

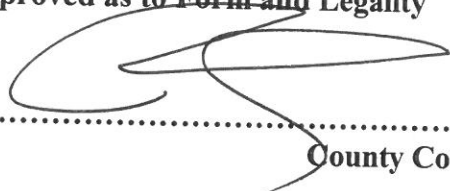
COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018- 8**

1<sup>st</sup> Reading... December 6, 2018  
 2<sup>nd</sup> Reading... December 18, 2018  
 Public Hearing... December 18, 2018

Date to County Executive.....  
 Date Returned.....  
 Date Resubmitted to Board.....

Date Adopted:  
 December 18, 2018  
 .....  
 January 7, 2018  
 .....

Approved as to Form and Legality

  
 .....  
 County Counsel

Effective Date

**ORDINANCE CANCELLING THE REMAINING BALANCE  
 OF 2005-18**

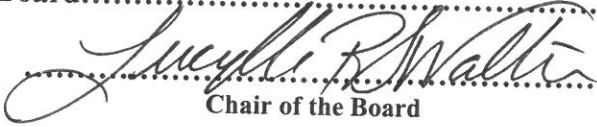
The Ordinance 2005-18 is determined to be completed. Any and all unexpended balances are hereby cancelled.

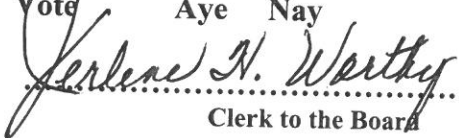
The Ordinance cancellation shall take effect at the time and in the manner provided by law.

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X				✓		Cannon	X					
Cimino	X						Cimino	X					X
Colavita	X					✓	Colavita	X					
Frisby	X						Frisby	X					
Koontz				X			Koontz	X					X
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By Brian Byrnes  
 Approved  County Executive

Reconsidered   
 By Board.....  
  
 Chair of the Board

Override    
 Vote      Aye      Nay  
  
 Clerk to the Board

COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018-** 9

1<sup>st</sup> Reading.....December 6, 2018  
 2<sup>nd</sup> Reading.....December 18, 2018  
 Public Hearing.....December 18, 2018

Date to County Executive.....

Date Returned.....

Date Adopted:

.....December 18, 2018

Date Resubmitted to Board.....

Approved as to Form and Legality

.....  
 January 7, 2018

.....  
 County Council

Effective Date

**ORDINANCE CANCELLING THE REMAINING BALANCE  
 OF 2007-5**

The Ordinance 2007-5 is determined to be completed. Any and all unexpended balances are hereby cancelled.

The Ordinance cancellation shall take effect at the time and in the manner provided by law.

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X						Cannon	X					
Cimino	X				✓		Cimino	X					
Colavita	X						Colavita	X					
Frisby	X					✓	Frisby	X				✓	
Koontz				X			Koontz	X					✓
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By..... *Brian B. [Signature]* .....

Approved  County Executive

Reconsidered  Override    
 By Board..... Vote Aye Nay

*Lucy P. Waltz*  
 Chair of the Board

*Terlene N. Worthy*  
 Clerk to the Board

COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018-10**

1<sup>st</sup> Reading.....December 6, 2018  
 2<sup>nd</sup> Reading.....December 18, 2018  
 Public Hearing.....December 18, 2018

Date to County Executive.....  
 Date Returned.....

Date Adopted:  
 .....December 18, 2018.....

Date Resubmitted to Board.....

.....  
 .....January 7, 2018.....

Approved as to Form and Legality

  
 .....  
 County Counsel

Effective Date

REFUNDING BOND ORDINANCE PROVIDING FOR THE  
 REFUNDING OF THE COUNTY'S OUTSTANDING CALLABLE  
 GENERAL OBLIGATION BONDS (MERCER COUNTY OPEN  
 SPACE PROJECT), SERIES 2005, DATED JUNE 17, 2005;  
 AUTHORIZING THE ISSUANCE OF UP TO \$13,200,000 OF  
 GENERAL OBLIGATION REFUNDING BONDS OF THE COUNTY  
 OF MERCER, NEW JERSEY, TO FINANCE THE COSTS THEREOF;  
 MAKING CERTAIN DETERMINATIONS AND COVENANTS IN  
 CONNECTION THEREWITH; AND AUTHORIZING CERTAIN  
 RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X				✓		Cannon	X					✓
Cimino	X						Cimino	X					
Colavita	X					✓	Colavita	X					
Frisby	X						Frisby	X				✓	
Koontz				X			Koontz	X					
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By.....*Brian M. Kelly*.....  
 Approved  County Executive  
 Reconsidered  Override    
 By Board.....  
 Vote Aye Nay  
*Lucy R. Walter* Chair of the Board      *Kerlene N. Werthy* Clerk to the Board

# ORDINANCE NO. 2018-10

**BE IT ORDAINED** by the Board of Chosen Freeholders ("Board") of the County of Mercer, 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 County of Mercer, New Jersey ("County"), is hereby authorized to refund all or a portion of its outstanding General Obligation Bond (Mercer County Open Space Project), Series 2005, in the aggregate principal amount of \$12,765,000 and maturing on August 1 in the following years and principal amounts (collectively, the "Refunded Bonds"):

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2019	\$495,000	2030	\$585,000
2020	505,000	2031	595,000
2021	515,000	2032	605,000
2022	520,000	2033	615,000
2023	530,000	2034	625,000
2024	535,000	2035	630,000
2025	545,000	2036	635,000
2026	550,000	2037	640,000
2027	555,000	2038	645,000
2028	565,000	2039	650,000
2029	575,000	2040	650,000

The exact principal amount of Refunded Bonds to be refunded (which may be less than all of the Refunded Bonds) shall be determined pursuant to a resolution adopted by the Board by not less than two-thirds of all the members thereof.

