AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN FOR THE
FERREN REDEVELOPMENT PLAN AREA
IN THE CITY OF NEW BRUNSWICK

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

SECTION I

The City Council makes the following findings:

a) The New Brunswick Planning Board held a hearing to review and discuss the adoption of the proposed redevelopment plan for the downtown redevelopment area on March 13, 2017, with said redevelopment area shown on Map 1 of the Downtown Redevelopment Plan; and

b) The New Brunswick Planning Board forwarded a report to the City Council regarding the Board's finding that the Ferren Redevelopment Plan is consistent with the City's Master Plan; and

c) The redevelopment plan provides guidelines for the development of the redevelopment area with mixed-use development including office, retail and residential uses and that said guidelines include appropriate zoning regulations for the bulk and mass of the proposed buildings, parking and traffic circulation; and

d) The proposed redevelopment plan is consistent with the goals and objectives of New Brunswick's master plan, including the concentration of cultural, entertainment, commercial, public health and institutional activities in clearly defined and distinctive activity centers; the protection and enhancement of the aesthetic compatibility of all development within the community; to encourage tendency of commercial development to cluster to the mutual advantage of both customers and merchants and other goals and objectives cited in the Planning Board's March 15, 2016 report; and

e) The proposed redevelopment plan supports the goals and objectives of the State Master Plan, including the encouragement of development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services or facilities and the discouragement of development where it may impair or destroy natural resources or environmental qualities, the reduction of sprawl and promotion of development and redevelopment in a manner consistent with sound planning and where infrastructure can be provided at private expense or with reasonable expenditures of public funds.; and

f) The development of the redevelopment area as proposed by the redevelopment plan will create new retail and recreational opportunities and new jobs in the City of New Brunswick.

The New Brunswick City Council has reviewed the Ferren Redevelopment Plan and held a public hearing about the redevelopment plan to receive comments from the public.

SECTION II

The New Brunswick City Council hereby declares that the Ferren Redevelopment Plan is adopted as the official redevelopment plan for this area.

SECTION III

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 IV

REPEALER:

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

EFFECTIVE DATE:

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

ADOPTED ON FIRST READING
DATED: April 5, 2017

ADOPTED ON SECOND READING
DATED:

ATTEST:

CITY CLERK


APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

TKS/kc
AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK
TITLE 10, "VEHICLES AND TRAFFIC"

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

SECTION I

Title 10, Chapter 10.16, Section 10.16.020 - Schedule 24, "No Parking At Any Time" is hereby amended to DELETE the following:

<table>
<thead>
<tr>
<th>STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Avenue</td>
<td>Northeast</td>
<td>From the northerly curbline of Hamilton Street to a point 367.9 feet northwest thereof.</td>
</tr>
<tr>
<td>College Avenue</td>
<td>North</td>
<td>Beginning 37 feet from the easterly curbline of Huntington Street and extending 57 feet to a point east thereof.</td>
</tr>
<tr>
<td>College Avenue</td>
<td>North</td>
<td>Beginning 37 feet from the westerly curbline of Huntington Street and extending 59 feet to a point west thereof.</td>
</tr>
<tr>
<td>College Avenue</td>
<td>Northeast</td>
<td>Senior Street to Morrell Street.</td>
</tr>
<tr>
<td>College Avenue</td>
<td>South</td>
<td>From Huntington Street to Richardson Street.</td>
</tr>
<tr>
<td>College Avenue</td>
<td>Southwest</td>
<td>Senior Street to Hamilton Street.</td>
</tr>
</tbody>
</table>

SECTION II

Title 10, Chapter 10.16, Section 10.16.020 - Schedule 24, "No Parking At Any Time" is hereby amended to ADD the following:

<table>
<thead>
<tr>
<th>STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Avenue</td>
<td>Southwest</td>
<td>Beginning at the northwesterly curbline of Hamilton Street extending to the southeasterly curbline of Huntington Street.</td>
</tr>
<tr>
<td>College Avenue</td>
<td>Northeast</td>
<td>Beginning at the northwesterly curbline of Hamilton Street extending to the southeasterly curbline of Huntington Street.</td>
</tr>
</tbody>
</table>

