

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK TITLE 10, "VEHICLES AND TRAFFIC"

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 10, Chapter 10.12, Section 10.12.240 - Schedule 23, "**School Zones**" is hereby amended to **ADD** the following:

15 MPH	LIVINGSTON SCHOOL AND CHESTER REDSHAW SCHOOL
	(Lee Avenue (Between Delavan Street and Comstock Street))

SECTION II

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:
DATED: **October 2, 2024**



COUNCIL PRESIDENT

ADOPTED ON SECOND READING:
DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2024.

MAYOR

COUNCIL MEMBER	Y	N	SV	MI	COUNCIL MEMBER	Y	N	SV	AB
CASHAHEBA	X				ANDERSON, VP	X			
FLEMING			X		ESCOBAR, PRES	X			
GASKINS			X						
SUCORA LUDWIG			X						

FIRST READING: VOTE ON OCTOBER 2, 2024 - M=MOVED, S=SECOND, SV=NO VOTE, AB=ABSENT

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

JC/kc

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL
ORDINANCES OF THE CITY OF NEW BRUNSWICK,
TITLE 16 "LAND DEVELOPMENT CODE"**

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 16, Chapter 16.24, Section 16.24.270A - "**Stormwater Control Ordinance.**", is hereby amended to read as follows:

Section I. Scope and Purpose:

A. Policy Statement

As municipalities throughout New Jersey are developed, impervious surfaces create increased amounts and rates of stormwater runoff during precipitation events. This runoff picks up large amounts of pollutants that collect on parking lots, roadways, rooftops, and other paved or hardened surfaces, and then flows through stormwater conveyances to our streams, rivers, and beaches. The increase runoff rate and volume also lead to erosion and flooding in and downstream of developed areas.

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure best management practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

GI BMPs and LID practices not only address stormwater runoff but may also result in multiple benefits, including providing open space and beautifying neighborhoods, cooling and cleansing the air, reducing asthma and heat-related illnesses, and saving on heating and cooling energy costs.

B. Purpose

Purpose. The purpose of this section is to establish minimum stormwater management requirements and controls for "major development" and "minor development," as defined below in Section II.

C. Applicability

1. The ordinance codified in this section shall be applicable to the following major and minor developments:
 - a. Non-residential major and minor developments; and
 - b. Aspects of residential major and minor developments that are not pre-empted by the residential site improvement standards at N.J.A.C. 5:21.
2. The ordinance codified in this section shall also be applicable to all major and minor developments undertaken within the City of New Brunswick.
3. This ordinance shall also be applicable to all major and minor developments as applicable under I.C.1. and I.C.2., whether public or private.
4. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to the ordinance codified in this section are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this section shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

The ordinance codified in this section is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this section imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

SECTION II

Title 16, Chapter 16.24, Section 16.24.270A - "**Stormwater Control Ordinance.**", is hereby amended to read as to the cited sections/definitions as follows:

Section II. Definitions:

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the stormwater management rules at N.J.A.C. 7:8-1.2.

"Low impact development" means a development approach that uses practices to manage stormwater close to its source that results in or mimics that of natural hydrologic processes in order to preserve hydrologic and ecologic functions of receiving waters, such as preservation of natural landscape features, minimizing impervious surfaces, infiltration, evapotranspiration, or other use of stormwater.

"Major development" means an individual "development," as well as multiple developments that individually or collectively result in:

1. The disturbance of ½ acre (21,780 square feet) of land since February 2, 2004;
2. The creation of 5,000 square feet or more of "regulated impervious surface" since February 2, 2004;
3. The creation of 5,000 square feet or more of "regulated motor vehicle surface" since March 2, 2021 or the effective date of this ordinance, whichever is earlier; or
4. A combination of 2 and 3 above that totals an area of 5,000 square feet or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

"Minor Development" means an individual "development," as well as multiple developments that individually or collectively result in 500 or more square feet of new impervious surface, or 2,500 square feet or more of disturbance, but do not meet the definition for "Major Development."