**Section 2.** To effectuate the refunding of up to all of the Refunding Bonds, negotiable general obligation refunding bonds of the County are hereby authorized to be issued in one (1) or more series in an aggregate principal amount not to exceed \$13,200,000 ("Refunding Bonds"), pursuant to the Local Bond Law. The exact principal amount of Refunding Bonds to be issued and terms thereof shall be determined pursuant to a resolution adopted by the Board by not less than two-thirds of all the members thereof.

**Section 3.** An aggregate amount not exceeding \$210,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, *N.J.S.A. 40A:2-51.b.*, has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

**Section 4.** The purpose of the Refunding Bonds is to effect an interest cost savings for the County.



# ORDINANCE NO. 2010-10

**Section 5.** Each Refunding Bond authorized herein shall be designated, substantially, "County of Mercer, New Jersey, General Obligation Refunding Bond (Mercer County Open Space Project), Series 20\_\_" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the County shall approve.

**Section 6.** The Refunding Bonds may be sold at public or private sale pursuant to a resolution of the Board adopted by not less than two-thirds of the full members thereof.

**Section 7.** 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 refunding 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.

**Section 8.** A certified copy of this refunding bond ordinance as adopted on first reading has been 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 final adoption, together with a complete statement in the form prescribed by the Director and signed by the County Treasurer as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

**Section 9.** This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Date of Introduction: November 19, 2018**

**Date of Adoption: \_\_\_\_\_**

## **Statement to be Published with Bond Ordinance After Introduction.**

Public notice is hereby given that the foregoing Bond Ordinance was introduced and passed on first reading at a meeting of the Board of Chosen Freeholders of the County of Mercer held on November 19, 2018. Further notice is given that said Bond Ordinance will be considered for final passage and adoption, after a public hearing thereon, at a meeting of the Board of Chosen Freeholders of the County of Mercer to be held at the McDade Administration Building, 640 South Broad Street, Trenton, New Jersey, on December \_\_, 2018 at \_\_\_\_\_ p.m. During the week prior to and up to and including the date of said meeting, copies of said Bond Ordinance will be made available at the Office of the Clerk of the Board of Chosen Freeholders in the Mercer County Courthouse for members of the general public who request the same.

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**JERLENE H. WORTHY,**  
Clerk of the Board of Chosen Freeholders

**Statement to be Published with Bond Ordinance After Final Adoption.**

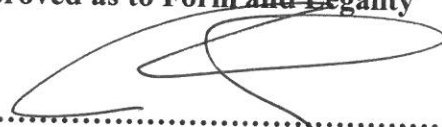
COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018-11**

1<sup>st</sup> Reading...December 6, 2018...  
 2<sup>nd</sup> Reading...December 18, 2018...  
 Public Hearing...December 18, 2018

Date to County Executive.....  
 Date Returned.....  
 Date Resubmitted to Board.....

Date Adopted:  
 December 18, 2018  
 .....  
 .....  
 .....January 7, 2018.....

Approved as to Form and Legality

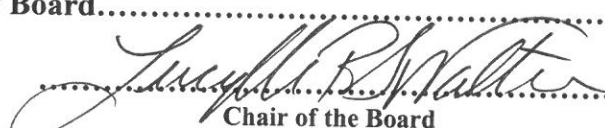
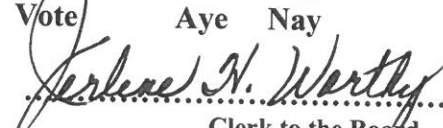
.....  
  
 .....  
 County Counsel

Effective Date

REFUNDING BOND ORDINANCE PROVIDING FOR THE  
 REFUNDING OF THE COUNTY'S OUTSTANDING CALLABLE  
 GENERAL OBLIGATION BONDS (MERCER COUNTY SPECIAL  
 SERVICES SCHOOL DISTRICT PROJECT), SERIES 2005, DATED  
 MARCH 17, 2005; AUTHORIZING THE ISSUANCE OF UP TO  
 \$2,100,000 OF GENERAL OBLIGATION REFUNDING BONDS OF  
 THE COUNTY OF MERCER, NEW JERSEY, TO FINANCE THE  
 COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND  
 COVENANTS IN CONNECTION THEREWITH; AND  
 AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION  
 WITH THE FOREGOING

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X				✓		Cannon	X				✓	
Cimino	X						Cimino	X					
Colavita	X						Colavita	X					
Frisby	X					✓	Frisby	X					✓
Koontz				X			Koontz	X					
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By *Brian M. Kelly*.....  
 Approved  County Executive  
 Reconsidered  Override    
 By Board..... Vote Aye Nay  
 Chair of the Board  
 Clerk to the Board

# ORDINANCE NO. 2018-11

**BE IT ORDAINED** by the Board of Chosen Freeholders ("Board") of the County of Mercer, 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 County of Mercer, New Jersey ("County"), is hereby authorized to refund all or a portion of its outstanding General Obligation Bonds (Mercer County Special Services School District Project), Series 2005, in the aggregate principal amount of \$1,960,000 and maturing on January 15 in the following years and principal amounts (collectively, the "Refunded Bonds"):

<u>Year</u>	<u>Amount</u>
2020	\$285,000
2021	300,000
2022	320,000
2023	335,000
2024	350,000
2025	370,000

The exact principal amount of Refunded Bonds to be refunded (which may be less than all of the Refunded Bonds) shall be determined pursuant to a resolution adopted by the Board by not less than two-thirds of all the members thereof.

