



## Legislation Text

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**A BOND ORDINANCE OF THE CITY OF NEWARK, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR GENERAL CAPITAL IMPROVEMENTS AND APPROPRIATING \$38,409,000.00 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$36,488,550.00 IN GENERAL CAPITAL IMPROVEMENT BONDS OR NOTES OF THE CITY AND FINANCE PART OF THE COSTS THEREOF.**

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Newark, in the County of Essex, New Jersey (the "City"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$38,409,000.00, and including the sum of \$1,920,450.00 as the aggregate amount of down payments for the improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., (the "Local Bond Law"). The aggregate amount of down payments has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets of the City.

Section 2. In order to finance the cost of the several improvements, or purposes not covered by application of the several down payments hereunder, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount of \$36,488,550.00 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) **Office of Information Technology**

1. Purpose: Acquisition and installation of security tools, hardware integration and infrastructure improvements including routers, switches, wiring and software to upgrade the data network to improve the delivery of data.

Appropriation and Estimated Cost: \$1,200,000.00  
Maximum Amount of Bonds or Notes: \$1,140,000.00  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$60,000.00

2. Purpose: Acquisition and installation of uninterrupted power supply for network servers.

Appropriation and Estimated Cost: \$ 85,000.00  
Maximum Amount of Bonds or Notes: \$ 80,750.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 4,250.00

3. Purpose: Acquisition and installation of new desktop computers and laptop computers for various City departments.

Appropriation and Estimated Cost: \$ 300,000.00  
Maximum Amount of Bonds or Notes: \$ 285,000.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 15,000.00

4. Purpose: Acquisition and installation of new servers for City-wide computer network.

Appropriation and Estimated Cost: \$ 390,000.00  
Maximum Amount of Bonds or Notes: \$ 370,500.00  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$ 19,500.00

5. Purpose: Acquisition and installation of security keypad cameras, and electronic door swipes.

Appropriation and Estimated Cost: \$ 175,000.00  
Maximum Amount of Bonds or Notes: \$ 166,250.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 8,750.00

(b) **Library**

1. Purpose: Improvements to Main Library - 5 Washington Street - including but not limited to, improvements to western portion of Library to create Hispanic Research Center, relocate technology center and repurpose area on first floor, bathroom renovations for ADA compliance, replacement of elevators and information technology upgrades.

Appropriation and Estimated Cost: \$3,500,000.00  
Maximum Amount of Bonds or Notes: \$3,325,000.00  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 175,000.00

2. Purpose: Improvements to building located at 34 Commerce Street to house the new Charles F. Cummings Center.

Appropriation and Estimated Cost: \$1,000,000.00  
Maximum Amount of Bonds or Notes: \$ 950,000.00  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 50,000.00

(c) **Department of Public Safety (Police/Fire)**

1. Purpose: Acquisition and installation of City-wide public safety surveillance cameras.

Appropriation and Estimated Cost: \$ 500,000.00  
Maximum Amount of Bonds or Notes: \$ 475,000.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 25,000.00

2. Purpose: Acquisition and installation of vehicle mounted cameras and computer systems in police cars.

Appropriation and Estimated Cost: \$ 450,000.00  
Maximum Amount of Bonds or Notes: \$ 427,500.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 22,500.00

3. Purpose: Acquisition and installation of Citywide shot spotter system for Police Division.

Appropriation and Estimated Cost: \$ 450,000.00  
Maximum Amount of Bonds or Notes: \$ 427,500.00  
Period of Usefulness: 5 years  
Amount of Down Payment: \$ 22,500.00

4. Purpose: Acquisition of two (2) marked mobile command trucks for Public Safety Department.

Appropriation and Estimated Cost: \$ 260,000.00  
Maximum Amount of Bonds or Notes: \$ 247,000.00  
Period of Usefulness: 5 years

