



**2015
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
HAYES	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No. 1483

Date: April 7, 2015

Page: 1 of 3

Subject: Police Department Traffic Control Fees

Purpose: Amendment

Dollar Amount:

Prepared By: Gregg Paster, Esq.

Offered by: Hayes

Seconded by: Riquelme

Certified as a true copy of an Ordinance Adopted at 2nd Reading 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**

**AMENDMENT OF ARTICLE V-TRAFFIC CONTROL OFFICERS,
CHAPTER 209-FEES**

WHEREAS, with the adoption of Borough Ordinance #1285 the costs of traffic control has been imposed upon contractors requiring obstruction of the public right of way for the purpose of construction, installation, maintenance or replacement of dwellings, building, and/or utilities within the territory of the Borough of Dumont; and

WHEREAS, the 2014 service fee of One Hundred Twenty Five dollars (\$125.00) per hour or any part thereof, for work performed by the traffic control officer, in addition to the

administrative fee of fifteen dollars (\$15.00) were previously determined to be a fair and just fee for the provision of said traffic control officer and administrative fee; and

WHEREAS, budgeted salaries of the members of the Dumont Police Department have increased over time, and since the passage of Ordinance #1348 and #1385; and

WHEREAS, the Mayor and Council have determined that the general health, welfare and safety of the residents of the Borough of Dumont will be improved by increasing the fee for work performed by the traffic control officer, in an effort to better parallel present economic conditions, consistent with past practice; and

THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Dumont Borough Code §209-25, shall be amended as hereinafter provided:

Section 209-25. **FEE FOR TRAFFIC CONTROL OFFICER**

A. Any contractor, workman, free service, craftsman, utility or any other individual or corporation requiring obstruction or closure of any roadway or public right of way in and around the Borough of Dumont shall, prior to the issuance of any permit for such work to be undertaken, make application to the Chief of Police, not later than 14 days prior to the intended start date, on a form prescribed and determined by the Chief of Police, for traffic control officers to be assigned for the necessary duration of any such work.

B. The fee for such application and traffic control services shall be One Hundred Thirty dollars (\$130.00) per hour or any part thereof, as further defined herein, together with an administrative fee of Fifteen Dollars (**\$15.00**) to process the application. Said hourly fee shall increase by not more than Five dollars (\$5.00) annually for five years commencing in calendar 2015 through 2019.

C. No permits shall be issued nor work begun that will cause an interruption of traffic on any street within the Borough of Dumont without a copy of the application form executed by the Chief of Police and Building official and certified funds or money order representing escrow to be deposited with the Building Department, in their discretion, set the amount of escrow to be deposited with the Building Department in an amount adequate to compensate the Borough for fees imposed by virtue of this act.

D. Notification of cancellation must be made to the Police Department at least two (2) hours prior to a scheduled job; otherwise a four (4) hour minimum fee will be charged.

Section 5. Invalidation.

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment

shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

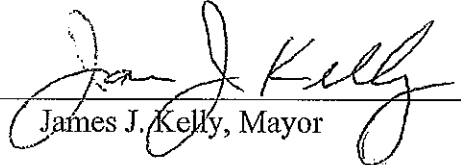
Section 6. Severability.

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


Section 7. Effective Date.

This Ordinance shall be in full force and effect from January 1, 2015 and after its adoption and any publication as may be required by law.

BOROUGH OF DUMONT


James J. Kelly, Mayor

Attest:


Susan Connelly, RMC
Municipal Clerk

Introduced: March 17, 2015

Adopted: April 7, 2015



**2015
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
HAYES	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No. 1485
Date: April 7, 2015
Page: 1 of 6
Subject: Police Hiring
Purpose: Amend Chapter 75
Dollar Amount: _____

Offered by: Hayes
Seconded by: Morrell

Prepared By: Gregg Paster, Esq.

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

**REPLACING CHAPTER 75, SECTION 6 POLICE DEPARTMENT OF THE
DUMONT CODE**

WHEREAS, the Mayor and Council have determined to revise the police department hiring policy in order to ensure the highest quality and character of candidates for police officer positions within the Dumont Police Department; and

WHEREAS, the Mayor and Council now seek to accommodate that determination by revising the standards and requirements for new police recruits and hires on the Borough force; and

WHEREAS, it is necessary to replace this section of Chapter 75 of the Borough Code governing the required process for police promotions.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 75 PERSONNEL POLICIES of the Borough of Dumont Code shall be amended as hereinafter provided:

Chapter 75-6 Appointment and confirmation; new officers shall remain in place as currently constituted and be supplemented and augmented and follows.