**Section 2.** To effectuate the refunding of up to all of the Refunding Bonds, negotiable general obligation refunding bonds of the County are hereby authorized to be issued in one or more series in an aggregate principal amount not to exceed \$2,100,000 ("Refunding Bonds"), pursuant to the Local Bond Law. The exact principal amount of Refunding Bonds to be issued and terms thereof shall be determined pursuant to a resolution adopted by the Board by not less than two-thirds of all the members thereof.

**Section 3.** An aggregate amount not exceeding \$70,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, *N.J.S.A. 40A:2-51.b.*, has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

**Section 4.** The purpose of the Refunding Bonds is to effect an interest cost savings for the County.

**Section 5.** Each Refunding Bond authorized herein shall be designated, substantially, "County of Mercer, New Jersey, General Obligation Refunding Bond (Mercer County Special Services School District Project), Series 20\_\_" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the County shall approve.

# ORDINANCE NO. 2018-11

**Section 6.** The Refunding Bonds may be sold at public or private sale pursuant to a resolution of the Board adopted by not less than two-thirds of the full members thereof.

**Section 7.** 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 refunding 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.

**Section 8.** A certified copy of this refunding bond ordinance as adopted on first reading has been 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 final adoption, together with a complete statement in the form prescribed by the Director and signed by the County Treasurer as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

**Section 9.** This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Date of Introduction:** November 19, 2018

**Date of Adoption:** \_\_\_\_\_

## **Statement to be Published with Bond Ordinance After Introduction.**

Public notice is hereby given that the foregoing Bond Ordinance was introduced and passed on first reading at a meeting of the Board of Chosen Freeholders of the County of Mercer held on November 19, 2018. Further notice is given that said Bond Ordinance will be considered for final passage and adoption, after a public hearing thereon, at a meeting of the Board of Chosen Freeholders of the County of Mercer to be held at the McDade Administration Building, 640 South Broad Street, Trenton, New Jersey, on December \_\_, 2018 at \_\_\_\_\_ p.m. During the week prior to and up to and including the date of said meeting, copies of said Bond Ordinance will be made available at the Office of the Clerk of the Board of Chosen Freeholders in the Mercer County Courthouse for members of the general public who request the same.

\_\_\_\_\_  
**JERLENE H. WORTHY,**  
Clerk of the Board of Chosen Freeholders

## **Statement to be Published with Bond Ordinance After Final Adoption.**

STATEMENT

# ORDINANCE NO. 2018-11

The Bond Ordinance published herewith has been finally adopted on December \_\_, 2018 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.

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**JERLENE H. WORTHY,**  
Clerk of the Board of Chosen Freeholders

COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018- 12**

1<sup>st</sup> Reading..... December 6, 2018  
 2<sup>nd</sup> Reading..... December 18, 2018  
 Public Hearing..... December 18, 2018

Date to County Executive.....  
 Date Returned.....

Date Adopted:  
 December 18, 2018

Date Resubmitted to Board.....  
 Approved as to Form and Legality

.....  
 January 7, 2018

.....  
 County Counsel

Effective Date

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE COUNTY OF MERCER, NEW JERSEY; APPROPRIATING THE SUM OF \$64,891,842 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF MERCER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$61,794,284; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X						Cannon	X					X
Cimino	X					X	Cimino	X					X
Colavita	X						Colavita	X					
Frisby	X				X		Frisby	X					
Koontz				X			Koontz	X					X
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By..... *Brian M. Byler*

Approved

County Executive

Reconsidered

Override

By Board.....

Vote      Aye      Nay

*Lynette B. Walter*  
 Chair of the Board

*Jerlene H. Worthy*  
 Clerk to the Board



# ORDINANCE NO. 2018-12

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**BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Mercer, 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 County of Mercer, New Jersey ("County").

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

- (a) the estimated amount to be raised by the County from all sources for the purposes stated in Section 7 hereof is \$64,891,842;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$61,794,284; and
- (c) a down payment in the amount of \$3,097,559 for a portion of 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 \$61,794,284, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,097,559, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the County in an amount not to exceed \$61,794,284 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 County in an amount not to exceed \$61,794,284 is hereby authorized. Pursuant to the Local Bond Law, the County Treasurer 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 County Treasurer is hereby directed to report in writing to the Board of Chosen Freeholders 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 \$10,000,000.