"Regulated impervious surface" means any of the following, alone or in combination:

1. All impervious surface within the project area limit of disturbance;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

SECTION III

Title 16, Chapter 16.24, Section 16.24.270A - "**Stormwater Control Ordinance.**", is hereby amended as to the cited paragraphs to read as follows:

Section III. Design and Performance Standards for Stormwater Management Measures

- B. Stormwater management measures for minor development shall be designed to provide erosion control and stormwater runoff quantity control, as follows
 1. The minimum standards for erosion control are those established under the Soil and Sediment control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for stormwater runoff quantity shall be met by incorporating green infrastructure.

- C. The standards in the ordinance codified in this section that apply only to new major developments and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards in this ordinance that apply to minor development are intended to minimize the impact of stormwater runoff by retaining the first 3-inches of precipitation on impervious surfaces on site. The standards do not apply to new major development or minor development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or water quality management plan adopted in accordance with department rules.

SECTION VI

Title 16, Chapter 16.24, Section 16.24.270A - “**Stormwater Control Ordinance.**”, is hereby amended as to the cited paragraphs to read as follows:

Section IV. Stormwater Management Requirements for Major Development

- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this section and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Middlesex County Office of the County Clerk or the registrar of deeds and mortgages of the county and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with [subsection] M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with [subsection] M above.
- O. Green Infrastructure Standards.
 - 1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
 - 2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV(P) and (Q), the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV(F) and/or an alternative stormwater management measure approved in accordance with Section IV(G). The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	0.75 acres
Manufactured Treatment Device	1.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed two times the area occupied by the BMP
Small-scale Bioretention Systems	1.5 acres
Small-scale Infiltration Basin	1.5 acres
Small-scale Sand Filter	1.5 acres

- P. Groundwater Recharge Standards.
 - 1. This subsection contains the minimum design and performance standards for groundwater recharge for Major Developments as follows.
 - 2. The design engineer shall, using the assumptions and factors for stormwater runoff, onsite retention, and groundwater recharge calculations at Section VI, either:
 - a. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred (100) percent of the average annual pre-construction groundwater recharge volume for the site; or
 - b. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected two-year storm, as defined and determined pursuant to Section VI.D. of this ordinance, is infiltrated.
- Q. Stormwater Runoff Quality Standards.
 - 1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in:
 - a. Creation of 5,000 square feet or more of regulated motor vehicle surface, and/or
 - b. Creation of 5,000 square feet or more of regulated impervious surface.

2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - a. Eighty (80) percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from regulated motor vehicle surfaces and regulated impervious surfaces.
 - b. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
 3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with subsection 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- R. Onsite Retention and Stormwater Runoff Quantity Standards.
1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major developments.
 2. The design engineer shall, using the assumptions and factors for stormwater runoff, onsite retention and groundwater recharge calculations at Section VI, meet the following criteria:
 - a. Demonstrate through hydrologic and hydraulic analysis that the onsite retention volume is infiltrated or retained onsite using green infrastructure. Onsite retention volume for Major developments shall equal the rainfall on all impervious surfaces within the limit of disturbance during the projected 2-year storm event.
 - b. Where the onsite retention volume cannot be infiltrated, reused, or evapotranspired, the onsite retention volume shall be slow released at a rate of not more than 0.02 cfs per acre of drainage area to mimic receiving water groundwater discharge flow. The retention volume shall be released within 72 hours.
 5. Regardless of the method used for compliance with IV.R. (Onsite Retention and Stormwater Runoff Quantity Standards), the stormwater design shall not cause; contribute to; or exacerbate flooding upstream or downstream of the site.

SECTION V

Title 16, Chapter 16.24, Section 16.24.270A - "**Stormwater Control Ordinance.**", is hereby amended to read as follows:

Section V. Stormwater Management Requirements for Minor Development:

- A. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of Minor Developments as follows:
- B. The design engineer shall, using the assumptions and factors for stormwater runoff, onsite retention and groundwater recharge calculations at Section VI, meet the following criteria:
 - a. For each square foot of increased impervious surface, three inches per square foot of stormwater shall be managed using green infrastructure practices or such other measures as may be required by the municipal engineer of which retention storm must be retained on site using green infrastructure.
- C. The use of a BMP is subject to soil suitability and approval of the Township Engineer. Soil testing shall be performed to confirm the permeability of the soils and the depth of the water table and seasonal high-water table.
- D. The stormwater management feature shall be protected from future development by conservation easement, deed restriction, or other acceptable legal measures.
- E. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a minor development in accordance with Section XI.
- F. All such development shall be subject to review by the municipal engineer to determine that all stormwater runoff created by the development is adequately controlled, does not cause impacts on the adjoining property owners, and does not exacerbate flooding upstream or downstream of the site.
- G. A waiver from strict compliance with the requirement of Section V may be granted by the Township Engineer for those projects where an applicant has demonstrated the inability or

impracticability of strict compliance with the stormwater management requirements in that section.

