

**TOWNSHIP OF BEKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2025-19**

**BOND ORDINANCE PROVIDING FOR VARIOUS  
CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP  
OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION,  
NEW JERSEY, APPROPRIATING \$3,825,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$2,778,000  
BONDS OR NOTES OF THE TOWNSHIP TO FINANCE  
PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, 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 Township of Berkeley Heights, in the County of Union, New Jersey (the "Township"), 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 \$3,825,000, including \$46,056.87 from the Reserve for Police Vehicle for the purpose set forth in Section 3(f)1 herein, and further including the aggregate sum of \$1,000,943.13 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 \$2,778,000 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 &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) Road Improvement Project</b>			
2025 Road Project, consisting of sidewalks, crosswalk and lighting improvements, including paving and drainage, as described on a list on file in the office of the Township Clerk, including all work and materials necessary therefor and incidental thereto.	\$1,318,000	\$1,174,056.87	10 years
<b>b) Building Department</b>			
Document scanning project, including all work and materials necessary therefor and incidental thereto.	\$30,000	\$20,000	5 years
<b>c) Equipment</b>			
1) Acquisition of license plate readers, including all related costs and expenditures incidental thereto.	\$50,000	\$30,000	10 years
2) Acquisition of SCBA filling station, including all related costs and expenditures incidental thereto.	\$90,000	\$60,000	5 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
3) Acquisition of gear sets for Fire Department, including all related costs and expenditures incidental thereto.	\$30,000	\$20,000	5 years
4) Acquisition of replacement ride-on leaf blower, including all related costs and expenditures incidental thereto.	\$12,000	\$9,000	5 years
<b>d) Engineering</b> Any and all work related to the State of New Jersey stormwater permit requirements, including cleaning of streams, and further including all work and materials necessary therefor and incidental thereto.	\$300,000	\$200,000	15 years
<b>e) Sewer</b>			
1) Replacement of main operating building boiler, including all related costs and expenditures incidental thereto.	\$516,000	\$316,000	30 years
2) Collection system and pipeline improvements, including all work and materials necessary therefor and incidental thereto.	\$300,000	\$200,000	30 years
3) Chemical feed system, including all work and materials necessary therefor and incidental thereto.	\$300,000	\$200,000	30 years
4) Replacement of aeration basin aerator and flash mixer, including all related costs and expenditures incidental thereto.	\$213,000	\$113,000	30 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
5) Manhole improvements, including all work and materials necessary therefor and incidental thereto.	\$100,000	\$70,000	30 years
6) RNS pump overhaul, including all work and materials necessary therefor and incidental thereto.	\$32,900	\$22,900	30 years
7) Replacement of grit channel valve, including all related costs and expenditures incidental thereto.	\$7,500	\$5,500	30 years
8) Replacement of FST telescopic valve, including all related costs and expenditures incidental thereto.	\$13,000	\$12,000	30 years
9) Replacement of scum pump, including all related costs and expenditures incidental thereto.	\$38,000	\$28,000	40 years
<b>f) Vehicles and Initial Equipment</b>			
1) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$186,000 (including \$46,056.87 from the Reserve for Police Vehicle)	\$139,943.13	5 years
2) Acquisition of dump truck/salter/plow, including all related costs and expenditures incidental thereto.	\$140,000	\$70,000	10 years
<b>g) Office of Emergency Management</b>			

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
Acquisition of radio antenna filter, including all related costs and expenditures incidental thereto.	\$75,000	\$50,000	5 years
<b>h) IT</b>			
Acquisition of computers (fire and building), including all related costs and expenditures incidental thereto.	\$15,000	\$10,000	5 years
<b>i) Public Buildings</b>			
1) Construction of dorms in Firehouse, including all work and materials necessary therefor and incidental thereto.	\$50,000	\$20,000	20 years
2) Installation of vehicle exhaust system at Firehouse, including all work and materials necessary therefor and incidental thereto.	<u>\$8,600</u>	<u>\$7,600</u>	15 years
Totals:	<u>\$3,825,000</u>	<u>\$2,778,000</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 Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township 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 Township 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 16.95 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 Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,778,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$300,000 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.

Section 7. The Township hereby declares the intent of the Township 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 Township 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 Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township 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 Township 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 Township fails to comply with its undertaking, the Township 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 Township 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 Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township 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.

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Angie Devanney, Mayor



Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				Manuel Couto						
	X	X				John Foster						
		X				Margaret Illis						
X		X				Bill Machado						
		X				Andrew Moran						
		X				Susan Poage						
Introduced: May 6, 2025						I hereby certify the above ordinance was adopted by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: May 20, 2025												
						_____ Angela Lazzari, Township Clerk						

## 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 governing body of the Township of Berkeley Heights, in the County of Union, State of New Jersey, on **May 6, 2025**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at 29 Park Avenue, Berkeley Heights on **May 20, 2025** at **6:30 p.m.** During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the 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 PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$3,825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,778,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

**Purposes:**

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) Road Improvement Project</b>			
2025 Road Project, consisting of sidewalks, crosswalk and lighting improvements, including paving and drainage, as described on a list on file in the office of the Township Clerk, including all work and materials necessary therefor and incidental thereto.	\$1,318,000	\$1,174,056.87	10 years
<b>b) Building Department</b>			
Document scanning project, including all work and materials necessary therefor and incidental thereto.	\$30,000	\$20,000	5 years
<b>c) Equipment</b>			
1) Acquisition of license plate readers, including all related costs and expenditures incidental thereto.	\$50,000	\$30,000	10 years