**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 maximum amount obligations to be issued for each said purpose and the

# ORDINANCE NO. 2018-12

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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Acquisition of Various Information Technology and Telecommunications Equipment for the County's Department of Administration, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$255,000	\$12,750	\$242,250	7 years
B.	Design and Construction of a Pole Barn for the County Department of Administration Emergency Management, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	153,000	7,650	145,350	20 years
C.	Acquisition of Various Capital Equipment for the County Fire Academy, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	57,120	2,856	54,264	5 years
D.	Various Park and Open Space Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	6,871,740	343,587	6,528,153	15 years
E.	Acquisition of Various Equipment for the County Department of Administration including, but not limited to, Copiers and Truck Holding Tank, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	59,466	2,973	56,493	5 years
F.	Acquisition of Various Information Technology and Telecommunications Equipment for the County's Office of Information Technology, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,533,433	126,671	2,406,762	7 years
G.	Acquisition of Equipment for the County Prosecutor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	121,717	6,086	115,631	5 years

# ORDINANCE NO. 2018-12

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
H.	Acquisition of Various Information Technology and Telecommunications Equipment for the County Prosecutor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,300,028	115,002	2,185,026	7 years
I.	Acquisition of Various Information Technology and Telecommunications Equipment for the County Sheriff's Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$970,157	\$48,508	\$921,649	7 years
J.	Acquisition of Equipment for the County Sheriff's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	851,043	42,552	808,491	5 years
K.	Renovations and Improvements to the County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	4,120,800	206,040	3,914,760	15 years
L.	Construction of New Taxiways and Structures for County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	11,569,860	578,493	10,991,367	20 years
M.	Acquisition of Replacement Equipment for the County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	918,000	45,900	872,100	15 years
N.	Acquisition of Capital Equipment for the County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	239,700	11,985	227,715	5 years
O.	Acquisition and Installation of Access Controls and Security Upgrades at County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	81,600	4,080	77,520	7 years

# ORDINANCE NO. 2018-12

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
P.	Improvements to Traffic Signals and Highway Signage throughout the County, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and the County Treasurer's Office	510,000	25,500	484,500	10 years
Q.	Improvements and Repairs to Various County Highways, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and Infrastructure	\$7,057,835	\$352,892	\$6,704,943	10 years
R.	Improvements and Repairs to Various County Bridges and Culverts, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and Infrastructure	2,840,700	142,035	2,698,665	15 years
S.	Various Repairs and Renovations to Various Buildings and Grounds for the Department of Transportation, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,987,987	149,399	2,838,588	10 years
T.	Acquisition of Vehicles and Equipment for the County Motor Pool, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	5,997,090	299,855	5,697,236	5 years
U.	Acquisition of Various Equipment for the County Corrections Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	51,000	2,550	48,450	5 years
V.	Acquisition of Various Information Technology and Telecommunications Equipment for the County Corrections Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	382,500	19,125	363,375	7 years

# ORDINANCE NO. 2018-12

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
W. Acquisition of Various Information Technology and Telecommunications Equipment for the County Department of Human Services, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	94,146	4,707	89,439	7 years
X. Acquisition of Various Equipment for the County Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$918,000	\$45,900	\$872,100	5 years
Y. Improvements to and Renovations to the County Park Commission Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	8,116,140	405,807	7,710,333	15 years
Z. Acquisition of Various Information Technology and Telecommunications Equipment for the County Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	59,160	2,958	56,202	7 years
AA. Improvements to and Renovations to the Special Services School District Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,116,900	0	1,116,900	10 years
BB. Improvements to and Renovations to the County Technical School Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,823,760	0	1,823,760	10 years
CC. Acquisition of Various Equipment for the County Improvement Authority, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,833,960	91,698	1,742,262	5 years
<b>TOTALS</b>	<u>\$64,891,842</u>	<u>\$3,097,559</u>	<u>\$61,794,284</u>	

**Section 8.** Grants or other monies received from any governmental entity 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 average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the

# ORDINANCE NO. 2018-12

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respective amounts of bonds or bond anticipation notes authorized for said several purposes is not less than 12.47 years.

**Section 10.** 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 of the Board of Chosen Freeholders 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 County, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$61,794,284 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the County 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 County shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The 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 of the Board of Chosen Freeholders and available for inspection.

**Section 13.** The City hereby declares its intent to reimburse itself from the proceed 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 City prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The County hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes 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 terms is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
- (d) it shall timely file with the Ogden, Utah Service Center of 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 to be "federally guaranteed" within the meaning of Section 149(b) of the Code.



# ORDINANCE NO. 2018-12

**Section 15.** The improvements authorized hereby are not current expenses and are improvements that the County 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 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 17.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

# ORDINANCE NO. 2018-12

## 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 Board of Chosen Freeholders of the County of Mercer, State of New Jersey, on \_\_\_\_\_, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Chosen Freeholders of the County of Mercer to be held at McDade Administration Building, 640 South Broad Street, Trenton, New Jersey, on \_\_\_\_\_, 2018 at 6:00 p.m. 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 County 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 THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE COUNTY OF MERCER, NEW JERSEY; APPROPRIATING THE SUM OF \$64,891,842 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF MERCER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$61,794,284; 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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Acquisition of Various Information Technology and Telecommunications Equipment for the County's Department of Administration, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$255,000	\$12,750	\$242,250	7 years
B.	Design and Construction of a Pole Barn for the County Department of Administration Emergency Management, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	153,000	7,650	145,350	20 years
C.	Acquisition of Various Capital Equipment for the County Fire Academy, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	57,120	2,856	54,264	5 years

