

**BOROUGH OF WOODBURY HEIGHTS, NEW JERSEY**

**ORDINANCE 3 - 2017**

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**BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN AND FOR THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$1,020,408 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$950,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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**BE IT ORDAINED** by the Borough Council of the Borough of Woodbury Heights, County of Gloucester, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Woodbury Heights, County of Gloucester, New Jersey ("Borough").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$1,020,408;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$950,000; and
- (c) a down payment in the amount of \$50,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$950,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$50,000, which amount represents the required down payment, and the sum of \$20,408, which amount represents a Community Development Block Grant heretofore approved, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Borough in an amount not to exceed \$950,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$950,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to 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 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 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$200,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Grant</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Reconstruction and/or Repaving of Various Borough Streets, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, as described in the plans and specifications on file in the Borough Clerk's office	\$1,000,000	\$0	\$50,000	\$950,000	10 years
B. Reconstruction and/or Repaving of Curbing at the Intersection of Clement Avenue and Glassboro Road, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	20,408	20,408	0	0	10 years
<b>TOTAL</b>	<b>\$1,020,408</b>	<b>\$20,408</b>	<b>\$50,000</b>	<b>\$950,000</b>	

**Section 8.** Grants in addition to those identified in Section 7 above or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 9.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original 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. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$950,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution 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 available for inspection.

**Section 12.** The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

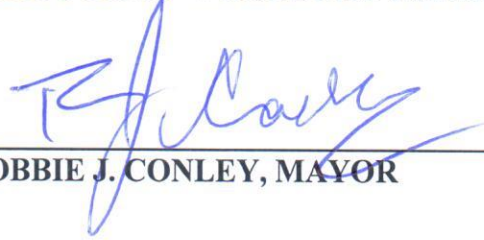
**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication after final passage.

**Date of Introduction:** February 15, 2017

**Date of Final Adoption:** March 15, 2017

**BOROUGH OF WOODBURY HEIGHTS**

A handwritten signature in blue ink, appearing to read "Robbie J. Conley", written over a horizontal line.

**ROBBIE J. CONLEY, MAYOR**

**ATTEST:**

A handwritten signature in blue ink, appearing to read "Janet Pizzi", written over a horizontal line.

**JANET PIZZI, BOROUGH CLERK**

**Notice of Pending Bond Ordinance and Summary**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Mayor and Borough Council of the Borough of Woodbury Heights, County of Gloucester, State of New Jersey, held on February 15, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the Mayor and Borough Council to be held at the Woodbury Heights Borough Municipal Building, 500 Elm Avenue, Woodbury Heights, New Jersey on March 15, 2017 at 7:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Borough Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN AND FOR THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$1,020,408 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$950,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Grant</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Reconstruction and/or Repaving of Various Borough Streets, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, as described in the plans and specifications on file in the Borough Clerk's office	\$1,000,000	\$0	\$50,000	\$950,000	10 years
B.	Reconstruction and/or Repaving of Curbing at the Intersection of Clement Avenue and Glassboro Road, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	20,408	20,408	0	0	10 years
	<b>TOTAL</b>	<b>\$1,020,408</b>	<b>\$20,408</b>	<b>\$50,000</b>	<b>\$950,000</b>	

Appropriation: \$1,020,408  
 Bonds/Notes Authorized: \$950,000  
 Grants (if any) Appropriated: \$20,408  
 Section 20 Costs: \$200,000  
 Useful Life: 10.00 years

JANET PIZZI, Borough Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

2017 street list

Crestmont Ave.	
Helen Ave.	
Walnut Ave.	Needs storm drain work prior to paving
West Jersey Ave.	Holly to Redwood
Redwood	
Academy Ave.	Elm to Clement
Third Street	Beech to Elm ( Beech to Linden worst block)
Beech Ave.	300 block
Linden Ave.	300 and 400 block
Oak Ave.	300 block
Poplar Ave.	300 block
Church St.	
Chestnut Ave.	Glassboro Rd to Boundry
Maple Ave.	100 block
Central Ave.	Third to Alliance (Sewer repair first)
Fordham Rd.	(Sewer repair first)
Linden Ave.	100 Block(Sewer repair first)
Moore St	(Sewer repair first)

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Mayor and Borough Council of the Borough of Woodbury Heights, County of Gloucester, State of New Jersey on March 15, 2017 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Borough Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN AND FOR THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$1,020,408 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$950,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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	<b>TOTAL</b>	<b>\$1,020,408</b>	<b>\$20,408</b>	<b>\$50,000</b>	<b>\$950,000</b>	

Appropriation: \$1,020,408  
 Bonds/Notes Authorized: \$950,000  
 Grants (if any) Appropriated: \$20,408  
 Section 20 Costs: \$200,000  
 Useful Life: 10.00 years

Janet Pizzi, Borough Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.



Press here to Email the SDS if not using Microsoft outlook when completed

## Department of Community Affairs Supplemental Debt Statement

0823 **0823 Woodbury Heights Borough - County of Gloucester** Prepared as of: 15-Feb-2017

Budget Year Ending: 12/31/2017 (Month-DD) 2017 (year)

Name: Victoria Holmstrom Phone: (856) 848-2832  
 Title: Chief Financial Officer Fax: (856) 848-2381  
 Address: 500 Elm Avenue Email: vikki@bwhnj.com  
Woodbury Heights, NJ 08097 CFO Cert #: N-0884

1 **Victoria Holmstrom, Being duly sworn, deposes and says: Deponent is the Chief Financial Officer of the 0823 Woodbury Heights Borough - County of Gloucester here and in the statement hereinafter mentioned called the local unit. The Supplemental Debt Statement annexed hereto and hereby made a part hereof is a true statement of the debt condition of the local unit as of the date therein stated and is computed as provided by the Local Bond Law of New Jersey.**

By checking this box, I am swearing that the above statement is true. (The Email function will not work until you acknowledge the above statement as true)

	Net Debt as per Annual Debt Statement	Decrease (Since December 31, last past)	Increase	Net Debt
Bonds and Notes for School Purposes	\$ -	\$ -	\$ -	\$ -
Bonds and Notes for Self Liquidating Purposes	\$ -	\$ -	\$ -	\$ -
Other Bonds and Notes	\$ 2,774,250.00	\$ -	\$ -	\$ 2,774,250.00

2 Net Debt at the time of this statement is..... \$ 2,774,250.00

The amounts and purposes separately itemized of the obligations about to be authorized, and any deductions which may be made on account of each such item are: (see Note "C" below)

Bond Ordinance	Purposes	Amount	Deduction	Net
	Reconstruction/Resurfacing Various Streets	\$ 950,000.00	\$ -	\$ 950,000.00
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ 950,000.00	\$ -	\$ 950,000.00

4 The net debt of the local unit determined by the addition of the net debt amounts stated in items 2 and 3 above is: \$ 3,724,250.00

5 Equalized valuation basis (the average of the equalized valuations of real estate, including improvements and the assessed valuation of class II railroad property of the local unit for the last 3 preceding years) as stated in the Annual Debt Statement or the revision thereof last filed.

	Year		
(1)	2014	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$ 262,451,220.00
(2)	2015	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$ 263,446,510.00
(3)	2016	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$ 262,516,701.00

6 Equalized Valuation Basis - Average of (1), (2) and (3)..... \$ 262,804,810.33

7 Net Debt (Line 4 above) expressed as a percentage of such equalized valuation basis (Line 6 above) is: 1.417%

**NOTES**

- A If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of NJS A 40A:2-7 or other section of law providing such exception.
- B This form is also to be used in the bonding of separate (not Type I) school districts as required by NJS A 18A:24-16, and filed before the school district election. In such case pages 4, 5 and 6 should be completed to set forth the computation supporting any deduction in line 3 above.
- C Only the account of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should not be included nor shown as a deduction.