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2) Acquisition of SCBA filling station, including all related costs and expenditures incidental thereto.	\$90,000	\$60,000	5 years
3) Acquisition of gear sets for Fire Department, including all related costs and expenditures incidental thereto.	\$30,000	\$20,000	5 years
4) Acquisition of replacement ride-on leaf blower, including all related costs and expenditures incidental thereto.	\$12,000	\$9,000	5 years
<b>d) Engineering</b> Any and all work related to the State of New Jersey stormwater permit requirements, including cleaning of streams, and further including all work and materials necessary therefor and incidental thereto.	\$300,000	\$200,000	15 years
<b>e) Sewer</b>			
1) Replacement of main operating building boiler, including all related costs and expenditures incidental thereto.	\$516,000	\$316,000	30 years
2) Collection system and pipeline improvements, including all work and materials necessary therefor and incidental thereto.	\$300,000	\$200,000	30 years
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<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
4) Replacement of aeration basin aerator and flash mixer, including all related costs and expenditures incidental thereto.	\$213,000	\$113,000	30 years
5) Manhole improvements, including all work and materials necessary therefor and incidental thereto.	\$100,000	\$70,000	30 years
6) RNS pump overhaul, including all work and materials necessary therefor and incidental thereto.	\$32,900	\$22,900	30 years
7) Replacement of grit channel valve, including all related costs and expenditures incidental thereto.	\$7,500	\$5,500	30 years
8) Replacement of FST telescopic valve, including all related costs and expenditures incidental thereto.	\$13,000	\$12,000	30 years
9) Replacement of scum pump, including all related costs and expenditures incidental thereto.	\$38,000	\$28,000	40 years
<b>f) Vehicles and Initial Equipment</b>			
1) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$186,000 (including \$46,056.87 from the Reserve for Police Vehicle)	\$139,943.13	5 years
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related costs and expenditures incidental thereto.			
<b>g) Office of Emergency Management</b>			
Acquisition of radio antenna filter, including all related costs and expenditures incidental thereto.	\$75,000	\$50,000	5 years
<b>h) IT</b>			
Acquisition of computers (fire and building), including all related costs and expenditures incidental thereto.	\$15,000	\$10,000	5 years
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<b>Totals:</b>	<u>\$3,825,000</u>	<u>\$2,778,000</u>	

Appropriation: \$3,825,000

Bonds/Notes Authorized: \$2,778,000

Grants (if any) Appropriated: \$0

Section 20 Costs: \$300,000

Useful Life: 16.95 years

Angela Lazzari, Clerk

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

## BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Berkeley Heights, in the County of Union, State of New Jersey on **May 20, 2025** and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the 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 PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$3,825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,778,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

**Purposes:**

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<b>e) Sewer</b> 1) Replacement of main operating building boiler, including all related costs and expenditures incidental thereto.	\$516,000	\$316,000	30 years
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4) Replacement of aeration basin aerator and flash mixer, including all related costs and expenditures incidental thereto.	\$213,000	\$113,000	30 years
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7) Replacement of grit channel valve, including all related costs and expenditures incidental thereto.	\$7,500	\$5,500	30 years
8) Replacement of FST telescopic valve, including all related costs and expenditures incidental thereto.	\$13,000	\$12,000	30 years
9) Replacement of scum pump, including all related costs and expenditures incidental thereto.	\$38,000	\$28,000	40 years
<b>f) Vehicles and Initial Equipment</b>			
1) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$186,000 (including \$46,056.87 from the Reserve for Police Vehicle)	\$139,943.13	5 years
2) Acquisition of dump truck/salter/plow, including all	\$140,000	\$70,000	10 years



<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
related costs and expenditures incidental thereto.			
<b>g) Office of Emergency Management</b>			
Acquisition of radio antenna filter, including all related costs and expenditures incidental thereto.	\$75,000	\$50,000	5 years
<b>h) IT</b>			
Acquisition of computers (fire and building), including all related costs and expenditures incidental thereto.	\$15,000	\$10,000	5 years
<b>i) Public Buildings</b>			
1) Construction of dorms in Firehouse, including all work and materials necessary therefor and incidental thereto.	\$50,000	\$20,000	20 years
2) Installation of vehicle exhaust system at Firehouse, including all work and materials necessary therefor and incidental thereto.	<u>\$8,600</u>	<u>\$7,600</u>	15 years
Totals:	<u>\$3,825,000</u>	<u>\$2,778,000</u>	

Appropriation: \$3,825,000

Bonds/Notes Authorized: \$2,778,000

Grants (if any) Appropriated: \$0

Section 20 Costs: \$300,000

Useful Life: 16.95 years

Angela Lazzari, Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated **05/20/2025**, in the amount of **\$875,366.60** such vouchers having been received by the Township Council, having been satisfied that appropriate procedure has been followed in the processing of said vouchers.

Approved this 20th day of May, 2025.

ATTEST:

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Angela Lazzari, RMC  
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				