

BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX
ORDINANCE 01-2023

REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF \$365,000 EMERGENCY AND EMERGENCY TEMPORARY APPROPRIATIONS FOR SALARY, PENSION AND OTHER EXPENSES IN CONNECTION WITH THE REINSTATEMENT OF A POLICE OFFICER IN, BY AND FOR THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$365,000 OF BONDS OR NOTES TO FINANCE SUCH EMERGENCY AND EMERGENCY TEMPORARY APPROPRIATIONS.

WHEREAS, the Borough Council of the Borough of Ogdensburg, in the County of Sussex, New Jersey, pursuant to resolutions adopted on June 27, 2022 and March 13, 2023 in accordance with N.J.S.A. 40A:4-46 and 40A:4-20, respectively, made emergency and emergency temporary appropriations in the aggregate amount of \$365,000 to pay salary, pension and other expenses in connection with the reinstatement of a police officer and related financing expenses; and

WHEREAS, the Borough Council of said Borough has determined that it is in the best interest of the Borough to fund the \$365,000 emergency and emergency temporary appropriations, pursuant to the provisions of N.J.S.A. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, and authorizing the issuance of \$365,000 of bonds or notes of said Borough to finance the funding of said emergency and emergency temporary appropriations; NOW, THEREFORE,

BE IT ORDAINED by the Borough Council of the Borough of Ogdensburg, in the County of Sussex, New Jersey, as follows:

Section 1. The Borough of Ogdensburg, in the County of Sussex, New Jersey (the "Borough") is hereby authorized to fund the \$365,000 emergency and emergency temporary appropriations for salary, pension and other expenses in connection with the reinstatement of a police officer and related financing expenses

previously made pursuant to resolutions adopted by the Borough Council of the Borough on June 27, 2022 and March 13, 2023.

Section 2. The Borough Council of the Borough hereby determines that the Borough is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the \$365,000 emergency and emergency temporary appropriations set forth in Section 1 hereof.

Section 3. To finance the funding of the \$365,000 emergency and emergency temporary appropriations (hereinafter referred to as Apurpose@), bonds of said Borough of an aggregate principal amount not exceeding \$365,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. The Refunding Bonds shall be direct and general obligations of said Borough and said Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within said Borough for the payment of the principal of the Refunding Bonds and the interest thereon without limitation as to rate or amount. The full faith and credit of said Borough shall be and are hereby pledged for the punctual payment of the principal of and interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that it is issued pursuant to the Local Bond Law and shall also recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey

to exist, to have happened and to have been performed precedent to and in the issuance of said bond exist, have happened and have been performed, and that said bond, together with all other indebtedness of said Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 4. The sum of \$18,612 is included in the principal amount of the bonds or notes herein authorized in order to pay the cost of the issuance of the bonds or notes, including printing, advertising, accounting and financial and legal expenses therefor permitted by Section 51(b) of the Local Bond Law.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$365,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law and the Local Finance Board. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$365,000, but said \$365,000 shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed by said Director and signed by the chief financial officer of the Borough as to the amount of the emergency and emergency temporary appropriations to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

ATTEST: Robin Houy
Borough Clerk

APPROVED: Joseph P. Huet
Mayor

STATEMENT

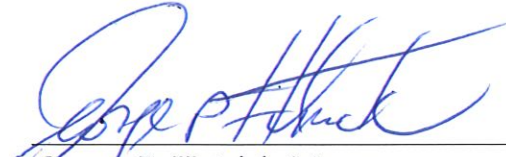
The bond ordinance published herewith has been finally adopted by the Borough Council of the Borough of Ogdensburg, in the County of Sussex, in the State of New Jersey, on the 24th day of April, 2023, and the twenty day period of limitation within which a suit, action or proceeding questioning the validity 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.

Robin Houy
Borough Clerk
Borough of Ogdensburg
County of Sussex
State of New Jersey

**BOROUGH OF OGDENSBURG
COUNTY OF SUSSEX
ORDINANCE 01-2023**

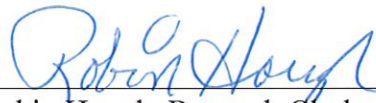
Attest:


Robin Hough, Borough Clerk


George P. Hutnick, Mayor

NOTICE

TAKE NOTICE that the above entitled ordinance 01-2023 was introduced at a regular meeting of the Borough Council of the Borough of Ogdensburg on March 13, 2023, and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Ogdensburg to be held on April 24, 2023 at 7:00PM in the Municipal Building, 14 Highland Ave., Ogdensburg, New Jersey, and shall take effect according to law.


Robin Hough, Borough Clerk

Roll call vote for Introduction Ordinance 01-2023:

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
Councilman Alvarez	✓			
Councilman Ciasullo	✓			
Councilwoman Cowdrick			✓	
Councilman DeMeo	✓			
Councilman Poyer	✓			
Councilwoman Ruitenberg	✓			
Mayor Hutnick (Tie Only)				

Roll call vote for Adoption Ordinance 01-2023:

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
Councilman Alvarez	✓			
Councilman Ciasullo	✓			
Councilwoman Cowdrick	✓			
Councilman DeMeo	✓			
Councilman Poyer	✓			
Councilwoman Ruitenberg	✓			
Mayor Hutnick (Tie Only)				