



**2019  
BOROUGH OF DUMONT  
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CHAE	✓			
ENGLESE	✓			
LaBRUNO	✓			
MANNA	✓			
ROSSILLO	✓			
STEWART	✓			
MAYOR KELLY				
TOTALS	6			

**Ordinance No.** 1558  
**Date:** February 19, 2019  
**Page:** 1 of 4  
**Subject:** Amend and Supplement Bond Ordinance #1519  
**Purpose:** Authorization  
**Dollar Amount:** \$4,920,000  
**Prepared By:** James Spanarkel, Esq.

**Offered by:** Stewart  
**Seconded by:** LaBruno

**Certified as a true copy of an Ordinance Adopted at 2<sup>nd</sup> 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**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 1519 FINALLY ADOPTED ON MAY 30, 2017, AS AMENDED BY BOND ORDINANCE NO. 1550 FINALLY ADOPTED ON OCTOBER 16, 2018, AND AS SUPPLEMENTED BY BOND ORDINANCE NO. 1556 FINALLY ADOPTED ON FEBRUARY 5, 2019 TO REVISE THE DESCRIPTION OF THE PROJECTS REFERRED TO THEREIN, TO APPROPRIATE AN ADDITIONAL \$4,920,000 THEREFOR AND AUTHORIZE THE ISSUANCE OF AN ADDITIONAL \$4,685,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF**

**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. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by of the Borough of Dumont, a municipal corporation of the State of New Jersey (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 \$4,920,000 (such sum being in addition to the \$15,400,000 appropriated in Section 1 of Bond Ordinance No. 1519 finally adopted on May 30, 2017 and the \$80,000 appropriated in Section 1 of Bond Ordinance No. 1556 finally adopted on February 5, 2019), including the sum of \$234,500 as the additional down payment required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

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 \$4,685,500 (such sum being in addition to the \$15,075,000 authorized in Section 2 of Bond Ordinance No. 1519 finally adopted on May 30, 2017 and the \$76,000 authorized in Section 2 of Bond Ordinance No. 1556 finally adopted on February 5, 2019) 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. 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, and as supplemented by Bond Ordinance No. 1556 finally adopted on February 5, 2019 is hereby amended to read as follows:

"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.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance (such sum being in

addition to the \$15,075,000 authorized in Section 2 of Bond Ordinance No. 1519 finally adopted on May 30, 2017 and the \$76,000 authorized in Section 2 of Bond Ordinance No. 1556 finally adopted on February 5, 2019, with such sums remaining validly and properly authorized).

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this bond ordinance (such sum being in addition to the \$15,400,000 appropriated in Section 1 of Bond Ordinance No. 1519 finally adopted on May 30, 2017 and the \$80,000 appropriated in Section 1 of Bond Ordinance No. 1556 finally adopted on February 5, 2019, with such sums remaining validly and properly appropriated).”

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 the 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 a 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, if any, from their dates to the dates 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 of bond anticipation notes issued 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 capital budget of the Borough is hereby amended to conform with the provisions of this 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. However, since this bond ordinance is amending a section of a multipurpose bond ordinance, the average period of usefulness as set forth in Bond Ordinance

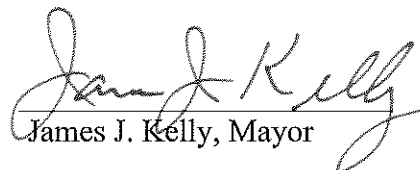
No. 1519 finally adopted on May 2, 2017, as amended by Bond Ordinance No. 1550 finally adopted on October 16, 2018, and as supplemented by Bond Ordinance No. 1556 finally adopted on February 5, 2019 is hereby amended to read 39.65 years.

(c) An aggregate amount not exceeding \$740,000 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 (such sum being in addition to the \$2,500,000 set forth in Section 6(c) of Bond Ordinance No. 1519 finally adopted on May 30, 2017 and the \$7,500 authorized in Section 6(c) of Bond Ordinance No. 1556 finally adopted on February 5, 2019).

(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 \$4,920,000 (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.

  
James J. Kelly, Mayor

Attest by:

  
Susan Connelly, RMC, Municipal Clerk

Introduced: February 5, 2019  
Adopted: February 19, 2019