTIFICATE AS TO ANNUAL DEBT STATEMENT
AND SUPPLEMENTAL DEBT STATEMENT**

I, GABRIELLA SIBONI, Municipal Clerk of the Borough of Milltown, in the County of Middlesex, New Jersey (herein called the "Borough"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the ANNUAL DEBT STATEMENT of the Borough which was prepared as of December 31, 2015 by DENISE BIANCAMANO, who was then Chief Financial Officer of the Borough and said Statement was filed in my office on January 29, 2016, and that a complete, executed copy of said Statement was filed in the Office of the Director of the Division of Local Government Services of the State of New Jersey on January 28, 2016 and endorsed by the Director on January 29, 2016.

I hereby further certify that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the Borough, prepared as of June 13, 2016 by DENISE BIANCAMANO, then Chief Financial Officer of the Borough and filed in my office on June 13, 2016, prior to the introduction of Bond Ordinance No. 16-1431 entitled:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW FIRE TRUCK AND CANOPY TENT TO TEMPORARILY SHELTER SAME, APPROPRIATING \$720,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$684,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MILLTOWN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

and that a complete executed copy of said Statement was filed in the Office of the Director of the Division of Local Government Services of the State of New Jersey on June 13, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Borough this 13th day of June, 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY



GABRIELLA SIBONI,
Municipal Clerk

(SEAL)

**CERTIFICATE OF FINANCIAL OFFICER
CONCERNING DOWN PAYMENT**

I, DENISE BIANCAMANO, Chief Financial Officer of the Borough of Milltown, in the County of Middlesex, New Jersey (hereinafter "Borough"), HEREBY CERTIFY that prior to the final adoption on 7/11/2016, 2016 of Bond Ordinance No. 16-1431 entitled:

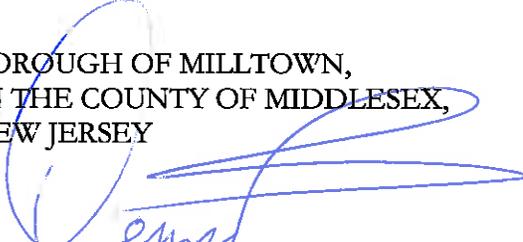
BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW FIRE TRUCK AND CANOPY TENT TO TEMPORARILY SHELTER SAME, APPROPRIATING \$720,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$684,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MILLTOWN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

there was available as a down payment for the purposes authorized by said ordinance the sum of \$36,000 which amount was appropriated as a down payment by said ordinance and was made available from one or more of the following sources:

- * 1.a. by provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes; or
- * b. from moneys then actually held by the Borough and previously contributed for such purpose other than by the Borough; or
- * c. by emergency resolution; or
- * 2. a down payment is not necessary because obligations were authorized for a purpose referred to in paragraphs a, b, c, d, e, or h of N.J.S.A. 40A:2-7; or
- * 3. a down payment is not necessary because no additional debt was authorized.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY



DENISE BIANCAMANO, Chief Financial Officer

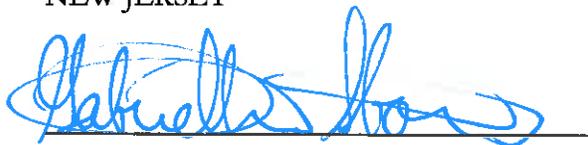
* Please initial appropriate section.

**CERTIFICATE OF MUNICIPAL CLERK
EXTRACT OF MINUTES
SHOWING INTRODUCTION OF ORDINANCE**

I, GABRIELLA SIBONI, Municipal Clerk of the Borough of Milltown, in the County of Middlesex, State of New Jersey, HEREBY CERTIFY that the annexed extract from the minutes of a meeting of the governing body of said Borough, duly called and held on June 13, 2016, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said governing body and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to Bond Ordinance No. 16-1431 and the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough, this 7th day of September, 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY



GABRIELLA SIBONI,
Municipal Clerk

(SEAL)

Introduced: June 13, 2016

Recorded Vote

Motion made by Councilman Guyette

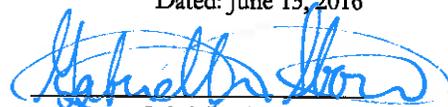
Second by Council President Dixon

Roll Call

	Aye	Nay	Abstain	Absent
Council President Dixon	X			
Councilman Farkas		X		
Councilman Guthlein	X			
Councilman Guyette	X			
Councilwoman Kerber	X			
Councilman Ligotti	X			

Adopted on First Reading

Dated: June 13, 2016



Gabriella Siboni, RMC
Borough Clerk

**CERTIFICATE OF MUNICIPAL CLERK
EXTRACT OF MINUTES
SHOWING PUBLIC HEARING
AND FINAL ADOPTION OF ORDINANCE**

I, GABRIELLA SIBONI, Municipal Clerk of the Borough of Milltown, in the County of Middlesex, State of New Jersey, HEREBY CERTIFY that the annexed extract from the minutes of a meeting of the governing body of said Borough, duly called and held on July 11, 2016, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said governing body and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to Bond Ordinance No. 16-1431 and the subject matter referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough, this 7th day of September 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY


GABRIELLA SIBONI,
Municipal Clerk

(SEAL)

Adopted: July 11, 2016

Recorded Vote

Motion Made by Councilman Guyette
Second by Councilwoman Kerber

	Aye	Nay	Abstain	Absent
Council President Dixon	X			
Councilman Farkas		X		
Councilman Guthlein	X			
Councilman Guyette	X			
Councilwoman Kerber	X			
Councilman Ligotti				X

Adopted on Second Reading
Dated:

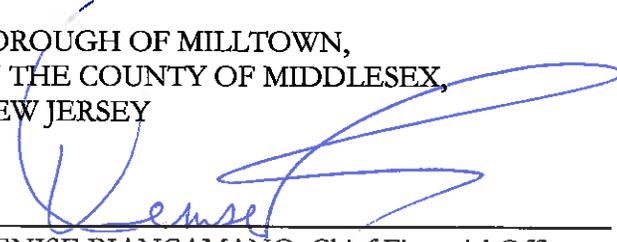

Gabriella Siboni, RMC
Borough Clerk

CERTIFICATE AS TO CAPITAL BUDGET

I, DENISE BIANCAMANO, Chief Financial Officer of the Borough of Milltown, in the County of Middlesex, State of New Jersey, HEREBY CERTIFY that attached hereto is a true and complete copy of the 2016 Capital Budget of the Borough or a Capital Budget Amendment adopted 6/13/16, 2016, which Capital Budget or Capital Budget Amendment shows the improvements authorized by Bond Ordinance No. 16-1431.

IN WITNESS WHEREOF I hereby set my hand this 13 day of September, 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY



DENISE BIANCAMANO, Chief Financial Officer

**MUNICIPAL CLERK'S CERTIFICATE
CONCERNING PUBLICATION AND NO-PROTEST**

I, GABRIELLA SIBONI, Municipal Clerk of the Borough of Milltown, in the County of Middlesex, State of New Jersey (the "Borough"), HEREBY CERTIFY that:

1. I am and was at all times referred to herein, the duly appointed Municipal Clerk of the Borough. In this capacity, I have the responsibility to maintain the Minutes of the meetings of the governing body of the Borough and the records relative to all ordinances and resolutions of the Borough. The representations made herein are based upon the records of the Borough.

2. Attached hereto is a true and complete copy of Bond Ordinance No. 16-1431 which was passed by the governing body of the Borough on first reading on June 13, 2016 and finally adopted by said governing body on July 11, 2016 and the Mayor approved on August 8, 2016.

3. On June 14, 2016, I caused to be posted, in the principal municipal building of the Borough at the place where public notices are customarily posted, a copy of said Ordinance and a notice that copies of the Ordinance would be made available to the members of the general public of the Borough who requested copies, up to and including the time of further consideration of the Ordinance by the governing body. Copies of the Ordinance were made available to all who requested same.

4. After introduction, the Ordinance was duly published on June 20, 2016 and after final passage, the Ordinance was duly published on July 18, 2016. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, 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 within twenty (20) days after said publication following final adoption or at any other time after the final passage thereof.

5. A certified copy of the Ordinance and a copy of the amended capital budget form, if required, have been filed with the Director of the Division of Local Government Services.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough, this 7th day of September, 2016.

BOROUGH OF MILLTOWN,
IN THE COUNTY OF MIDDLESEX,
NEW JERSEY



GABRIELLA SIBONI,
Municipal Clerk

(SEAL)

(Note: This Certificate must be executed no earlier than 21 days following the first publication after adoption of the Ordinance.)