SECTION VI

Title 16, Chapter 16.24, Section 16.24.270A - “**Stormwater Control Ordinance.**”, is hereby amended as to the cited paragraph to read as follows:

Section VI. Calculation of Stormwater Runoff, Onsite Retention, and Groundwater Recharge.

C. Onsite Retention Volume:

1. Onsite retention volume for major developments shall be calculated as the prescribed depth of precipitation over all impervious surfaces on the site, both existing and proposed.
2. Onsite retention volume for minor developments shall be calculated as the prescribed depth of precipitation over all impervious surfaces on the site within the limit of disturbance.
3. Onsite retention volume (ft³) = Precipitation Depth (in) x (1 ft /12 in) x Impervious Area (ft²).

SECTION VII

Title 16, Chapter 16.24, Section 16.24.270A - “**Stormwater Control Ordinance.**”, is hereby amended as to the cited paragraph to read as follows:

Section VII. Sources for Technical Guidance.

B. Submissions required for review by the department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

SECTION VIII

Title 16, Chapter 16.24, Section 16.24.270A - “**Stormwater Control Ordinance.**”, is hereby amended as to the cited paragraphs to read as follows:

Section X. Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan.

1. Whenever an applicant seeks municipal approval of a development subject to the ordinance codified in this section, the applicant shall submit all of the required components of the checklist for the site development stormwater plan at Section X(C) below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in the ordinance codified in this section.
3. The applicant shall submit one (1) digital copy of the materials listed in the checklist for site development stormwater plans in accordance with Section X(C) of this section.

C. Submission of Site Development Stormwater Plan.

The following information shall be required:

1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of two hundred (200) feet beyond the limits of the proposed development, at a scale of one inch equals two hundred (200) or greater, showing two-foot contour intervals. The map as appropriate may indicate the following, if present: Existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and man-made features not otherwise shown.
2. Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development. Incorporation of nonstructural strategies demonstrates adherence to a low impact development (LID) approach. The written description should include a list of the following nonstructural strategies (X.C.2.i-ix), with a clear yes/no indication of if the strategy was included in the plan and brief description:

- i. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
- ii. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
- iii. Maximize the protection of natural drainage features and vegetation;
- iv. Minimize the decrease in "time of concentration" from pre-construction to post-construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the drainage area to the point of interest within a watershed;
- v. Minimize land disturbance including clearing and grading;
- vi. Minimize soil compaction;
- vii. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers, and pesticides;
- viii. Provide vegetated open-channel conveyance systems discharging into a through stable vegetated areas; and
- ix. Provide other source controls to prevent or minimize the use or exposure of pollutants at the site in order to prevent or minimize the release of those pollutants into stormwater runoff. These source controls include but are not limited to:
 1. Site design features that help to prevent accumulation of trash and debris in drainage systems;
 2. Site design features that help to prevent discharge of trash and debris in drainage systems;
 3. Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial development; and
 4. When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.
8. Waiver from Submission Requirements. The municipal official or board reviewing an application under the ordinance codified in this section may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section X(C)(1) through X(C)(6) of this section when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

SECTION IX

Title 16, Chapter 16.24, Section 16.24.270A - "**Stormwater Control Ordinance.**", is hereby amended as to the cited paragraphs to read as follows:

Section XI. Maintenance and Repair.