Chapter 75-6 shall be supplemented with a new section to be in addition to and not in place of existing section 75-6, the following provisions and sections shall augment the existing Code, **75-6 Appointment and confirmation; new officers:**

I. Eligibility

Criteria for appointment and confirmation of new officers for the Dumont Police Department:

- (1) No less than 18 nor more than 34 years of age;
- (2) Must possess a valid New Jersey driver license;
- (3) Must possess a Bachelor's Degree from an accredited college or university;
- (4) Must be a United States citizen;
- (5) In lieu of the educational requirement, and applicant honorably discharged from the United States armed services, army, navy, air force, marine corps or coast guard, will be accepted. Such military service will count for 5 additional points to the candidate's overall qualification score.

II. Selection Process

(1) The selection process for new officers in the Dumont Police Department shall according to the following steps, in the order set forth herein.

a) Physical examination- Physical fitness examinations. The physical fitness assessment will be administered by an outside testing agency, under observation of the Bergen County or other authorized police academy, pursuant to existing policies and standards as promulgated by the appropriate State of New Jersey agencies and authorities. The medical examination will be performed by an outside medical professional selected by the Chief of Police, at the applicant's expense. Each police candidate will also be required to provide a written medical report from his/her own private physician, based upon a physical examination not more than six (6) months prior to the date of the report, certifying that the candidate is, in the physician's opinion, physically capable of performing rigorous physical activity consistent with law enforcement duties. The physical examination portion of the procedure will be worth 20

percent of the score. No more than the top 50 candidates will advance to the written examination;

b) Written examination- The written examination shall be of such nature as will fairly assess a candidate's cognitive ability to perform as a police officer. The content and procedure will be determined and administered by the New Jersey State Association of Chiefs of Police or other third party testing group as selected by the Dumont Chief of Police. The written examination shall be worth 30 percent of the candidate's overall score. No more than the top 25 candidates will advance to the agency oral interview portion of the procedure;

c) Agency Oral Interview- The Agency Oral interview shall consist of a single oral interview of each candidate before an Agency panel of not more than three (3) representatives, appointed by the Chief of Police including command and supervisory level personnel who will assign a numeric score between 0 and 40 to each candidate's interview performance. Each panel member will individually and confidentially score the candidates, and the average of all panel scores will be the candidate's Agency Oral Interview score. The Agency Oral Interview shall be worth 40 percent of the candidate's overall score. No more than the top 15 candidates advance to the Police Agency/Police Committee interview portion of the procedure.

d) Police Agency/Police Committee Oral Interview- The interview panel will consist of the members of the Borough Police Committee, the Chief of Police and two members of the Dumont Police Department chosen by the Chief of Police. In the event of the inability of any member of the Police Committee to participate in the oral interview process, the Governing Body shall select a qualified member of its own number to participate instead. Each committee member will individually and confidentially score the candidates with a score from 0 to 10, and the average of all panel scores will be the candidate's Agency/Committee score. The Agency/Committee interview process shall constitute 10 percent of the candidate's overall score.

e) The ten top candidates based upon cumulative, aggregate score of all four phases of the qualification process will be ranked in descending order from one through ten. This candidate list shall be valid for up to 18 months from the establishment of the list. Scores for candidates 11-15 shall be held in abeyance in case the top candidates become unavailable for any reasons and then the list shall be moved up that number of candidates. In the event of a tie score, both or all of the tied score candidates will be permitted to proceed to the next phase of testing.

f) Upon the ranking list completion, the number of candidates intended to be hired in the next round of hires shall be extended a conditional offer of employment. Acceptance of the conditional offer of employment shall allow candidates to continue in the process, but shall not obligate the Borough to extend an actual offer of employment. Candidates accepting the conditional offer will complete a Pre-Employment Background Investigation Application.

III. Background Investigation

(a) The background investigation is designed to determine whether behavior patterns or events would preclude an applicant from successfully performing the duties of a

Dumont Police Officer, and to confirm eligibility to carry a weapon and to access confidential information.

(b) The background investigation will include, but not be limited to the following:

Review of candidate's application to confirm eligibility for the position;
Employment, Driving, Military, Education Credit and Family Histories;
Fingerprint check for criminal background;
Confirmation of at least 3 personal references;
Drug/Narcotic and Alcohol use;
Confirmation of residency/citizenship;
Organization membership.

(c) Candidates shall be checked against the New Jersey Central Drug and Domestic Violence Registries as part of the criminal background check, and will be directly questioned regarding any positive findings. Positive findings related to domestic violence, sexual assault, stalking, elder abuse or child abuse shall be rendered ineligible for further consideration in the hiring process. Candidates not meeting with all eligibility requirements as set forth in the Borough police policy will be disqualified from further consideration.

(d) Candidates successfully completing the background investigation portion of the process shall continue into the psychological evaluation. Those not successfully completing the background investigation will not be further considered for employment.