# ORDINANCE NO. 2018-12

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<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
D. Various Park and Open Space Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	6,871,740	343,587	6,528,153	15 years
E. Acquisition of Various Equipment for the County Department of Administration including, but not limited to, Copiers and Truck Holding Tank, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	59,466	2,973	56,493	5 years
F. Acquisition of Various Information Technology and Telecommunications Equipment for the County's Office of Information Technology, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,533,433	126,671	2,406,762	7 years
G. Acquisition of Equipment for the County Prosecutor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	121,717	6,086	115,631	5 years
H. Acquisition of Various Information Technology and Telecommunications Equipment for the County Prosecutor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,300,028	115,002	2,185,026	7 years
I. Acquisition of Various Information Technology and Telecommunications Equipment for the County Sheriff's Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	970,157	48,508	921,649	7 years
J. Acquisition of Equipment for the County Sheriff's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	851,043	42,552	808,491	5 years
K. Renovations and Improvements to the County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	4,120,800	206,040	3,914,760	15 years

# ORDINANCE NO. 2018-12

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	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
L.	Construction of New Taxiways and Structures for County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	11,569,860	578,493	10,991,367	20 years
M.	Acquisition of Replacement Equipment for the County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	918,000	45,900	872,100	15 years
N.	Acquisition of Capital Equipment for the County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	239,700	11,985	227,715	5 years
O.	Acquisition and Installation of Access Controls and Security Upgrades at County Airport, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	81,600	4,080	77,520	7 years
P.	Improvements to Traffic Signals and Highway Signage throughout the County, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and the County Treasurer's Office	510,000	25,500	484,500	10 years
Q.	Improvements and Repairs to Various County Highways, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and Infrastructure	7,057,835	352,892	6,704,943	10 years
R.	Improvements and Repairs to Various County Bridges and Culverts, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and Infrastructure	2,840,700	142,035	2,698,665	15 years

# ORDINANCE NO.

2018-12

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
S.	Various Repairs and Renovations to Various Buildings and Grounds for the Department of Transportation, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,987,987	149,399	2,838,588	10 years
T.	Acquisition of Vehicles and Equipment for the County Motor Pool, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	5,997,090	299,855	5,697,236	5 years
U.	Acquisition of Various Equipment for the County Corrections Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	51,000	2,550	48,450	5 years
V.	Acquisition of Various Information Technology and Telecommunications Equipment for the County Corrections Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	382,500	19,125	363,375	7 years
W.	Acquisition of Various Information Technology and Telecommunications Equipment for the County Department of Human Services, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	94,146	4,707	89,439	7 years
X.	Acquisition of Various Equipment for the County Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	918,000	45,900	872,100	5 years
Y.	Improvements to and Renovations to the County Park Commission Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	8,116,140	405,807	7,710,333	15 years
Z.	Acquisition of Various Information Technology and Telecommunications Equipment for the County Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	59,160	2,958	56,202	7 years

# ORDINANCE NO. 2018-12

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
AA. Improvements to and Renovations to the Special Services School District Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,116,900	0	1,116,900	10 years
BB. Improvements to and Renovations to the County Technical School Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,823,760	0	1,823,760	10 years
CC. Acquisition of Various Equipment for the County Improvement Authority, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,833,960	91,698	1,742,262	5 years
TOTALS	<u>\$64,891,842</u>	<u>\$3,097,559</u>	<u>\$61,794,284</u>	

Appropriation: \$64,891,842  
 Bonds/Notes Authorized: \$61,794,284  
 Section 20 Costs: \$10,000,000  
 Useful Life: 12.47 years

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JERLENE H. WORTHY, Clerk of the Board  
of Chosen Freeholders

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



# ORDINANCE NO. 2018-12

## Bond Ordinance Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Chosen Freeholders of the County of Mercer, State of New Jersey on \_\_\_\_\_, 2018 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 County 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 THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE COUNTY OF MERCER, NEW JERSEY; APPROPRIATING THE SUM OF \$64,891,842 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF MERCER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$61,794,284; 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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Acquisition of Various Information Technology and Telecommunications Equipment for the County's Department of Administration, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$255,000	\$12,750	\$242,250	7 years
B.	Design and Construction of a Pole Barn for the County Department of Administration Emergency Management, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	153,000	7,650	145,350	20 years
C.	Acquisition of Various Capital Equipment for the County Fire Academy, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	57,120	2,856	54,264	5 years

# ORDINANCE NO. 2018-12

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
D.	Various Park and Open Space Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	6,871,740	343,587	6,528,153	15 years
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	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
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# ORDINANCE NO. 2018-12

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
AA. Improvements to and Renovations to the Special Services School District Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,116,900	0	1,116,900	10 years
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TOTALS	<u>\$64,891,842</u>	<u>\$3,097,559</u>	<u>\$61,794,284</u>	

Appropriation: \$64,891,842  
 Bonds/Notes Authorized: \$61,794,284  
 Section 20 Costs: \$10,000,000  
 Useful Life: 12.47 years

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JERLENE H. WORTHY, Clerk of the Board  
of Chosen Freeholders

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

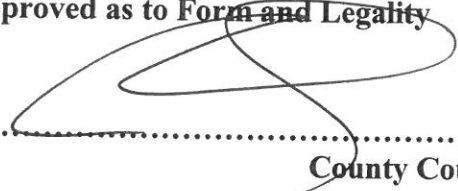
COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018-13**

1<sup>st</sup> Reading..... December 6, 2018  
 2<sup>nd</sup> Reading..... December 18, 2018  
 Public Hearing..... December 18, 2018

Date to County Executive.....  
 Date Returned.....  
 Date Resubmitted to Board.....