B. General Maintenance.

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major or minor development.
10. As per the requirements of NJDEP MS4 Permit Section F-4(a), Inspection and Maintenance of all Stormwater Facilities (including all existing and newly constructed facilities) Not Owned or Operated by the City of New Brunswick must, on an annual basis prior to June 30 of each year, be inspected, and the property owner must submit to the Municipal Engineering Division a maintenance and inspection report and certification on a form approved by the Department with all required maintenance logs. The annual inspection report must be prepared by a Professional Engineer licensed in New Jersey or a New Jersey Certified Stormwater Inspector. The inspection report and log shall include and not be limited to:
 - a. Detention basin outflow structures, escape provisions as outline din N.J.A.C. 7:8-6.2 and all its components
 - b. Vegetation;
 - c. Trash Racks and overflow grates;
 - d. Embankment erosion; and
 - e. Sediment removal and pond maintenance
11. Each act or violation, and every day upon which any violation shall occur or continues to occur, shall constitute a separate offense.

- 12. Failure to provide annual inspection report as stated in this section shall be subjected to an initial fine of \$10,000 plus \$1,000 for each day after that such inspection report is delinquent, or 90 days in jail, or both, plus the cost of prosecution.
- 13. Notwithstanding the penalties set forth in § 1.08, any person who has not complied with this section and who, after notice, refuses to implement and maintain soil erosion control and stormwater runoff control measures and facilities in conformance with these regulations shall be subject to a fine of \$10,000 plus \$1,000 for each day after that such inspection report is delinquent, or 90 days in jail, or both, plus the cost of prosecution.
- 14. The requirements of XI-B.3 and XI-B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency. In all other cases where the Township does not take responsibility for repair and maintenance of any stormwater management resources, the applicant shall post a two (2) year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 as maybe amended.

SECTION X

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION XI

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION XII

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:
DATED: **October 2, 2024**



COUNCIL PRESIDENT

ADOPTED ON SECOND READING:
DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS _____ DAY OF _____, 2024.

MAYOR

COUNCIL MEMBER	Y	N	AB	SV	N	Y	N	SV	AB	MI
CASTANEDA										
FERGUSON										
FLEMING										
GASKINS										
SICORA LUDVIG										

