



## Legislation Details (With Text)

**File #:** 13-1470      **Version:** 1      **Name:** Amending Sewer Bond Ordinance  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 7/22/2013      **In control:** Finance  
**On agenda:** 8/7/2013      **Final action:** 11/7/2013  
**Title:** BOND ORDINANCE OF THE CITY OF NEWARK AMENDING CERTAIN OF THE PURPOSES OF BOND ORDINANCE NO. 6S&FA(S) JULY 25, 2005, PREVIOUSLY ADOPTED BY THE CITY OF NEWARK.  
Deferred 6PSF-k 091813  
No Action Taken 6PSF-d 100213/Public Hearing Open  
Deferred 6PSF-d 101013/Public Hearing Open  
No Action Taken 6PSF-d 102313/Public Hearing Open  
Deferred 6PSF-d 102913/Public Hearing Open

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
11/7/2013	1	Municipal Council	Close on Public Hearing and Adopt	Pass
10/29/2013	1	Municipal Council	maintained on public hearing and deferred to Special meeting	Pass
10/23/2013	1	Municipal Council	no action taken	
10/17/2013	1	Municipal Council	maintained on public hearing and deferred to Special meeting	Pass
10/10/2013	1	Municipal Council	maintained on public hearing and deferred to Special meeting	Pass
10/2/2013	1	Municipal Council	no action taken	
9/18/2013	1	Municipal Council	maintained on public hearing and deferred to Special meeting	Pass
9/5/2013	1	Municipal Council	Adopt on First Reading	Pass
8/7/2013	1	Municipal Council	Advance to First Reading	Pass

### ..Title

**BOND ORDINANCE OF THE CITY OF NEWARK AMENDING CERTAIN OF THE PURPOSES OF BOND ORDINANCE NO. 6S&FA(S) JULY 25, 2005, PREVIOUSLY ADOPTED BY THE CITY OF NEWARK.**

**Deferred 6PSF-k 091813**

**No Action Taken 6PSF-d 100213/Public Hearing Open**

**Deferred 6PSF-d 101013/Public Hearing Open**

**No Action Taken 6PSF-d 102313/Public Hearing Open**

**Deferred 6PSF-d 102913/Public Hearing Open**

**WHEREAS**, on July 25, 2005, the Municipal Council of The City of Newark (the "City") finally adopted Bond Ordinance No. 6S&FA(S) (the "Bond Ordinance") appropriating the sum of \$29,500,000 to finance various projects (the "Projects") and authorizing the issuance of \$29,500,000 in bonds or notes of the City to finance

the Projects; and

**WHEREAS**, the Municipal Council of the City has determined to revise certain of the projects contained in the Bond Ordinance; and;

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:**

Section 1. The chart in Section 3 of the Bond Ordinance is hereby amended to read as follows:

Improvement	Project No.	Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Useful-ness (Years)
Combined Sewer Overflow Phase 3 screening facilities	S340815-05	\$10,630,000.00	\$10,630,000.00	40
Combined Sewer Overflow Solids/Floatables Control Facilities; Screening facilities at Clay Street Outfall and Freeman Street Outfall; Construction of end of pipe netting	S340815-05.1	2,500,000.00	2,500,000.00	40
Phase V of Brick Sewer Rehabilitation Program	S340815-07	16,370,000.00	16,370,000.00	40
Total		\$29,500,000.00	\$29,500,000.00	

Section 2. 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 Office of the Clerk and is available there for public inspection.

Section 3. Except as amended hereby, all other provisions of the Bond Ordinance shall remain in full force and effect. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 4. This Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

## **STATEMENT**

Ordinance Amending Bond Ordinance No. 6S&FA(S), July 25, 2005, previously adopted by the City of Newark.

**NOTICE OF PENDING BOND ORDINANCE**

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing bond ordinance was duly introduced and passed upon first reading at a special meeting of the Municipal Council of the City of Newark, in the County of Essex, New Jersey, held on \_\_\_\_\_, 2013. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Municipal Council to be held in City Hall, 920 Broad Street, Newark, New Jersey on \_\_\_\_\_, 2013 at \_\_\_\_\_ o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the City Clerk's office in City Hall to the members of the general public who shall request the same.

\_\_\_\_\_  
Robert P. Marasco, City Clerk

**NOTICE OF ADOPTION OF BOND ORDINANCE**

PUBLIC NOTICE IS HEREBY GIVEN that the bond ordinance published herewith has been finally adopted by the Municipal Council of the City of Newark, in the County of Essex, New Jersey on \_\_\_\_\_, 2013 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

Robert P. Marasco, City Clerk

**CLERK'S CERTIFICATE**

I, Robert P. Marasco, City Clerk of the City of Newark, in the County of Essex, New Jersey (the "City"),  
HEREBY CERTIFY as follows that:

1.The attached copy of Ordinance No. \_\_\_\_\_ of said City entitled as set forth below  
and finally adopted on \_\_\_\_\_, 2013, has been compared by me with the original thereof officially  
recorded in the Ordinance Book of the City and is a true and correct copy thereof and of the whole of said  
original Ordinance. The title of said Ordinance is as follows:

BOND ORDINANCE OF THE CITY OF NEWARK AMENDING CERTAIN OF  
THE PURPOSES OF BOND ORDINANCE NO. 6F&SA07252005, PREVIOUSLY  
ADOPTED BY THE CITY OF NEWARK

2.Said Ordinance was introduced in writing and read and passed on first reading at a regular meeting  
of the Municipal Council of said City duly called and held on \_\_\_\_\_, 2013 (a true and correct copy of  
an extract of the minutes of the meeting is attached hereto), and was passed on second reading and finally  
adopted by the recorded affirmative vote of at least two-thirds of all the members of said Municipal Council, at  
a special meeting thereof duly called and held on \_\_\_\_\_, 2013 (a true and correct copy of an  
extract of the minutes of the meeting is attached hereto), following the holding of a public hearing thereon at  
which all interested persons were given an opportunity to be heard.

3.Said Ordinance was published after first reading, on \_\_\_\_\_, 2013, together with the Notice  
of Pending Bond Ordinance, containing the date of introduction, time and place of further consideration of said  
Ordinance (a true and correct copy of the affidavit of publication of said Ordinance is attached hereto).

4.On \_\_\_\_\_, 2013, said Ordinance was posted on the bulletin board in City Hall together with  
notice of the availability of copies of said Ordinance at the Office of the Clerk, and such copies of said  
Ordinance were made available to all members of the general public requesting the same.

5.After final passage, said Ordinance was duly published, together with the Notice of Adoption of Bond  
Ordinance, on \_\_\_\_\_, 2013 in *The Star-Ledger*, a newspaper published and circulating in the City,  
and no protest by any person against making the improvement or issuing the indebtedness authorized in said  
Ordinance, nor any petition requesting that a referendum vote be taken on the action proposed in the  
Ordinance has been presented to the governing body or to me or filed in my office nor has any such action or  
proceeding questioning the validity of such Ordinance has been commenced within 20 days after such  
publication (a true and correct copy of the affidavit of publication of said Ordinance is attached hereto).

6.Said Ordinance when introduced was complete in the form in which it was finally adopted and  
remained on file in the Office of the Municipal Clerk for public inspection from the date of introduction to the  
date of final adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this  
\_\_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

Marasco, City Clerk

Robert P.

**ATTACHMENTS**

- A) Ordinance
- B) Extract of minutes of Municipal Council meeting at which Ordinance was introduced
- C) Extract of minutes of Municipal Council meeting at which Ordinance was finally adopted
- D) Affidavit of First Publication of Ordinance after introduction
- E) Affidavit of Second Publication of Ordinance after final adoption