Amount of Down Payment: \$ 13,000.00

5. Purpose: Acquisition of marked tow truck for Public Safety Department.

Appropriation and Estimated Cost: \$ 100,000.00

Maximum Amount of Bonds or Notes: \$ 95,000.00

Period or Average Period of Usefulness: 5 years

Amount of Down Payment: \$ 5,000.00

6. Purpose: Acquisition and installation of vehicle mounted speed detection equipment for police cars.

Appropriation and Estimated Cost: \$ 136,000.00

Maximum Amount of Bonds or Notes: \$ 129,200.00

Period or Average Period of Usefulness: 5 years

Amount of Down Payment: \$ 6,800.00

7. Purpose: Acquisition of vehicle mounted license plate reading system for police cars.

Appropriation and Estimated Cost: \$ 100,000.00

Maximum Amount of Bonds or Notes: \$ 95,000.00

Period of Usefulness: 5 years

Amount of Down Payment: \$ 5,000.00

8. Purpose: Acquisition of two (2) E-One Typhoon Class Fire Engines.

Appropriation and Estimated Cost: \$ 1,027,000.00

Maximum Amount of Bonds or Notes: \$ 975,650.00

Period of Usefulness: 10 years

Amount of Down Payment: \$ 51,350.00

9. Purpose: Acquisition of one (1) E-Metro 100,110 Rear-Mount Ladder Truck.

Appropriation and Estimated Cost: \$ 768,000.00

Maximum Amount of Bonds or Notes: \$ 729,600.00

Period of Usefulness: 10 years

Amount of Down Payment: \$ 38,400.00

10. Purpose: Acquisition of emergency power generator for Public Safety Building - 480 Clinton Avenue.

Appropriation and Estimated Cost: \$ 318,000.00

Maximum Amount of Bonds or Notes: \$ 302,100.00

Period of Usefulness: 15 years

Amount of Down Payment: \$ 15,900.00

11. Purpose: Acquisition and installation of City-wide radio core system required to meet FCC guidelines.

Appropriation and Estimated Cost: \$15,000,000.00

Maximum Amount of Bonds or Notes: \$14,250,000.00

Period of Usefulness: 10 years

Amount of Down Payment: \$ 750,000.00

(e) **Department of Public Works**

1. Purpose: Acquisition of six (6) Street Sweeping Vehicles.

Appropriation and Estimated Cost: \$ 1,500,000.00

Maximum Amount of Bonds or Notes: \$ 1,425,000.00

Period of Usefulness: 15 years

Amount of Down Payment: \$ 75,000.00

2. Purpose: Acquisition of demolition grapplers to remove structures.

Appropriation and Estimated Cost: \$ 400,000.00

Maximum Amount of Bonds or Notes: \$ 380,000.00

Period of Usefulness: 5 years

Amount of Down Payment: \$ 20,000.00

3. Purpose: Acquisition of Trailers for transporting demolition grapplers.

Appropriation and Estimated Cost: \$ 200,000.00

Maximum Amount of Bonds or Notes: \$ 190,000.00

Period or Average Period of Usefulness: 5 years

Amount of Down Payment: \$ 10,000.00

(f) **Health and Human Services**

1. Purpose: Construction of a new City animal shelter.

Appropriation and Estimated Cost: \$ 500,000.00

Maximum Amount of Bonds or Notes: \$ 475,000.00

Period or Average Period of Usefulness: 20 years

Amount of Down Payment: \$ 25,000.00

(g) **Engineering - Traffic**

1. Purpose: Improvements to West Market Street between Norfolk and Bergen Streets; upgrade traffic signals, road markings, traffic calming and signage.

Appropriation and Estimated Cost: \$ 100,000.00  
Maximum Amount of Bonds or Notes: \$ 95,000.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 5,000.00

2. Purpose: Improvements to crosswalks around City Public Schools consisting of school flashing signal systems.

Appropriation and Estimated Cost: \$ 200,000.00  
Maximum Amount of Bonds or Notes: \$ 190,000.00  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 10,000.00

3. Purpose: City-wide street resurfacing and repaving of various streets program based upon City Master Plan.

Appropriation and Estimated Cost: \$3,500,000.00  
Maximum Amount of Bonds or Notes: \$3,325,000.00  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 175,000.00

4. Purpose: Improvements to Delancey Street: upgrade traffic signals, roadway markings, traffic flow improvements and street signage.

Appropriation and Estimated Cost: \$1,000,000.00  
Maximum Amount of Bonds or Notes: \$ 950,000.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 50,000.00

5. Purpose: Repair of Citywide bridges over N.J. Transit corridors, including Orange Street, Heller Parkway, Park Avenue, Bloomfield Avenue and other locations throughout the City.

Appropriation and Estimated Cost: \$ 500,000.00  
Maximum Amount of Bonds or Notes: \$ 475,000.00  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 25,000.00

6. Purpose: Repair of City-wide bridge structures.

Appropriation and Estimated Cost: \$ 1,000,000.00

Maximum Amount of Bonds or Notes: \$ 950,000.00  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 50,000.00

7. Purpose: Improvements to City-wide street intersections; upgrade traffic signals, roadway markings, street signage and install traffic calming devices.

Appropriation and Estimated Cost: \$ 500,000.00  
Maximum Amount of Bonds or Notes: \$ 475,000.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 25,000.00

(h) **Courts**

1. Purpose: Renovations to Municipal Buildings, including the Municipal Courts Building, renovations to include, but are not limited to, upgrading bathrooms, elevators and electrical..

Appropriation and Estimated Cost: \$3,000,000.00  
Maximum Amount of Bonds or Notes: \$2,850,000.00  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 150,000.00

2. Purpose: Acquisition and installation of video monitoring and electronic access control system within the City's Municipal Courts Building.

Appropriation and Estimated Cost: \$ 250,000.00  
Maximum Amount of Bonds or Notes: \$ 237,500.00  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$ 12,500.00

(j) All projects include all work, equipment, appurtenances and materials necessary therefor or incidental thereto.

(j) The maximum amount of bonds or notes to be issued for the several improvements or purposes set forth in Section 3 hereof is as stated in Section 2 hereof.

(k) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; 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 shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized and directed to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest 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 amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several capital improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes 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 the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the Office of the City Clerk, and a complete executed duplicate 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. 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 and notes provided in this bond ordinance by \$36,488,550.00, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$6,500,000.00 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The City reasonably expects to commence acquisition of the projects described in Section 3 hereof and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably

expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof. The above represents the City's official intent to reimburse itself for costs authorized hereunder out of the proceeds of bonds and/or notes issued hereunder.

Section 7. Any grant moneys received for the improvements or purposes described in Section 3 hereof shall be applied either to direct payment of the cost of each such improvement or purpose or to payment of the obligations issued pursuant to this bond ordinance and the amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

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

Section 9. The City of Newark hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes so authorized hereunder and issued as tax-exempt bonds or notes as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after final adoption, approval by the Mayor and the final publication thereof after final adoption, as provided by the Local Bond Law.

## **STATEMENT**

Ordinance providing for General Capital Improvements and appropriating \$38,409,000.00 therefore, and authorizing the issuance of \$36,488,550.00 in General Capital Improvement Bonds or Notes of the City of Newark.