SECTION III

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 IV

REPEALER:

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

SECTION V

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.
ADOPTED ON FIRST READING:
DATED: April 5, 2017

COUNCIL PRESIDENT

ADOPTED ON SECOND READING:
DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK


MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY
CALENDAR YEAR 2017
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 0.5% 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 Municipal Council of the City of New Brunswick in the County of Middlesex finds it advisable and necessary to increase its CY 2017 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 Municipal Council hereby determines that a 3.5% increase in the budget for said year, amounting to $2,189,571.50 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Municipal Council hereby determines that any amount authorized hereinafter 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 Municipal Council of the City of New Brunswick, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the City of New Brunswick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $2,554,500.08, and that the CY 2017 municipal budget for the City of New Brunswick be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinafter 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 five 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 five days after such adoption.

ADOPTED ON FIRST READING
DATED: April 5, 2017

Glenn Fleming
Council President

Daniel A. Torrisi
City Clerk
ADOPTED ON SECOND READING
DATED:

Daniel A. Torrisi
City Clerk

APPROVAL BY MAYOR ON THIS _____ DAY OF ________, 2017.

James M. Cahill
Mayor

APPROVALS:

City Administrator

City Attorney

Chief Financial Officer
BOND ORDINANCE PROVIDING FOR THE 2017 CAPITAL IMPROVEMENT PROGRAM BY AND IN THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING $4,347,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF $4,140,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDEIGNED 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 $4,347,250, which sum includes $207,250 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 $4,347,250 appropriation not provided for by said down payment, negotiable bonds of the City are hereby authorized to be issued in the principal amount of $4,140,000 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 $4,140,000 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>$162,500</td>
<td>$154,752</td>
<td>$7,748</td>
<td>15 years</td>
</tr>
<tr>
<td>Acquisition of an amplifier and task chairs for the Municipal Court; replacement of garage doors for the Public Works Department; resurfacing of tennis courts at various City parks; repainting and upgrade of the heating system at the Joyce Kilmer House (Dial-A-Ride program); replacement of flooring and cleaning of air ducts for the Recreation Department;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B. Streets and Sidewalk Projects</strong></td>
<td>$2,209,700</td>
<td>$2,104,358</td>
<td>$105,342</td>
<td>15 years</td>
</tr>
<tr>
<td>(i) Various 2017 roadway improvements to Rutgers Village and various roadways all as on file with the City Clerk, such roadway improvements shall include, but are not limited to, as applicable, milling, construction, reconstruction, repairing and resurfacing of said roadways, drainage improvements, inlet, manhole and water valve replacements to said roadways and, as applicable, the restoration or construction of or improvements to curbs, sidewalks, traffic line striping, driveway aprons or barrier-free ramps along such roadways and the acquisition and installation of traffic signals, signage and bicycle corrals, as required, throughout the City; (ii) preparation of a road diet design for Livingston Avenue; (iii) preparation of designs for Neilson Street Park and Welton Street Park and (iv) repairs to the Delaware &amp; Raritan Canal cofferdams;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Description</td>
<td>Total Appropriation</td>
<td>Debt Authorization</td>
<td>Down Payment</td>
<td>Useful Life</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>--------------</td>
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</tr>
<tr>
<td><strong>C. Safety, Office and Equipment Projects</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition of mobile lifts for the Public Works Department; acquisition</td>
<td>$869,050</td>
<td>$827,616</td>
<td>$41,434</td>
<td>5 years</td>
</tr>
<tr>
<td>of a defibrillator for the Recreation Department; upgrades to servers,</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>switches, audio visual equipment and radios for the Police Department;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>acquisition of equipment for Police Department vehicles; acquisition of</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>self-contained breathing apparatus bottles and other equipment for the</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Department and replacement of data processing equipment for various</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>departments; and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>D. Vehicle Replacement</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition of vehicles for the Public Works Department; acquisition of</td>
<td>$1,106,000</td>
<td>$1,053,274</td>
<td>$52,726</td>
<td>5 years</td>
</tr>
<tr>
<td>two (2) lawn mowers, a utility vehicle a front end loader/backhoe and a</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>dump truck for the Parks Department; acquisition of a ten (10) passenger</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>bus with lift for the Dial-A-Ride program; replacement of a sports utility</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vehicle for the Recreation Department; acquisition of training division</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vehicles for the Fire Department and acquisition of six (6) extra duty</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vehicles for the Police Department.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Total:</td>
<td>$4,347,250</td>
<td>$4,140,000</td>
<td>$207,250</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 $4,140,000.

b. The aggregate estimated cost of said improvements and purposes is $4,347,250, 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 $207,250.