FIRST READING: VOTE ON OCTOBER 2, 2024 M=MOVED S=SECOND W=NO VOTE AB=ABSENT

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

TKS/kc

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$6,825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,483,750 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the City of New Brunswick, in the County of Middlesex, New Jersey (the "City"), as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$6,825,000, and further including the aggregate sum of \$341,250 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$6,483,750 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 estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Replacement of elevator control unit, including all related costs and expenditures incidental thereto.	\$50,500	\$48,000	5 years
b) Vital records restoration project, including all related costs and expenditures incidental thereto.	\$100,550	\$95,550	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
c) City Clerk's office restoration project, including all work and materials necessary therefor and incidental thereto.	\$20,150	\$19,150	15 years
d) Restoration and improvement of Economic Development Office, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
e) Painting and repair of walls, ceilings and pillars at Recreation Center, including all work and materials necessary therefor and incidental thereto.	\$40,300	\$38,300	10 years
f) Painting and repairs to Chief Financial Officer's office, including all work and materials necessary therefor and incidental thereto.	\$10,100	\$9,600	15 years
g) Painting and repairs to Tax Collector's office, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
h) Phase 2 of workstation upgrades, including all related costs and expenditures incidental thereto.	\$131,175	\$124,900	10 years
i) Municipal Pedestrian Safety Improvement Program, including installation or replacement of barrier-free ramps, and also including all work and materials necessary therefor and incidental thereto.	\$80,550	\$76,550	15 years
j) Municipal traffic improvements, including, but not limited to, sign replacement and traffic line striping, including all work and materials necessary therefor and incidental thereto.	\$75,550	\$71,950	15 years
k) Improvement of Lee Avenue and Burnet Street, including, but not limited to, milling, paving, replacement of inlet frames and grates, replacement of manhole frames and covers, reconstruction of inlets and manholes, construction of new storm sewer collection system and construction of curbs,	\$191,100	\$182,000	10 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
sidewalks, driveway aprons, barrier free ramps and installation of traffic line striping, including all work and materials necessary therefor and incidental thereto.			
l) Improvement of Jones Avenue, including, but not limited to, milling, paving, replacement of inlet frames and grates, replacement of manhole frames and covers, reconstruction of inlets and manholes, and construction of curbs, sidewalks, driveway aprons, barrier free ramps and installation of traffic line striping, and including all work and materials necessary therefor and incidental thereto.	\$183,245	\$174,245	10 years
m) Improvement of Louis Street and Courtland Street, including, but not limited to, milling, paving, replacement of inlet frames and grates, replacement of manhole frames and covers, reconstruction of inlets and manholes, and construction of curbs, sidewalks, driveway aprons, barrier free ramps and installation of traffic line striping, and including all work and materials necessary therefor and incidental thereto.	\$201,100	\$191,100	5 years
n) Improvement of Van Dyke Avenue, including, but not limited to, milling, paving, replacement of inlet frames and grates, replacement of manhole frames and covers, reconstruction of inlets and manholes, and construction of curbs, sidewalks, driveway aprons, barrier free ramps and installation of traffic line striping, and including all work and materials necessary therefor and incidental thereto.	\$90,550	\$86,050	15 years
o) Repair and replacement of curbs and sidewalks on Hiram Square, including all work and materials necessary therefor and incidental thereto.	\$303,000	\$288,500	10 years
p) Repair of storage sheds, including all work and materials necessary therefor and incidental thereto.	\$50,500	\$48,000	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
q) Acquisition of leaf truck, including all related costs and expenditures incidental thereto.	\$283,000	\$269,500	10 years
r) Milling and paving of various streets, including, but not limited to, Brookside Avenue, Maple Street, Florence Street, Reed Street, Richmond Street, Howard Street, Hale Street, Delavan Street and Sanford Street, including all work and materials necessary therefor and incidental thereto.	\$402,800	\$383,600	10 years
s) Acquisition of heavy duty truck tire changer and balancer, including all related costs and expenditures incidental thereto.	\$60,500	\$57,500	5 years
t) Acquisition of two-way radios, including all related costs and expenditures incidental thereto.	\$22,200	\$21,100	5 years
u) Acquisition of vehicle for Shade Tree Department, including all related costs and expenditures incidental thereto.	\$70,550	\$67,050	10 years
