

**ORDINANCE 2010-18**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS COMMUNICATIONS EQUIPMENT IN THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AMOUNT OF \$350,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$332,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members hereof affirmatively concurring) AS FOLLOWS:**

**Section 1**

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Chatham, New Jersey, as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated \$350,000, including the sum of \$17,500 as the down payment for the improvement or purpose. The down payment is now available for capital improvement purposes in the Capital Improvement Fund.

**Section 2**

In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$332,500 pursuant to 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 hereby authorized and the purpose for the financing of which the bonds are to be issued, is the acquisition of various communications equipment for the Chatham Township Police Department, Chatham Township Fire Department, Green Village Fire Department and the Chatham Emergency Squad, and all necessary appurtenances, including all work and materials necessary therefore or incidental thereto, all pursuant to plans and specifications on file with the Township, which plans and specifications are hereby approved.

B. The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

C. The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

**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 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 NJSA 40A:2-8(a). 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 capital budget of the Township of Chatham is hereby amended to conform with the provisions of this bond 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 Clerk and is available there for public inspection.

**Section 6**

Any grants or funds received by the Township for any purpose set forth in Section 3 hereof are hereby appropriated for said purpose set forth in Section 3 hereof and shall be applicable either to the direct payment of the cost of such purpose or to the payment or reduction of the obligations issued or authorized herein. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 7**

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 Township may lawfully undertake as a general improvement, and no part of the cost thereof have been or shall be specifically assessed on property specifically 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 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 Township as defined in the Local Bond Law is increased by the authorization of the bonds and bond anticipation notes provided in this bond ordinance by \$332,500. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An amount not exceeding \$35,000 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.

**Section 8**

The full faith and credit of the Township 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 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 of rate or amount.

**Section 9**

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

Introduced: October 14, 2010

Adopted:

Attest:

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

BY: \_\_\_\_\_  
Nicole Hagner, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk