

City of Newark

City Hall 920 Broad Street Newark, New Jersey 07102

Legislation Details (With Text)

File #:	19-1	365	Version:	2	Name:	Emergency Temporary App service line replacement	riopiation for the lead			
Туре:	Res	olution			Status:	Adopted				
File created:	8/23	3/2019			In control:	Administration				
On agenda:	8/27	7/2019			Final action:	8/27/2019				
Title:	Action Type Purp Fund App Budd Con Con () () Adding TE# Resort No. 100 Fund Fund Fund Fund Fund Fund Fund Fund	Dept/ Agency: Administration/Office of Management and Budget Action: () Ratifying (X) Authorizing () Amending Type of Service: Temporary Emergency Appropriation Purpose: Replacement of Lead Service Lines within the City of Newark on an emergency basis Funding Source: Bonds or Notes Appropriation Amount: \$120,000,000.00 Budget Year: 2019 Contract Period: N/A Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS () Fair & Open () No Reportable Contributions () RFP () RFQ () Private Sale () Grant () Sub-recipient (X) n/a Additional Information: TE#37 Resolution providing for an Emergency Temporary Appropriation in the amount of \$120,000,000.00 pursuant to N.J.S.A. 40A:4-20, to accomplish the Replacement of Lead Service Lines within the City of Newark on an Emergency Basis. Funds accepted by Resolution Operating Agency: Department of Water and Sewer Utilities								
Sponsors:	•	ncil of the \	•	unont	or water and oc	Wor Guildes				
Indexes:										
Code sections:										
Date	Ver.	Action By			Act	on	Result			
8/27/2019	1	Municipal	l Council		Add	ppt	Pass			
Funding Sour Appropriation Budget Year: Contract Peri Contract Bas () Fair & Oper () Private Sale Additional Inf TE#37	Ratifyice: Tolacer rce: In Am 201 od: is: (in (e (ing (X) emporary ment of L Bonds or ount: \$1, 9 N/A) Bid () No Repo) Grant (ation:	Authorizi y Emerge ead Serv Notes 20,000,00) State Ve ortable Con) Sub-re	ing ency rice L 00.00 endor ntribu cipier	() Amendir Appropriation ines within the) () Prof. Sel tions () RFF nt (X) n/a	e City of Newark on an er				
Resolution pro	ovidin	ig for an	Emerger	тсу Т	emporary Ap	propriation in the amoun	t of \$120,000,000.00			

pursuant to N.J.S.A. 40A:4-20, to accomplish the Replacement of Lead Service Lines within the City

of Newark on an Emergency Basis. Funds accepted by Resolution

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Operating Agency: Department of Water and Sewer Utilities

WHEREAS, emergent conditions have arisen with respect to the payment by the City of Newark, in the County of Essex, New Jersey (the "City"), of the amount of \$120,000,000 which is necessary to fund, on an emergency basis, the payment of the costs relating to the replacement of the lead service lines within the City from the water main in the street to the meter inside the structure and all work and materials necessary therefor and relating thereto; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose mentioned above; and

WHEREAS, the total emergency temporary appropriation resolutions adopted by the City in fiscal year 2019, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20), including this resolution, total \$537,659,337.18; and

WHEREAS, the amount of \$120,000,000 is for a purpose for which appropriations may lawfully be made by the City for the period between the beginning of the current fiscal year and the date of adoption of a budget for such year; and

WHEREAS, the City, subject to the approval of the Local Finance Board in the Division of Local Government Services, Department of Community Affairs, State of New Jersey (the "Local Finance Board"), intends to reimburse the expenditure of the emergency temporary appropriation provided for herein with proceeds of the City's refunding bonds and/or refunding bond anticipation notes.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNCIPAL COUNCIL OF THE CITY OF NEWARK, COUNTY OF ESSEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

- 1. An emergency temporary appropriation is and the same is hereby made in the amount of \$120,000,000 to accomplish the payment of the costs of the replacement of lead service lines within the City from the water main in the street to the meter inside the structure on an emergency basis.
- 2. Except to the extent that provision for paying, funding or refunding said emergency temporary appropriation shall previously have been made by the authorization of bonds pursuant to the Local Bond Law and approved by the Local Finance Board, said emergency temporary appropriation will be provided for in full in the City's 2019 budget under the title "Payment of Lead Service Lines Replacement", and is requested to be excluded from the limitation on increases in appropriations pursuant to N.J.S.A. 40A:4-45.3(c) and to be excluded from the calculation of the adjusted tax levy pursuant to N.J.S.A. 40A:4-45.45(b)(1).
- 3. Subject to the approval of the Local Finance Board, it is the City's intention is to reimburse the emergency temporary appropriation provided for herein with proceeds of the City refunding bonds and/or refunding bond anticipation notes which will be financed through the Essex County Improvement Authority.
- 4. The Chief Financial Officer of the City is hereby authorized and directed to file one (1) certified copy of this resolution with the Director of the Division of Local Government Services.

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5. This resolution shall take effect immediately upon adoption.

STATEMENT

This resolution authorizes and establishes a temporary emergency appropriation for the replacement of lead service lines within the City of Newark on an emergency basis for City refunding bonds and/or refunding bond anticipation notes, which will be financed through the Essex County Improvement Authority in the amount of \$120,000,000.00 for Department of Water and Sewer Utilities.

CERTIFICATE

Jersey, DO HEREBY CERTIFY, that the fore resolution now on file and of record in my office	of Newark, in the County of Essex, State of egoing is a true and compared copy of an or which was duly adopted at a Special Meeting of the two states of the states of the decimal of the work of the two states o	riginal of the
	at said Municipal Council consists ofmenesent at said meeting members voted affirmative ely for the adoption of said resolution.	
IN WITNESS WHEREOF, I have hereur day of, 2019.	nto set my hand and affixed the seal of said Cit	y this
SEAL		
Kenneth Clerk	Louis,	City