Date Adopted:  
 ..... December 18, 2018  
 .....  
 ..... January 7, 2018

Approved as to Form and Legality

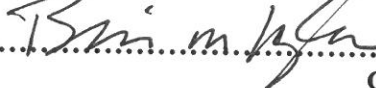

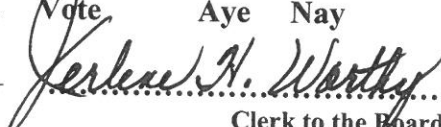
  
 .....  
 County Counsel

Effective Date

**BOND ORDINANCE AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE MERCER COUNTY COMMUNITY COLLEGE; APPROPRIATING THE SUM OF \$6,400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF MERCER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$6,400,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X					✓	Cannon	X					
Cimino	X						Cimino	X					
Colavita	X						Colavita	X					
Frisby	X				✓		Frisby	X					✓
Koontz				X			Koontz	X				✓	
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By.....   
 Approved  County Executive  
 Reconsidered  Override    
 By Board..... Vote Aye Nay  
 Chair of the Board  
 Clerk to the Board



# ORDINANCE NO. 2018-13

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**BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Mercer, 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 County of Mercer, New Jersey ("County").

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

- (a) the estimated amount to be raised by the County from all sources for the purposes stated in Section 7 hereof is \$6,400,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$6,400,000.

**Section 3.** The sum of \$6,400,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the County in an amount not to exceed \$6,400,000 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 County in an amount not to exceed \$6,400,000 is hereby authorized. Pursuant to the Local Bond Law, the County Treasurer 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 County Treasurer is hereby directed to report in writing to the Board of Chosen Freeholders 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 \$1,250,000.

**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 maximum

# ORDINANCE NO. 2018-13

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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Renovations and Improvements to Classrooms, Labs and Various Other Facilities of the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file in the office of the College Vice President of Administration and Finance	\$450,000	\$0	\$450,000	15 years
B. Acquisition and Installation of a Closed Circuit Television System at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	738,730	0	738,730	7 years
C. Renovations to Restrooms to Improve Accessibility at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	450,000	0	450,000	15 years
A. Renovations and Improvements to the Mercer County Community College Student Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file in the office of the College Vice President of Administration and Finance	3,861,270	\$0	3,861,270	20 years
D. Acquisition and Installation of new Signage to Improve Safety and Security at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	900,000	0	900,000	5 years
<b>TOTAL</b>	<b>\$6,400,000</b>	<b>\$0</b>	<b>\$6,400,000</b>	

**Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes is not less than 15.69 years.

# ORDINANCE NO. 2018-13

**Section 9.** Grants 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 10.** 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 of the Board of Chosen Freeholders 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 County, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$6,400,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the County 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 County shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The 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 of the Board of Chosen Freeholders and available for inspection.

**Section 13.** The County 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 County prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The County 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 this 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;

**ORDINANCE NO.** 2018-13

- (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 to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** The improvements authorized hereby are not current expenses and are improvements that the County 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 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 17.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** \_\_\_\_\_, 2018

**Date of Final Adoption:** \_\_\_\_\_, 2018

# ORDINANCE NO. 2018-13

## 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 Board of Chosen Freeholders of the County of Mercer, State of New Jersey, on \_\_\_\_\_, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Chosen Freeholders of the County of Mercer to be held at the McDade Administration Building, 640 South Broad Street, Trenton, New Jersey, on \_\_\_\_\_, 2018 at \_\_\_\_\_ p.m. 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 County 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 THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE MERCER COUNTY COMMUNITY COLLEGE; APPROPRIATING THE SUM OF \$6,400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF MERCER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$6,400,000; 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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Renovations and Improvements to Classrooms, Labs and Various Other Facilities of the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file in the office of the College Vice President of Administration and Finance	\$450,000	\$0	\$450,000	15 years
B.	Acquisition and Installation of a Closed Circuit Television System at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	738,730	0	738,730	7 years
C.	Renovations to Restrooms to Improve Accessibility at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	450,000	0	450,000	15 years

# ORDINANCE NO. 2018-13

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
D. Renovations and Improvements to the Mercer County Community College Student Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file in the office of the College Vice President of Administration and Finance	3,861,270	\$0	3,861,270	20 years
E.. Acquisition and Installation of new Signage to Improve Safety and Security at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	900,000	0	900,000	5 years
<b>TOTAL</b>	<b>\$6,400,000</b>	<b>\$0</b>	<b>\$6,400,000</b>	

Appropriation:	\$6,400,000
Bonds/Notes Authorized:	\$6,400,000
Grants (if any) Appropriated:	N/A
Section 20 Costs:	\$1,250,000
Useful Life:	15.69 years

JERLENE H. WORTHY,  
Clerk of the Board of Chosen Freeholders

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

# ORDINANCE NO. 2018-13

## Bond Ordinance Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Chosen Freeholders of the County of Mercer, State of New Jersey on \_\_\_\_\_, 2018 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 County 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 THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE MERCER COUNTY COMMUNITY COLLEGE; APPROPRIATING THE SUM OF \$6,400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF MERCER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$6,400,000; 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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Renovations and Improvements to Classrooms, Labs and Various Other Facilities of the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file in the office of the College Vice President of Administration and Finance	\$450,000	\$0	\$450,000	15 years
B.	Acquisition and Installation of a Closed Circuit Television System at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	738,730	0	738,730	7 years
C.	Renovations to Restrooms to Improve Accessibility at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	450,000	0	450,000	15 years

