

November 6, 2013

Sandra Webb
Chief Financial Officer
Princeton
400 Witherspoon Street
Princeton, NJ 08540

Re: \$951,000/\$903,450 Multi-Purpose Bond Ordinance

Dear Sandy:

In accordance with your request, I have prepared and enclose herewith a form of bond ordinance providing for various capital improvements. The bond ordinance should be adopted in accordance with the usual procedure set forth below for your convenience.

Please note that, pursuant to Local Finance Board Notice 2013-03, dated January 4, 2013, all Supplemental Debt Statements must be prepared electronically using the new form of Supplemental Debt Statement provided by the Division of Local Government Services, and must be filed with the Division of Local Government Services electronically. The Supplement Debt Statement should be prepared on the date of introduction of the bond ordinance and sent to the Clerk on that same date. The Supplemental Debt Statement should also be filed electronically with the Division of Local Government Services prior to final adoption of the bond ordinance. Please retain a copy of the electronic receipt sent to you by the Division of Local Government Services, as we will need a copy for our records. In order to comply with the capital budget regulations, the bond ordinance contains a provision amending the capital budget to the extent of any inconsistency with the bond ordinance and it should be sent to Trenton and filed along with the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget. It will not be necessary to publish the resolution.

The bond ordinance may be introduced and read by title only and adopted by a majority of the members of the governing body present, assuming a quorum. After introduction, the Notice of Pending Bond Ordinance and Summary must be published in the local newspaper, a form of which I have enclosed for your use. Also, the bond ordinance should be posted on the bulletin board customarily used for notices, together with the Notice of Pending Bond Ordinance and Summary, and copies of the bond ordinance should be made available to anyone who requests them of the Clerk after introduction.

The bond ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the publication of the Notice of Pending Bond Ordinance and Summary. If the bond ordinance has been posted and copies

made available as indicated above, the bond ordinance can be read at the second hearing by title only. If the bond ordinance posting procedure has not been followed, the bond ordinance must be read in full at the second hearing. After the bond ordinance is read for the second time, the governing body should hold a public hearing and should give all members of the public a chance to be heard on the bond ordinance. After the public hearing, the bond ordinance can be finally adopted by the affirmative vote of not less than two-thirds of the full membership of the governing body. After final adoption, the Bond Ordinance Statement and Summary must be published, a copy of which I have enclosed for your use. Note that if the approval of an officer is required to make the bond ordinance effective, the bond ordinance must be approved by that officer, or passed over veto, before it is published after final adoption.

After the bond ordinance is finally adopted, it will be necessary for us to establish a record of proceedings documenting the proper adoption of the bond ordinance. In order to do this, we will need one completely executed set of the documents enumerated on the attached checklist. By copy of this letter, I am sending the Clerk a copy of the checklist along with a copy of the bond ordinance. With the exception of the Affidavits of Publication, I am also sending the Clerk the necessary certificates to be completed, executed and returned to us along with the necessary attachments to provide us with this documentation. It should be noted that the Clerk's Certificate must be executed no sooner than 21 days following the final publication in order to attest that there has been no protest within the statutory twenty-day protest period.

If you or the Clerk have any questions about the form of the bond ordinance, the adoption procedure or the form of the certificates, please call me.

Thank you for this opportunity to have been of assistance.

Very truly yours,

Edward J. McManimon, III

Edward J. McManimon, III

Enclosures

cc: Kathryn Monzo, Chief Financial Officer, w/encl.
Linda McDermott, Clerk, w/encl.
Edwin Schmierer, Esq., w/encl.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$951,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$903,450 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE COUNCIL OF PRINCETON, IN THE COUNTY OF MERCER, 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 Princeton, in the County of Mercer, New Jersey ("Princeton") 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 \$951,000, and further including the aggregate sum of \$47,550 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 \$903,450 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>
<p>A) IT Department Acquisition and/or upgrades of mobile data terminals; MDT cellular modems, POE switch upgrades and master plan, including all work and materials necessary therefor and incidental thereto.</p>	\$123,600	\$117,420	5 years
<p>B) Library Department 1) Replacement and/or upgrades to the library including (i) server replacement, storage area network, domain controller surge protection, think client desktops, firewall, (ii) worn floor jacks, (iii) small board replacement for teaching center, replace and relocate tech center; and (iv) telephone VOIP upgrade including all work and materials necessary therefor and incidental thereto.</p>	\$152,300	\$144,685	7 years
<p>2) Acquisition of vehicle for library use, including all related costs and expenditures incidental thereto.</p>	\$31,000	\$29,450	5 years

<p>C) Engineering Department Repairs to Site G Basin, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	\$51,000	\$48,450	15 years
<p>D) Infrastructure 1) Preliminary expenses related to the construction of the River Road Cold Storage Facility to house equipment and vehicles, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	\$155,400	\$147,630	20 years
<p>2) Acquisition of miscellaneous sewer maintenance equipment, including jet truck hose, nozzles, traffic control devices, mowers, plows, shop tools; installation of a Muffin Monster; pump station repairs including replacement and rebuilding of seals, shafts, impellers, electrical parts and including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	\$123,600	\$117,420	15 years
<p>3) Replacement of a Trash Truck, including all related costs and expenditures incidental thereto.</p>	\$185,400	\$176,130	5 years
<p>4) HVAC improvements to Monument Hall, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	\$25,800	\$24,510	15 years
<p>5) Acquisition of a mechanic truck, including all related costs and expenditures incidental thereto.</p>	\$53,500	\$50,825	5 years

E) Fire Department Acquisition and replacement of pagers, turnout gear, computer hardware and software; SCBA cylinder replacement and portable radios, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$49,400	\$46,930	15 years
TOTAL:	<u>\$951,000</u>	<u>\$903,450</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 and the Grants.

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. 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. 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. Princeton hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of Princeton 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(a) of this bond ordinance are not current expenses. They are all improvements or purposes that Princeton 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 10.13 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 Princeton as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$903,450, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$28,000 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. Princeton hereby declares the intent of Princeton 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 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 Princeton 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 Princeton and to execute such disclosure document on behalf of Princeton. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of Princeton pursuant to Rule 15c2-12 of the Securities and

Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of Princeton 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 Princeton fails to comply with its undertaking, Princeton 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 Princeton 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 Princeton, and Princeton shall be obligated to levy *ad valorem* taxes upon all the taxable real property within Princeton 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.