v) Installation of shop exhaust fans in garages, including all work and materials necessary therefor and incidental thereto.	\$90,550	\$86,050	5 years
w) Replacement and repair of gutters and roof around park building, including all work and materials necessary therefor and incidental thereto.	\$30,250	\$28,750	15 years
x) Installation of new playground equipment at Joyce Kilmer Park, including a new edge perimeter, drainage and foam under and around equipment, and including all work and materials necessary therefor and incidental thereto.	\$120,550	\$114,750	15 years
y) Installation of new playground equipment at Kossuth Park, including a new edge perimeter, drainage and foam under and around equipment, and including all	\$110,550	\$105,050	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
work and materials necessary therefor and incidental thereto.			
z) Installation of new playground equipment at Archibald Park, including a new edge perimeter, drainage and foam under and around equipment, and including all work and materials necessary therefor and incidental thereto.	\$95,550	\$91,000	15 years
aa) Replacement of swing sets at Quentin Avenue Tot Lot and Simplex Avenue Park, including all work and materials necessary therefor and incidental thereto.	\$105,550	\$93,775	15 years
bb) Reconstruction of gazebo and restrooms in Buccleuch Park, including all work and materials necessary therefor and incidental thereto.	\$453,300	\$428,300	15 years
cc) Resurfacing of tennis and basketball courts and repair/replacement of fencing as necessary throughout City parks, including all work and materials necessary therefor and incidental thereto.	\$584,500	\$556,500	15 years
dd) Installation of new concrete sidewalks to facilitate ADA compliance at Youth Sports Complex, including all work and materials necessary therefor and incidental thereto.	\$130,550	\$124,250	10 years
ee) Installation of egress at main entrance of Buccleuch Park to facilitate ADA compliance, including all work and materials necessary therefor and incidental thereto.	\$151,100	\$143,600	15 years
ff) Installation of new fitness station at Boyd Park, including all work and materials necessary therefor and incidental thereto.	\$352,800	\$336,000	15 years
gg) Installation of additional splash pad at Joyce Kilmer Park, including installation of storm sewer line and associated inlets from Comstock Street to Handy Street, including all work and materials necessary therefor and incidental thereto.	\$377,800	\$359,800	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
hh) Improvement of Youth Sports Complex, including installation of new retaining wall and replacement of existing concrete, including all work and materials necessary therefor and incidental thereto.	\$40,300	\$38,300	10 years
ii) Engineering plans for upgrade of City-wide tennis and basketball courts, including all related costs and expenditures incidental thereto.	\$30,250	\$28,750	15 years
jj) Acquisition of two vehicles with snowplow and tow package, including all related costs and expenditures incidental thereto.	\$141,100	\$134,300	10 years
kk) Acquisition of zero turn mower, including all related costs and expenditures incidental thereto.	\$45,350	\$43,150	15 years
ll) Repair of vehicles with wheelchair lift, including all work and materials necessary therefor and incidental thereto.	\$15,150	\$14,250	5 years
mm) Repair and maintenance of DAR vehicles with wheelchair lifts, including all work and materials necessary therefor and incidental thereto.	\$15,150	\$14,250	5 years
nn) Building repairs and upkeep of Joyce Kilmer House and DAR offices, including all work and materials necessary therefor and incidental thereto.	\$8,600	\$8,150	15 years
oo) Acquisition of SUV, including all related costs and expenditures incidental thereto.	\$50,500	\$48,000	5 years
pp) Acquisition of firearms for the Police Department, including all related costs and expenditures incidental thereto.	\$302,686	\$288,186	15 years
qq) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$421,300	\$400,300	5 years
rr) Computer replacement, including all related costs and	\$181,100	\$172,400	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
expenditures incidental thereto.			
ss) Acquisition of bail out kits for Fire Department, including all related costs and expenditures incidental thereto.	\$124,050	\$118,050	5 years
tt) Acquisition of SUV for Fire Department, including all related costs and expenditures incidental thereto.	\$65,900	\$62,400	5 years
uu) Acquisition of fire blankets for Fire Department, including all related costs and expenditures incidental thereto.	\$12,900	\$11,900	5 years
vv) Acquisition of SUV for Fire Department, including all related costs and expenditures incidental thereto.	\$49,594	\$47,194	5 years
ww) Acquisition of a ladder truck for Fire Department, including all related costs and expenditures incidental thereto.	\$146,100	\$139,100	20 years
xx) Renovations to Engine 5, including, but not limited to, brick repointing, new roof and bathroom replacement, including all work and materials necessary therefor and incidental thereto.	<u>\$154,100</u>	<u>\$146,600</u>	15 years
Totals:	<u>\$6,825,000</u>	<u>\$6,483,750</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the

bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer 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 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 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 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that 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 benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.48 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the 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 \$6,483,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$54,768 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 purposes or improvements.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are 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 property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: October 2, 2024


COUNCIL PRESIDENT

COUNCIL MEMBER	Y	N	SV	AB	COUNCIL MEMBER	Y	N	SV	AB
CASHANIDA					ANDERSON, VP				
FERRIGNO					ESCOBAR, PRES				
HELMING									
GASPARI									
STORA LUDWIG									

FIRST READING VOTE ON OCTOBER 2, 2024: Y=10, N=0, SV=0, AB=0
 SECOND READING VOTE: Y=10, N=0, SV=0, AB=0

ADOPTED ON SECOND READING
DATED:



COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

MAYOR

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

TKS/kc

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$14,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$14,000,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of New Brunswick, in the County of Middlesex, New Jersey (the "City"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$14,000,000. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$14,000,000 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 estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Rutgers Village water main replacement, Phase VII, including all work and materials necessary therefor and incidental thereto.	\$2,218,000	\$2,218,000	30 years
b) College Avenue water main replacement, including all work and materials necessary therefor and incidental thereto.	\$1,550,000	\$1,550,000	30 years
c) Johnson/Burnet/Richmond/High water main replacement, including all work and materials necessary therefor and incidental thereto.	\$1,650,000	\$1,650,000	30 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
d) Jones Avenue water main replacement, including all work and materials necessary therefor and incidental thereto.	\$1,843,000	\$1,843,000	30 years
e) Delavan/Bishop Street water main replacement, including all work and materials necessary therefor and incidental thereto.	\$620,000	\$620,000	30 years
f) Distribution system repairs, including all work and materials necessary therefor and incidental thereto.	\$775,000	\$775,000	20 years
g) Engineering design of water main replacement on downtown streets, including all related costs and expenditures incidental thereto.	\$335,000	\$335,000	15 years
h) Paul Robeson Boulevard service transfer, including all work and materials necessary therefor and incidental thereto.	\$360,000	\$360,000	15 years
i) Purchase of new water meters, including all related costs and expenditures incidental thereto.	\$202,000	\$202,000	15 years
j) Various electrical and equipment upgrades, including all work and materials necessary therefor and incidental thereto.	\$202,000	\$202,000	15 years
k) Lead service line replacement of curb boxes, including all work and materials necessary therefor and incidental thereto.	\$360,000	\$360,000	40 years
l) Purchase of new vehicles, including, but not limited to, dump trucks and pick-up trucks, and further including all related costs and expenditures incidental thereto.	\$410,000	\$410,000	10 years
m) Supervisory Control and Data Acquisition and water quality panel integration and upgrades, including all work and materials necessary therefor and incidental thereto.	\$202,000	\$202,000	15 years
n) Police extra duty on various water projects and repairs, including all related costs and expenditures incidental thereto.	\$925,000	\$925,000	15 years
o) Consulting engineer services, including all related costs and expenditures incidental thereto.	\$202,000	\$202,000	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
p) Purchase of insertion valves for water mains, including all related costs and expenditures incidental thereto.	\$152,000	\$152,000	15 years
q) Purchase of new fire hydrants, including all related costs and expenditures incidental thereto.	\$152,000	\$152,000	15 years
r) Rutgers Village water main replacement, Phase VIII, including all work and materials necessary therefor and incidental thereto.	\$1,067,000	\$1,067,000	30 years
s) Lee/Welton water main replacement, including all work and materials necessary therefor and incidental thereto.	<u>\$775,000</u>	<u>\$775,000</u>	30 years
Totals:	<u>\$14,000,000</u>	<u>\$14,000,000</u>	

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 bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer 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 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 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 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency

herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the City may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 26.19 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the 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 \$14,000,000, but that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$408,000 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 purposes or improvements.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the City pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to

payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are 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 property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: October 2, 2024


COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

MAYOR

COUNCIL MEMBER	Y	N	SV	AB	COUNCIL MEMBER	Y	N	SV	AB
CASIANEDA	X				ANDERSON, VP	X			
FERGUSON					ESCOBAR, PRES	X			
FLEMING									
GASKINS									
SICORA, LIAWIL, M									
SICORA, LIAWIL, S									

FIRST READING VOTE ON OCTOBER 2, 2024: Y= MOVED S= SECOND READING VOTE= AB= ABSENT

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

TKS/kc

ORDINANCE APPROPRIATING \$800,000 FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FOR VARIOUS IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AS FOLLOWS:

Section 1. \$800,000 is hereby appropriated from the Capital Improvement Fund of the City of New Brunswick, in the County of Middlesex, New Jersey (the "City") to provide for various improvements to the sewer utility, as set forth below:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>
a) Upgrade of pumps and controllers, including all work and materials necessary therefor and incidental thereto.	\$104,600
b) Replacement of sanitary sewer main along Lee Avenue, including all work and materials necessary therefor and incidental thereto.	\$224,900
c) Acquisition of combination jet vacuum truck, including all work and materials necessary therefor and incidental thereto.	\$470,500
Total:	<u>\$800,000</u>

Section 2. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ADOPTED ON FIRST READING
DATED: **October 2, 2024**


COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED:

COUNCIL PRESIDENT

COUNCILMEMBER	Y	N	AB	NY	AM
CASTANEDA					
FERGUSON					
FLEMING					
GASKINS					
SICORA LUDWIG					
M. S.					

FIRST READING VOTE ON OCTOBER 2, 2024: Y= MOVED, N= SECOND NY= NO VOTE AM= ABSENT

ATTEST:

CITY CLERK

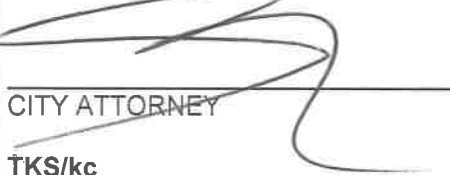
APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

MAYOR

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

TKS/kc