

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No.

23-025

1ST READING JUNE 20, 2023

DATE TO MAYOR JULY 19, 2023

2ND READING & PUBLIC HEARING July 18, 2023

DATE RESUBMITTED TO COUNCIL _____

WITHDRAWN _____ LOST _____

DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

AN ORDINANCE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$10,180,145 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$9,528,637 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME..

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), pursuant to the Local Bond Law, L. 1960, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Bond Law"), AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Hamilton, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there is hereby appropriated the respective sums amounting in the aggregate to \$10,180,145, including \$150,000 in New Jersey Historical Society Grants and the aggregate sum of \$501,508 as the several down payments for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$9,528,637, 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 improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. Purpose. Acquisition of Technology and Services, including but not limited to: (i) Micro-Filming Records management for Fire Divisions, (ii) Wireless Access Points to support wireless internet devices for Township sites including POE switches and access points, (iii) Firewalls, security and network routing including hardware, software, peripherals, support, etc., and (iv) Hardware and software to support VIOP phone system (Avaya Cloud Office or equivalent and including Avaya IP office to serve as gateway to VESTA-9-1-1 system, VESTA-9-1-1 hardware and programming for integration of new Avaya system), each as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$370,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$351,500
<u>Period or Average Period of Usefulness:</u>	8.55 years
<u>Amount of Down Payment:</u>	\$18,500

II. Purpose. Improvements and repairs to Township Parks and recreational assets, including but not limited to: Resurfacing of 1 set Tennis Courts at Veterans Park which are presently closed, Replacement of Winter Wonderland Displays, Resurfacing (Milling & Paving) of portions of Veterans Park, DeMeo Baseball Field, Maintenance yard, Greenhouse area, walkways throughout the park, Replacement of Diesel Fuel Tank at Veterans Park, Replacement (as needed) of Benches, Picnic Tables and Grills at various Township Parks and Replacement (as needed) of Park Playground Equipment at various Township Parks, Replacement, each as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No.

23-025

AN ORDINANCE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$10,180,145 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$9,528,637 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME..

<u>Appropriated and Estimated Cost:</u>	\$450,200
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$427,690
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$22,510

III. Purpose. Improvements and repairs to Township public buildings and facilities, including but not limited to: Replacement of washer/dryer/ dishwasher at Animal Control Shelter, Repair to sidewalks and curbing at Police Headquarters, Replacement of second story railings at Kuser Mansion, Replacement of original roof at Fire Station 19, repairs to various structures at Veterans Park, including but not limited to the replace all exterior doors, including the restroom facilities, within the park, Replacement of heat pump at Veterans Park Maintenance Building, Station 17 Ballroom repairs, including but not limited to Repair/replace appliances, ceiling tiles, restrooms, kitchen, general assembly area and lighting controls for ballroom, engineering, design, permitting and potential property acquisition for New Municipal Complex to be located at located at 1750 Whitehorse-Mercerville Road within the Township, commonly known as Block 1922, Lot 7, emergent repairs and restoration of Isaac Pearson House, each as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary thereof or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$2,114,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,964,000
<u>NJ Historical Society Grant</u>	\$150,000
<u>Period or Average Period of Usefulness:</u>	10.31 years
<u>Amount of Down Payment:</u>	\$98,200

IV. Purpose. Acquisition of equipment and vehicles for Township departments, including but not limited to the following equipment: Motorola Solutions Console Upgrade (Police), Toro Infield Pro 3040 (Parks), Kubota ZD 1200-3-72 Diesel Zero turn (Parks), Exmark 72" Lazer Z DS Series (Parks), Two (2) Light Towers (B&G), Varitech Anti-Icing Brine Systems for Roll-Off (Roads), John Deere 5090 M Utility Tractor (Roads), Mobile Column Lifts (Garage), Fire Turnout Gear (Fire) and the following vehicles SUV Unit (Fire Prevention), Ford Escape 4WD (Housing Inspections), Ford F-150 XL 4WD (CP&E), Seven (7) Police (SUV) vehicles (Police), One Ford F250 Extended Cab (Parks), Ford F250 Pickup with utility body and Plow package (B&G), Ford F450 Cab and Chassis 4x4 (Roads), Ford F250 (Roads) and Rear Load Compaction Garbage Truck (Parks) with all name brand items including equivalents and including customization and related equipment to allow the vehicles to be used for its intended use, each as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$2,579,350
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$2,450,382
<u>Period or Average Period of Usefulness:</u>	8.01 years
<u>Amount of Down Payment:</u>	\$128,968

V. Purpose. Engineering, Planning, Design and Reconstruction and repairs to Township roads, including but not limited to repairs to Lisa Court from Compton Way to the Cul-De-Sac, Lansing Avenue from Edinburg Road to dead end, Gridley Avenue from South Olden Avenue to Wesley Avenue, Fenwood Avenue from Route 33 to Whitehorse Mercerville Rd, Agabiti Court from West McGalliard Avenue to the Cul-De-Sac, Cardigan Road from Albemarle Road to Endicott Road, O'Rourke Drive from Uncle Pete's Road to the Dead End, Sallie Street from Chambers Street to Lily Street, Melody Court from Yardville-Hamilton Sq Rd to the Cul-De-Sac, Marshall Avenue from Edinburg Road to Nottingham Way, Englewood Boulevard from Whitehorse Hamilton Sq Rd to #107 Hempstead Road, Woodside Avenue from South Broad Street to Arena Drive, Hoffman Drive from George Dye Road to Kristin Way, each job including miscellaneous paving, signage, signals, guardrails, inspections and permits, and including allocation of in house Township costs associated with bidding, monitoring and inspecting contracted work and each as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No.

23-025

AN ORDINANCE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$10,180,145 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$9,528,637 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME..

<u>Appropriated and Estimated Cost:</u>	\$4,666,595
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$4,433,265
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$233,330

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

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 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(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 bond 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 name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township 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, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 14.37 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the 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 Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$9,528,637, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No.

23-025

AN ORDINANCE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$10,180,145 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$9,528,637 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME..

(e) The Township reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys in addition to the NJ Historical Society Grant appropriated herein which are received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is 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 Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE

First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
PASQUALE "PAT" PAPERIO, JR.	✓						PASQUALE "PAT" PAPERIO, JR.						
NANCY PHILLIPS	✓				✓		NANCY PHILLIPS						
RICHARD L. TIGHE, JR.	✓					✓	RICHARD L. TIGHE, JR.						
ANTHONY P. CARABELLI, JR.	✓						ANTHONY P. CARABELLI, JR.						
CHARLES F. WHALEN	✓						CHARLES F. WHALEN						

X - Indicates Vote A.B. - Absent N.V. - Not Voting RES. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____

OVERRIDE VOTE AYE _____ NAY _____