IV. Psychological Evaluation

(a) All candidates for probationary officer positions will be subject to a psychological fitness examination by a Psychologist/Psychiatrist of the Borough/Department's choice and the applicant's expense, except that all candidates for a given round of eligibility/evaluation will be examined by the same psychiatric professional. Such examination will be authorized only after a conditional offer of employment is extended.

(b) The psychological fitness examination results will be considered confidential personnel records and will be maintained in the individual candidate's personnel file and treated as such, with access restricted accordingly.

(c) A candidate who successfully completes the psychological evaluation shall continue in the process on to the physical medical examination. Any candidate failing the psychological examination portion of the process will be ineligible for further consideration.

V. Physical Medical Examination

(a) A medical examination will be performed on any candidate who has successfully completed the psychological evaluation and has been granted a conditional offer of employment. Said medical examination shall be satisfactory to meet the standards of the Board of Trustees of the Police and Firemen's Retirement System, and shall be at a facility or by a physician of the Borough's choosing.

(b) The physician and/or facility performing the examination, at the applicant's expense, shall review medical history, interview the candidate and perform a physical examination of each candidate to determine whether any conditions exist that are likely to interfere with the candidate's ability to perform the duties of a police officer. Each candidate for a given round of eligibility shall be examined by the same physician/facility. The physician shall be licensed to practice medicine by the appropriate board of the State of New Jersey.

(c) As part of the physical examination, blood and urine samples will be collected and analyzed by the New Jersey State Police Laboratory for use of drugs and alcohol. A consent form will be provided for signature by each candidate to authorize the collection and analysis of the samples. The consent form shall advise the candidate of the following:

(i) A negative result, with an exception for legally prescribed medications to treat a current condition, is a mandatory condition of employment; and

(ii) A positive result will eliminate the candidate from further consideration for employment; cause the candidate to be reported to the central drug registry of the New Jersey State Police; and preclude the candidate from consideration for law enforcement employment in New Jersey for at least the ensuing two (2) years;

(iii) The consent form shall further indicate that if the candidate is currently employed by another agency as a sworn law enforcement officer and the officer tests positive for drug use except as prescribed under the care of a licensed physician, the officer's employing agency will be notified of the positive result and that the officer may be subject to termination and permanent ineligibility from future law enforcement employment in New Jersey.

(d) A candidate who successfully completes the medical evaluation shall continue in the process. Any candidate who fails to successfully complete the medical evaluation shall be ineligible for further consideration for employment.

VI. Appointment as a Probationary Officer

(a) Probationary Officers duly appointed by resolution of the Governing Body shall serve a probationary period commencing on the date of appointment, and for 12 months following graduation from an approved Police Academy. The probationary period shall not exceed 18 months. Candidates possessing a PTC Certification at the time of hire shall serve a 12 month probationary period.

(b) A Police Recruit/Probationary Officer must successfully complete basic training at the Bergen County Law and Public Safety Institute or other suitable New Jersey Police Training Academy, as established by the Dumont Chief of Police.

(c) The Police Recruit shall be required to complete the Field Training Officer program as established by agency policy upon completion of police academy training.

(d) Upon successful completion of the Field Training Officer program, the Probationary Officer will be assigned to the patrol squad to complete his/her probationary period.

Existing Sections A(2) and B shall remain in effect. Section E(1) shall be revised to read as follows: 'The normal work day tour shall be twelve hours consecutive, which shall include within the twelve hour span, 45 minutes of meal time and three breaks per shift of 15 minutes each. However, in case of emergency, said members may be summoned.' All other provisions of Code Section 75-6 be and are hereby repealed to the extent of any inconsistency herewith, and where there is any conflict between the existing section and this enactment, this enactment shall supersede and override said conflict.

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Severability. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. In the event of a conflict with any prior enactment, the provisions hereof shall prevail.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC
Municipal Clerk

Introduced: April 7, 2015
Adopted: _____, 2015



**2015
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
HAYES	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No.	1486
Date:	April 7, 2015
Page:	1 of 6
Subject:	Bond Ordinance Supplement
Purpose:	Authorization
Dollar Amount:	\$79,303
Offered by:	<u>Morrell</u>
Seconded by:	<u>Zamechansky</u>
Prepared By:	Edward McManimon, III, Bond Counsel