# ORDINANCE NO. 2018-13

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Renovations and Improvements to the Mercer County Community College Student Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file in the office of the College Vice President of Administration and Finance	3,861,270	\$0	3,861,270	20 years
D. Acquisition and Installation of new Signage to Improve Safety and Security at the Mercer County Community College, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	900,000	0	900,000	5 years
<b>TOTAL</b>	<b>\$6,400,000</b>	<b>\$0</b>	<b>\$6,400,000</b>	

Appropriation:	\$6,400,000
Bonds/Notes Authorized:	\$6,400,000
Grants (if any) Appropriated:	N/A
Section 20 Costs:	\$1,250,000
Useful Life:	15.69 years

JERLENE H. WORTHY,  
Clerk of the Board of Chosen Freeholders

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



COUNTY OF MERCER, NEW JERSEY  
**ORDINANCE NO. 2018-**

1<sup>st</sup> Reading.....December 6, 2018...  
 2<sup>nd</sup> Reading.....December 18, 2018...  
 Public Hearing.....December 18, 2018

Date to County Executive.....

Date Returned.....

Date Adopted:

.....December 18, 2018

Date Resubmitted to Board.....

Approved as to Form and Legality

.....January 7, 2018

Effective Date

.....  
 County Counsel

AN ORDINANCE OF THE COUNTY OF MERCER, NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO AND EXECUTION AND DELIVERY OF AMENDMENTS TO AN EXISTING LEASE AGREEMENT WITH THE MERCER COUNTY IMPROVEMENT AUTHORITY IN CONNECTION WITH THE AUTHORITY'S GENERAL OBLIGATION LEASE REVENUE REFUNDING BONDS (COUNTY EQUIPMENT AND IMPROVEMENTS PROJECT), SERIES 2019

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X						Cannon	X					✓
Cimino	X					✓	Cimino	X					
Colavita	X						Colavita	X					
Frisby	X				✓		Frisby	X					✓
Koontz				X			Koontz	X					
Melker	X						Melker	X					
Walter	X						Walter	X					

X—Indicates Vote      Abs.—Absent      N.V.—Not Voting  
 Res.—Resolution Moved      Sec.—Resolution Seconded

Rejected  By..... *Brian M. K...*.....  
 Approved  County Executive

Reconsidered  Override    
 By Board..... Vote Aye Nay

.....  
 Chair of the Board

.....  
 Clerk to the Board

# ORDINANCE NO. 2018-14

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## BACKGROUND

**WHEREAS**, The Mercer County Improvement Authority ("Authority") has been duly created by resolution of the Board of Chosen Freeholders of the County of Mercer, New Jersey ("County") as a public body corporate and politic of the State of New Jersey ("State") pursuant to and in accordance with the County Improvement Authorities Act, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (N.J.S.A. 40:37A-44 et seq.) ("Act"); and

**WHEREAS**, the Authority is authorized, pursuant to the Act, to provide financing for the provision of public facilities (as defined in the Act), including capital equipment and infrastructure improvements and facilities, for use by local government units, including the County, for use in their governmental purposes; and

**WHEREAS**, on June 17, 2005, the Authority issued \$27,660,000 aggregate principal amount of its County of Mercer General Obligation Lease Revenue Bonds, Series 2005A (County Equipment and Improvements Project) ("2005 Bonds") for the purpose of financing the cost of the acquisition and installation of certain items of capital equipment and the construction and reconstruction of certain infrastructure improvements and facilities and the leasing thereof to the County (collectively, the "2005 County Lease Financing Program"), pursuant to a resolution adopted by the Authority on May 10, 2005, entitled, "Resolution Authorizing the Issuance of County of Mercer General Obligation Lease Revenue Bonds, Series 2005A (County Equipment and Improvements Project) and Additional Bonds of The Mercer County Improvement Authority", as the same may be amended, modified or supplemented in accordance with the provisions thereof ("General Bond Resolution"); and

**WHEREAS**, in connection with the 2005 County Lease Financing Program, the County entered into a Lease Purchase Agreement, dated as of June 1, 2005, by and between the Authority and the County ("Lease Agreement"), to finance the acquisition of various equipment and the construction of various infrastructure improvements, as described in Schedule "A" to the Lease Agreement and Ordinance 2004-9, duly and finally adopted by the County on September 9, 2004 ("Lease Ordinance"); and

**WHEREAS**, pursuant to the Lease Agreement, the County agreed to make Basic Lease Payments (as such term is defined in each of the General Bond Resolution) in an amount equal to the debt service paid by the Authority on the 2005 Bonds; and

**WHEREAS**, pursuant to the Lease Agreement, the County's obligation to make Lease Payments (as defined in the Lease Agreement), as the same shall be come due and payable, is absolute and unconditional and constitutes a general obligation of the County and, if not paid from other sources, the County shall be obligated to levy *ad valorem* taxes upon all taxable property within the jurisdiction of the County without limitation as to rate or amount for the payment of the Lease Payments; and

