



BOROUGH OF RIVERDALE NEW JERSEY



ORDINANCE NO. 08-2021

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,245,000 THEREFOR, INCLUDING \$547,977 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES, AND AUTHORIZING THE ISSUANCE OF \$662,170 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$547,977 of the proceeds of obligations originally made available pursuant to the following bond ordinance of the Borough of Riverdale, in the County of Morris, New Jersey (the "Borough") are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Bond Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Appropriated</u>
Section 3(c) of Bond Ordinance #13-2017	The acquisition of turnout gear, including all related costs and expenditures incidental thereto, finally adopted August 16, 2017.	\$39,110.79
Section 3(d)(3) of Bond Ordinance #13-2017	Improvements to the Community Center, Borough Hall and Independence Park, including all work and materials necessary therefor and incidental thereto, finally adopted August 16, 2017.	\$149,563.46
Section 3(d)(2) of Bond Ordinance #13-2017	The acquisition and installation of street signage and lighting, including all related costs and expenditures incidental thereto and further including all work and materials necessary thereof and incidental thereto, finally adopted August 16, 2017.	\$50,748.68



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Section 3(d)(1) of Bond Ordinance #13-2017	Technology upgrades, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental, finally adopted August 16, 2017.	\$5,054.91
Section 3(b)(1) of Bond Ordinance #13-2017	The acquisition of e-ticket software, laptops and computers, including all related costs and expenditures incidental thereto, finally adopted August 16, 2017.	\$9,383.45
Section 3(b)(2) of Bond Ordinance #13-2017	The acquisition of radars, including all related costs and expenditures incidental thereto, finally adopted August 16, 2017.	\$4,478.88
Section 3(a)(3) of Bond Ordinance #13-2017	The acquisition of a street sweeper, an asphalt hot box, western plows, storage containers and a mig-tig welder and the renovations of the baseball fields, including all work and materials necessary therefor and incidental thereto and further including all related cost and expenditures incidental thereto, finally adopted August 16, 2017.	\$273,745.81
Section 3(a)(1) of Bond Ordinance #13-2017	The acquisition of a dump truck and a bucket truck, including all related cost and expenditures incidental thereto, finally adopted August 16, 2017.	\$2,659.55
Section 3(a)(2) of Bond Ordinance #13-2017	Restriping of Newark Pompton Turnpike and paving of the firehouse parking lot, including all work and materials necessary therefor and incidental thereto, finally adopted August 16, 2017.	<u>\$13,231.47</u>
Total		<u>\$547,977</u>



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Section 2. The \$547,977 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for the various capital improvements as described in Section 5 herein.

Section 3. The several improvements described in Section 5 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough as general improvements. For the several improvements or purposes described in Section 5, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,245,000, including the \$547,977 appropriated in Section 2 hereof and further including the aggregate sum of \$34,853 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 4. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the amounts reappropriated in Section 2 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$662,170 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 5. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Fire Department</u> 1) The acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$52,000	\$28,000	5 years



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<p>2) The acquisition of turnout gear, pagers, and a repeater/radio system upgrades, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	<p>\$179,000</p>	<p>\$94,000</p>	<p>10 years</p>
<p>b) <u>General Department</u> Improvements to Independence Park, Borough Hall improvements and Community Center improvements, including all work and materials necessary therefor and incidental thereto.</p> <p>2) The acquisition and installation of street signage/lighting, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental.</p> <p>3) Paving of various streets, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.</p> <p>4) Technology upgrades, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$200,000</p>	<p>\$105,000</p>	<p>15 years</p>
<p>2) The acquisition and installation of street signage/lighting, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental.</p>	<p>\$75,000</p>	<p>\$40,000</p>	<p>10 years</p>
<p>3) Paving of various streets, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$250,000</p>	<p>\$130,170</p>	<p>10 years</p>
<p>4) Technology upgrades, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$35,000</p>	<p>\$21,000</p>	<p>5 years</p>



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anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable 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 7. 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 8. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 5 of this bond ordinance are not current expenses. They are all 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 benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.80 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



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provided in this bond ordinance by \$662,170, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$250,000 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 purposes or improvements.

Section 9. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 4 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 5 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 10. Any grant moneys received for the purposes or improvements described in Section 5 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 but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 11. 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 "Rule") 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 12. 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



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

Adopted this ___ day of
_____, 2021.

Abubakar Jalloh, Borough Clerk

Paul M. Carelli, Mayor

NOTICE OF PENDING ORDINANCE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Borough of Riverdale, a municipal corporation of the State of New Jersey, held on September 22, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at Borough Hall, in the Borough on October 27, 2021 at 7:30 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Abubakar Jalloh, Borough Clerk