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 10.45 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 $4,140,000 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 $450,000 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 $4,140,000. 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.
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: April 5, 2017

DANIEL A. TORRISI, City Clerk

GLENN FLEMING, Council President

ADOPTED ON SECOND READING

DATED: ____________, 2017

DANIEL A. TORRISI, City Clerk

GLENN FLEMING, Council President

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____________, 2017

JAMES M. CAHILL, Mayor

APPROVALS:

I, Daniel A. Torrisi, 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:

APRIL 5, 2017

Daniel A. Torrisi, 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 $4,344,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $4,344,000 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 $4,344,000, 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 principal amount of $4,344,000 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 $4,344,000 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 improvements to the water system:
A. Replacement of cell #4 module; upgrades to gravity filters; acquisition of control screens for membranes; acquisition of powder activated carbon; improvements to water mains; acquisition of a pole barn for indoor storage; installation of fencing at the Farrington Dam; repairs to sewer line membranes; development of corrosion control strategies; replacement of the roof at the distribution garage; recoating of waste tanks; acquisition and installation of fire hydrants; valve work in the Van Dyke area and engineering and design studies for water treatment plant basins; $3,534,000

B. Replacement of cold water meters; $625,000

C. Acquisition of a dump truck and a pick up truck. $185,000

Grand Total: $4,344,000

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 $4,344,000.

b. The aggregate estimated cost of said improvements and purposes is $4,344,000.

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 17.92 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 $4,344,000 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 $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 hereinafter 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 \textit{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 \S\ 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code.
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: April 5, 2017

DANIEL A. TORRISI, City Clerk

GLENN FLEMING, Council President

ADOPTED ON SECOND READING

DATED: ____________, 2017

DANIEL A. TORRISI, City Clerk

GLENN FLEMING, Council President

APPROVAL BY THE MAYOR ON THIS ___ DAY OF ____________, 2017

JAMES M. CAHILL, Mayor

APPROVALS:

City Administrator

City Attorney

Chief Financial Officer

Councilmember | Yes | No | No Vote | Absent
---|---|---|---|---
John Anderson | V. Pre | X | | |
Kevin. Egan | | | | |
Rebecca Escobar | S | | | |
Suzanne Sicora Ludwig | X | | | |
Glenn Fleming, Pres | X | | | |

M=Moved S=Second
First Reading Vote on APRIL 5, 2017
I, Daniel A. Torrisi, 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:
APRIL 5, 2017

Daniel A. Torrisi, 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 $1,500,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF $1,500,000 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 $1,500,000, 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 $1,500,000 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 $1,500,000 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, the repair and improvement of system pump stations and the repair/replacement/relining of City wide sanitary and storm lines and investigation of system, 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 $1,500,000.

(b) The aggregate estimated cost of said improvements or purposes is $1,500,000.

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 $1,500,000, 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 $200,000 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 $1,500,000. 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: April 5, 2017

 DANIEL A. TORRISI, City Clerk

GLENN FLEMING, Council President

ADOPTED ON SECOND READING

DATED: _______________ 2017

 DANIEL A. TORRISI, City Clerk

GLENN FLEMING, Council President

APPROVAL BY THE MAYOR ON THIS ____ DAY OF ____________, 2017

JAMES M. CAHILL, Mayor

APPROVALS:

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<th>Councilmember</th>
<th>Yes</th>
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City Administrator

Chief Financial Officer

City Attorney

First Reading Vote on APRIL 5, 2017

Daniel A. Torrisi, City Clerk

May 8, 2017 102630.036

Second & Final Reading Vote on

Daniel A. Torrisi, City Clerk

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