# ORDINANCE NO. 2018-14

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**WHEREAS**, due to current market conditions and in order to achieve debt service savings which will reduce the outstanding Basic Lease Payment obligations of the County, the Authority intends to authorize the issuance of its County of Mercer General Obligation Lease Revenue Refunding Bonds (County Equipment and Improvements Project), Series 2019, in an aggregate principal amount not-to-exceed \$16,100,000 ("2019 Bonds"), pursuant to the terms of a supplemental bond resolution to be adopted by the Authority ("First Supplemental Resolution"; together with the General Bond Resolution, the "Bond Resolution"), the proceeds of which will be used to refund all or a portion of the callable maturities of the Authority's \$15,505,000 aggregate principal amount of outstanding 2005 Bonds maturing serially on August 1 in the years 2019 through and including 2025 and the outstanding term 2005 Bonds maturing on August 1, 2030 and August 1, 2035; and

**WHEREAS**, debt service on the 2019 Bonds will be secured by Basic Lease Payments to be made by the County pursuant to a First Amendment to Lease Purchase Agreement ("Lease Amendment"; together with the Lease Agreement, the "Lease"); and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF MERCER, NEW JERSEY, AS FOLLOWS:**

**Section 1.** Pursuant to Section 78 of the County Improvement Authorities Law, *N.J.S.A. 40:37A-44 et seq.*, the County is hereby authorized and directed to enter into and perform its respective duties under the Lease Amendment, which provides for the continued leasing of the Equipment and the Improvements (each as defined in the Lease Agreement) acquired or constructed with a portion of the proceeds of the 2005 Bonds.

**Section 2.** The County Executive and the County Treasurer/Chief Financial Officer (each an "Authorized Officer" and, collectively, the "Authorized Officers") are each hereby authorized and directed to execute, on behalf of the County, the Lease Amendment in the form prepared by bond counsel to the Authority, with such additions, deletions or modifications as such officer shall approve, and the Clerk of the Board of Freeholders of the County is hereby authorized and directed to attest to such signature and to affix the seal of the County thereto, and to deliver said Lease Amendment to the Authority, such approval to be conclusively evidenced by the execution and delivery thereof.

**Section 3.** The full faith and credit of the County are hereby pledged to the punctual payment of the obligations set forth in the Lease authorized by this ordinance including, without limitation: (i) all Lease Payment obligations of the County under the Lease including Basic Lease Payments and Additional Lease Payments (as defined in the Lease Agreement); and (ii) all direct and indirect costs of the Authority and the County related to the enforcement of the Lease (collectively, the "Lease Payment Obligation"). The Lease Payment Obligation under the Lease shall be a direct, unlimited and general obligation of the County, not subject to annual appropriation by the County pursuant to the Act and, unless paid from other sources, the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the jurisdiction of the County for the payment of the Lease Payment Obligation thereunder without limitation as to rate or amount.

# ORDINANCE NO. 2018-14

**Section 4.** The following additional matters are hereby determined, declared, recited and stated:

(1) The maximum Lease Payment Obligation for which the County shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the 2019 Bonds of the Authority shall not exceed \$16,100,000, together with interest thereon.

(2) The payment authorized herein shall remain effective until all the 2019 Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the County under the Lease have been satisfied, notwithstanding the occurrence of any other event including, but not limited to, the termination of the Lease with respect to some or all of the Equipment and/or Improvements.

(3) The Improvements and Equipment described in Exhibit "A" of the Lease Agreement and the Lease Ordinance, are hereby approved to continue to be leased from the Authority in accordance with the terms of the Lease, with such further changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

**Section 5.** The County hereby agrees to comply with the requirements of Rule 15c2-12 ("Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Lease Amendment. The Authorized Officers are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Official Statement of the Authority and the preliminary form thereof to the extent the information contained therein relates to the County and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the County on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

**Section 6.** All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

**Section 7.** Upon the payment of all amounts referenced in Section 4 herein, the full faith and credit pledge of the County as to its Lease Payment Obligation authorized herein shall cease to exist.

# ORDINANCE NO. 2018-14

**Section 8.** The Clerk of the Board of Chosen Freeholders of the County shall forward a certified copy of this ordinance, upon final adoption, to the Authority.

**Section 9.** The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

**Section 10.** This ordinance shall take effect twenty (20) days after final adoption, publication and approval by the County Executive in accordance with applicable law.

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# ORDINANCE NO. 2018-14

## Statement to be Published With Ordinance After Introduction.

Public notice is hereby given that the foregoing ordinance was introduced and passed on first reading at the meeting of the Board of Chosen Freeholders of the County of Mercer held on November 19, 2018. Further notice is given that said ordinance will be considered for final passage and adoption, after a public hearing thereon, at a meeting of the Board of Chosen Freeholders of the County of Mercer to be held at the McDade Administration Building, 640 South Broad Street, Trenton, New Jersey, on December \_\_, 2018 at \_\_\_\_\_ p.m. During the week prior to and up to and including the date of said meeting, copies of said ordinance will be made available at the Office of the Clerk of the Board of Chosen Freeholders in the Mercer County Courthouse for members of the general public who request the same.

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**JERLENE H. WORTHY,**  
Clerk of the Board of Chosen Freeholders

## Statement to be Published With Ordinance After Final Adoption.

### STATEMENT

The Ordinance published herewith has been finally adopted on December \_\_, 2018 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.

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**JERLENE H. WORTHY,**  
Clerk of the Board of Chosen Freeholders