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 PROVIDING A SUPPLEMENTAL
APPROPRIATION OF \$79,303 FOR VARIOUS IMPROVEMENTS TO
THE SEWER INFRASTRUCTURE IN AND BY THE BOROUGH OF
DUMONT, IN THE COUNTY OF BERGEN, NEW JERSEY, AND
AUTHORIZING THE ISSUANCE OF \$75,526 BONDS OR NOTES OF
THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Dumont, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$79,303, such sum being in addition to the \$240,809 appropriated therefor by Section 3(a)(ii) of Bond Ordinance #1434 of the Borough, finally adopted August 16, 2011 (the "Original Bond Ordinance"), and including the sum of \$3,777 as the additional down payment required by the Local Bond Law. The additional down payment is now 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 additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$75,526 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is various improvements to the sewer infrastructure, including, but not limited to, videotaping of 225,000 feet of pipe and the acquisition and replacement of various infiltrated pipes, including all necessary related equipment and apparatus thereof, as described in Section 3(a)(ii) of the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$304,868, including the \$229,342 authorized by Section 3(a)(ii)

of the Original Bond Ordinance and the \$75,526 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$320,112, including the \$240,809 appropriated by Section 3(a)(ii) of the Original Bond Ordinance and the \$79,303 appropriated herein.

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation 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 bond anticipation 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 bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3(a) 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 benefitted thereby.

(b) The period of usefulness of the improvement or purpose in Section 3(a)(ii) of the Original Bond Ordinance within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 19.21 years; however, since this bond ordinance is amending a section of a multipurpose bond ordinance, the average period of usefulness for the Original Bond Ordinance is amended to be 14.16 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 Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$75,526, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$57,000 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 purpose or improvement. Of this amount, \$50,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$7,000 is estimated therefor herein.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the

benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

James J. Kelly, Mayor

Attest:

Susan Connelly, RMC
Municipal Clerk

Introduced: April 7, 2015

Adopted:



**2015
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
HAYES	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No. 1487

Date: April 7, 2015

Page: 1 of 6

Subject: Bond Ordinance Supplement

Purpose: Authorization

Dollar Amount: \$78,534

Offered by: Morrell

Prepared By: Edward McManimon, III
Bond Counsel

Seconded by: Riquelme

**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 AMENDING SECTION 3 OF BOND
ORDINANCE #1478 AND PROVIDING A SUPPLEMENTAL
APPROPRIATION OF \$78, 534 FOR ROAD IMPROVEMENTS IN AND
BY THE BOROUGH OF DUMONT, IN THE COUNTY OF BERGEN,
NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$78,534
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE
COST THEREOF**

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

Section 1. Section 3 of Bond Ordinance #1478 of the Borough of Dumont, in the County of Bergen, New Jersey (the "Borough"), finally adopted December 2, 2014 ("Bond Ordinance #1478) is hereby amended to read as follows:

"Depew Streets Improvements – Phase III from E. Madison Avenue to Davies Avenue and Johnson Avenue from Niagara St. to W. Quackenbush Avenue, including all costs, improvements, equipment and/or appurtenances necessary therefor and related thereto."

Section 2. The improvement described in Section 4(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 4(a), there is hereby appropriated the supplemental amount of \$78,534, such sum being in addition to the \$170,000 appropriated therefor (which included a \$149,000 State of New Jersey Department of Transportation Grant (the "State Grant") by Bond Ordinance #1478. Pursuant to N.J.S.A. 40A:2-11(c), no additional down payment is provided for the costs of the improvement since the project finance is partially funded by the State Grant.

Section 3. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$78,534 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 4. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is Depew Streets Improvements – Phase III from E. Madison Avenue to Davies Avenue and Johnson Avenue from Niagara St. to W. Quackenbush Avenue, including all costs, improvements, equipment and/or appurtenances necessary therefor and related thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$248,534, including the \$170,000 authorized by Bond Ordinance #1478 and the \$78,534 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$248,534, including the \$170,000 appropriated by Bond Ordinance #1478 and the \$78,534 appropriated herein.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation 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 bond anticipation 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 bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 4(a) 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 benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 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 Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$78,534, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$48,000 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 purpose or improvement. Of this amount, \$35,000 was estimated for these items of expense in Bond Ordinance #1478 and an additional \$13,000 is estimated therefor herein.

Section 8. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described in Section 4(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 9. Any grant moneys received for the purpose described in Section 4(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough

pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. 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 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

James J. Kelly, Mayor

Attest:

Susan Connelly, RMC
Municipal Clerk

Introduced: April 7, 2015
Adopted:



**2015
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
HAYES	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No. 1488
 Date: April 7, 2015
 Page: 1 of 2
 Subject: Exceed Budget Appropriation Limit and Establish Cap Bank
 Purpose: Authorization
 Dollar Amount: _____
 Prepared By: Gary Vinci, Borough Auditor

Offered by: Zamechansky
 Seconded by: Morrell

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**

**BOROUGH OF DUMONT BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the

3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Dumont in the County of Bergen finds its advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$310,582 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Dumont, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Dumont shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 2.0%, amounting to \$310,582, and that the CY 2015 municipal budget for the Borough of Dumont be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST:

Susan Connelly, RMC
Municipal Clerk

James J. Kelly, Mayor

Introduced: April 7, 2015

Adopted: