AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL
ORDINANCES OF THE CITY OF NEW BRUNSWICK,
TITLE 5, CHAPTER 5.80 “RENT CONTROL”

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 5, Chapter 5.80, Section 5.80.100, “Fee” is hereby amended to read as follows:

A. The fee for registration shall be thirty dollars ($30.00) per rental unit to be paid at the time of registration. There shall be no fee for amendment of registration.

B. A late fee of ten dollars ($10.00) per unit shall be paid for rental units which are registered after April 30 if such rental unit was required to be registered as of April 1.

C. The fee for application for a Vacancy Decontrol shall be twenty dollars ($20.00) per rent unit subject to the proposed decontrol to be paid at the time of the application.

SECTION II

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:

This Ordinance shall become effective January 1, 2020 following final adoption and publication as required by law.

ADOPTED ON FIRST READING
DATED: August 07, 2019

ADMITTED ON SECOND READING
DATED:__________________________

ATTEST:
CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

MAYOR
BOND ORDINANCE PROVIDING FOR THE 2019 CAPITAL IMPROVEMENT PROGRAM BY AND IN THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING $4,885,276 THEREFOR AND AUTHORIZING THE ISSUANCE OF $4,651,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of New Brunswick, in the County of Middlesex, State of New Jersey (the "City") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of $4,885,276, which sum includes $234,276 as the aggregate amount of down payments for said improvements required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and now available therefor by virtue of provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the $4,885,276 appropriation not provided for by said down payment, negotiable bonds of the City are hereby authorized to be issued in the principal amount of $4,651,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding $4,651,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are as follows:
<table>
<thead>
<tr>
<th>Description</th>
<th>Total Appropriation</th>
<th>Debt Authorization</th>
<th>Down Payment</th>
<th>Useful Life</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Public Facilities Projects</strong></td>
<td></td>
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<tr>
<td>Repairs to the roof and repointing of masonry at City Hall; replacement</td>
<td>$1,959,600</td>
<td>$1,865,627</td>
<td>$93,973</td>
<td>15 years</td>
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<td>of an HVAC compressor at the Library; improvements to the central vehicle</td>
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<td>garage; improvements to various parks and park facilities, all as on file</td>
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<td>with the City Clerk; improvements to the Senior Center; replacement of</td>
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<td>the game room floor and lighting fixtures at the Teen Center; replacement</td>
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<td>of the roof, heating and air conditioning units at the Engine 2</td>
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<td>Fire Station and repointing; and sealing of the Engine 5 Fire Station;</td>
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<td><strong>B. Streets and Sidewalk Projects</strong></td>
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<tr>
<td>Various 2019 roadway improvements including, but not limited to, the</td>
<td>$1,771,000</td>
<td>$1,686,071</td>
<td>$84,929</td>
<td>15 years</td>
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<td>Handy Street and Joyce Kilmer Avenue intersection, Easton Avenue, French</td>
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<tr>
<td>Street and Spring Street intersection, Georges Road and various</td>
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<td>roadways all as on file with the City Clerk, such roadway improvements</td>
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<td>shall include, but are not limited to, as applicable, milling,</td>
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<td>construction, reconstruction, repairing and resurfacing of said</td>
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<td>roadways, drainage improvements, inlet, manhole and water valve</td>
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<td>replacements to said roadways and, as applicable, the restoration or</td>
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<td>construction of or improvements to curbs, sidewalks, traffic line</td>
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<tr>
<td>striping, driveway aprons or barrier-free ramps along such roadways and</td>
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<td>the acquisition and installation of traffic signals, signage and bicycle</td>
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<tr>
<td>corrals, as required; and relocation of utility poles throughout the City;</td>
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</tr>
<tr>
<td>Description</td>
<td>Total Appropriation</td>
<td>Debt Authorization</td>
<td>Down Payment</td>
<td>Useful Life</td>
</tr>
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<td>-------------</td>
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<tr>
<td>C. Safety, Office and Equipment Projects</td>
<td>$374,500</td>
<td>$356,540</td>
<td>$17,960</td>
<td>5 years</td>
</tr>
<tr>
<td>Acquisition of a sound recording system and assistive listening service for the Municipal Court; replacement of computers at the Library; replacement of equipment for the Data Processing Division of the Administration Department; acquisition of a sanitation roll out cart and safety and office equipment for the Engineering Department; acquisition of zero turn lawn mowers and an office furnace for the Parks Department; acquisition of safety and office equipment for the Senior Center; and acquisition of a cluster server and upgrade of a storage server for the Police Department; and</td>
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</tr>
<tr>
<td>D. Vehicle Replacement</td>
<td>$780,176</td>
<td>$742,762</td>
<td>$37,414</td>
<td>5 years</td>
</tr>
<tr>
<td>Acquisition of non-passenger vehicles for the Construction Code Department and Engineering Department; acquisition of dump trucks for the Parks Department; acquisition and upfitting of utility vehicles for the Police Department; and acquisition of fire inspection vehicles for the Fire Department.</td>
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<tr>
<td>Grand Total:</td>
<td>$4,885,276</td>
<td>$4,651,000</td>
<td>$234,276</td>
<td></td>
</tr>
</tbody>
</table>

The appropriations set forth above also include all work, materials, appurtenances and equipment necessary for or incidental thereto.

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is $4,651,000.

b. The aggregate estimated cost of said improvements and purposes is $4,885,276, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the down payments in the aggregate amount of $234,276.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a loan, contribution or grant-in-aid to the City for the improvements authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount
of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the City as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) 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 of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division
of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the City and will be available for public inspection.

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

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City 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 said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.63 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by $4,651,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding $240,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a
declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the City for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the City, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the City for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed $4,651,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.
SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: August 7, 2019

LESLIE R. ZELEDON, City Clerk

[Signature]

JOHN ANDERSON, Council President

ADOPTED ON SECOND READING

DATED: ____________________, 2019

LESLIE R. ZELEDON, City Clerk

[Signature]

JOHN ANDERSON, Council President

APPROVAL BY THE MAYOR ON THIS ______ DAY OF ____________, 2019

JAMES M. CAHILL, Mayor

APPROVALS:

[Signatures]

City Administrator

City Attorney

Chief Financial Officer

Councilmember Yes No Nc Vote Absent
Kevin Egan X
Rebecca Escobar X
Glenn Fleming S X
Suzanne Sicora Ludwig, V. Pres. M X
John Anderson, Pres. X
M=Moved S=Second
First Reading Vote on AUGUST 7, 2019
I, Leslie R. Zeledón, City Clerk of the City of New Brunswick, N.J., do hereby certify that this is a true and correct copy of an ordinance adopted on first reading at the regular meeting of the New Brunswick City Council on:
AUGUST 7, 2019

Councilmember Yes No No Vote Absent
Kevin Egan
Rebecca Escobar
Glenn Fleming
Suzanne Sicora Ludwig, V. Pres.
John Anderson, Pres.
M=Moved S=Second
Second & Final Reading Vote on
I, Leslie R. Zeledón, City Clerk of the City of New Brunswick, N.J., do hereby certify that this is a true and correct copy of an ordinance adopted on second and final reading at the regular meeting of the New Brunswick City Council on:
[Signature]

Leslie R. Zeledón,
City Clerk

Any reproduction of the original document must contain the raised seal of the City of New Brunswick to be legally certified.
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER SYSTEM BY AND IN THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING $6,192,755 THEREFOR AND AUTHORIZING THE ISSUANCE OF $6,192,755 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of New Brunswick, in the County of Middlesex, State of New Jersey (the "City") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of $6,192,755, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. 404:2-7(h) and 404:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the City are hereby authorized to be issued in the principal amount of $6,192,755 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding $6,192,755 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are as follows improvements to the water system:

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Appropriation</th>
<th>Debt Authorization</th>
<th>Down Payment</th>
<th>Useful Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Acquisition of a computerized work order maintenance management system, various non-passenger vehicles, pickup truck, office furniture and grounds equipment; and upgrade of the security system hard drive;</td>
<td>$201,755</td>
<td>$201,755</td>
<td>$0</td>
<td>5 years</td>
</tr>
</tbody>
</table>

#10742006.1(102830.039)
<table>
<thead>
<tr>
<th>Description</th>
<th>Total Appropriation</th>
<th>Debt Authorization</th>
<th>Down Payment</th>
<th>Useful Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Replacement of cold water meters; repair of roads following large main breaks; repair of water service and meters at Simplex Avenue and Hay Street row houses; acquisition of various water distribution tools and equipment;</td>
<td>$625,000</td>
<td>$625,000</td>
<td>$0</td>
<td>10 years</td>
</tr>
<tr>
<td>C. Acquisition of a pole barn, utility truck, dump truck and spare CIP pump; and replacement of wafer check valves; and</td>
<td>$552,000</td>
<td>$552,000</td>
<td>$0</td>
<td>15 years</td>
</tr>
<tr>
<td>D. Design and replacement of various water mains; replacement of fire hydrants; assessment of the water distribution system; remodeling of the business office, restrooms at the water treatment plant and kitchen counter top in the Ops Lab area; upgrades to the water main at Somerset Street and Quentin Avenue; replacement of the water main at Joyce Kilmer Avenue; painting of the water tank on Home News Row; replacement of a pump and motor at Westons Mill South and a fence at the water treatment plant; and development of a Master Plan for the water utility.</td>
<td>$4,814,000</td>
<td>$4,814,000</td>
<td>$0</td>
<td>20 years</td>
</tr>
</tbody>
</table>

Grand Total: $6,192,755

The appropriations set forth above also include all work, materials, appurtenances and equipment necessary for or incidental thereto.

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is $6,192,755.

b. The aggregate estimated cost of said improvements and purposes is $6,192,755.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a loan, contribution or grant-in-aid to the City for the improvements authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued.
and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the City as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) 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 of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the City and will be available for public inspection.

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

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City 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 said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 18.05 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by $6,192,755 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding $1,000,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of
1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the City for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the City, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the City for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed $1,000,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.
SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: August 7, 2019

LESLIE R. ZELEDON, City Clerk  
JOHN ANDERSON, Council President

ADOPTED ON SECOND READING

DATED: ______________, 2019

LESLIE R. ZELEDON, City Clerk  
JOHN ANDERSON, Council President

APPROVAL BY THE MAYOR ON THIS ___ DAY OF ______________, 2019

JAMES M. CAHILL, Mayor

APPROVALS:

<table>
<thead>
<tr>
<th>Councilmember</th>
<th>Yes</th>
<th>No</th>
<th>No Vote</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Kevinegan</td>
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<tr>
<td>Rebecca Escobar</td>
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<td>Glenn Fleming</td>
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<td>Suzanne Sicora</td>
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<tr>
<td>Ludwig, V. Pres.</td>
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<tr>
<td>John Anderson, Pres.</td>
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M=Moved  S=Second
First Reading Vote on AUGUST 7, 2019

I, Leslie R. Zeledón, City Clerk of the City of New Brunswick, N.J., do hereby certify that this is a true and correct copy of an ordinance adopted on first reading at the regular meeting of the New Brunswick City Council on:

AUGUST 7, 2019

#10742006.1(102830.039)
Leslie R. Zeledón,  
City Clerk

Any reproduction of the original document must contain the raised seal of the City of New Brunswick to be legally certified.
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE SANITARY SEWER SYSTEM BY AND IN THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING $2,762,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,762,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the City of New Brunswick, in the County of Middlesex, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of $2,762,000, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount of $2,762,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in the aggregate principal amount of $2,762,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and the purposes for the financing of which the bonds or notes are to be issued are various improvements to the sanitary sewer system, including, but not limited to, repair or replacement of existing sewer mains; repair of buildings; study, design and construction of and improvements to storm water inflow; development of a Master Plan for the sewer utility and replacement of non-passenger vehicles, as needed, all as on file with the City Clerk.

The above improvements or purposes set forth above shall also include, as applicable, all engineering and design work, preparation of plans and specifications,
permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(a) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is $2,762,000.

(b) The aggregate estimated cost of said improvements or purposes is $2,762,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the City for the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. 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 of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon, if any, from their dates to the date of delivery thereof. The Chief Financial Officer is hereby 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 principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the office of the Clerk and is available for public inspection.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City 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 period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by $2,762,000, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding $1,000,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes described in Section 3 hereof.
SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the City for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the City other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the City for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed $2,762,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in
Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this bond ordinance.
SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: August 7, 2019

LESLIE R. ZELEDON, City Clerk  
JOHN ANDERSON, Council President

ADOPTED ON SECOND READING

DATED: ______________, 2019

LESLIE R. ZELEDON, City Clerk  
JOHN ANDERSON, Council President

APPROVAL BY THE MAYOR ON THIS ____ DAY OF ______________, 2019

JAMES M. CAHILL, Mayor

APPROVALS:

City Administrator

City Attorney

Chief Financial Officer
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<th>Councilmember</th>
<th>Yes</th>
<th>No</th>
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<tr>
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<td>Rebecca Escobar</td>
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<td>Glenn Fleminio</td>
<td>S</td>
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<td>Suzanne Sicora</td>
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<td>M</td>
<td>X</td>
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<td>Ludwig V. Pres.</td>
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First Reading Vote on AUGUST 7, 2019

1. Leslie R. Zeledón, City Clerk of the City of New Brunswick, N.J., do hereby certify that this is a true and correct copy of an ordinance adopted on first reading at the regular meeting of the New Brunswick City Council on:

AUGUST 7, 2019

Leslie R. Zeledón, City Clerk

Any reproduction of the original document must contain the raised seal of the City of New Brunswick to be legally certified.
AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK
TITLE 12, "STREETS, SIDEWALKS AND PUBLIC PLACES"

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 12, Chapter 12.28 "Parks and Playgrounds", Section 12.28.350 - Parks, is hereby amended to ADD the following:

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<tr>
<th>NAME</th>
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<tr>
<td>Welton Street Park</td>
<td>130</td>
<td>9.02</td>
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SECTION II

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING: DATED: August 07, 2019

ADOPTED ON SECOND READING: DATED:

PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

MAYOR