

Ordinance #10-1312

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MILLTOWN, MORE PARTICULARLY, CHAPTER IV, GENERAL LICENSING AND BUSINESS REGULATIONS - SECTION 38 - WRECKERS: TO AMEND SERVICE RATES TO ADD ADMINISTRATIVE FEE

BE IT ORDAINED by the Borough of Milltown of the County of Middlesex and State of New Jersey that the Revised General Ordinances of the Borough of Milltown be amended as follows:

SECTION I

All existing provisions of Chapter 4, "General Licensing and Business Regulations" of the Revised General Ordinances of the Borough of Milltown shall remain in full force and effect with the exception of the following revisions:

SECTION II**4-38 WRECKERS****Section 4-38.12, Service Rates.**

The following shall be added to this section:

a. (9) There shall be an Administration Service charge of twenty-five dollars (\$25.00) for each transportation, hauling or service of a disabled vehicle or a vehicle taken into custody by the Police Department or other Borough Agency. This fee is to be billed and received by the wrecker operator and submitted monthly to the Borough of Milltown.

SECTION III

Each clause, section or subsection of this Ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the Ordinance shall not be affected.

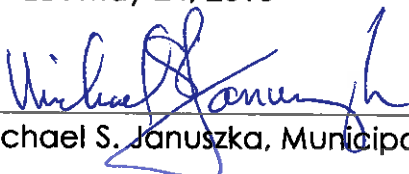
SECTION IV

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed as to the extent of such inconsistency.

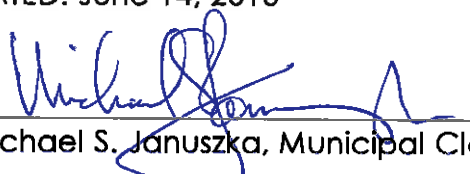
SECTION V

This Ordinance shall take effect immediately upon adoption and publication according to law.

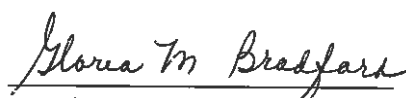
ADOPTED ON FIRST READING
DATED: May 24, 2010


Michael S. Januszka, Municipal Clerk

ADOPTED ON SECOND READING
DATED: June 14, 2010


Michael S. Januszka, Municipal Clerk

APPROVAL BY MAYOR ON THIS 16TH DAY OF June, 2010


Gloria M. Bradford, Mayor

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 a general improvement of the Electric Utility, 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 (forty) 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal 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 not increased by the authorization of the \$1,050,000 Bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$50,000 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. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

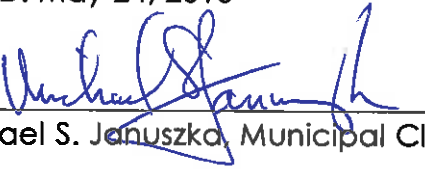
Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved 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.

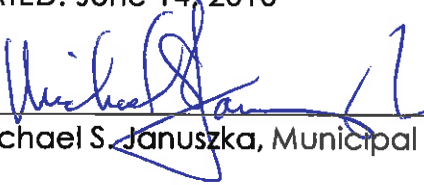
Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough 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.

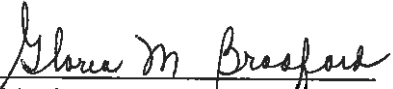
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