

2011-15

BOND ORDINANCE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$1,461,625 FOR THE INSTALLATION OF A NEW POOL IN AND BY THE TOWNSHIP OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,388,543 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP 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 improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Township of Princeton, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$1,461,625 (\$487,208 of which will be provided by the Princeton Recreation Board, \$321,558 of which will be provided by the Borough of Princeton and the remainder \$652,859 will be provided by the Township), such sum being in addition to (i) \$4,087,000 appropriated therefor by Bond Ordinance #2010-34 of the Township finally adopted on November 8, 2010, (ii) \$2,053,500 appropriated therefor by Bond Ordinance #2011-2 finally adopted March 28, 2011, and (iii) including the sum of \$73,082 as the additional down payment required by the Local Bond Law. The additional down payment is now 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 additional cost of the improvement or purpose not covered by application of the additional down payment and in anticipation of the amounts referred to in Section 1 hereof being provided by the Princeton Recreation Board and the Borough of Princeton, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,388,543 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. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is for the installation of a new pool, including all work and materials necessary therefor and incidental thereto, as described in Sections 3(a) of Bond Ordinance #2010-34 of the Township finally adopted November 8, 2010 and Bond Ordinance #2011-2 of the Township finally adopted March 28, 2011.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$7,222,018, including (i) \$3,882,650 bonds or notes authorized in Section 3(b) of Bond Ordinance #2010-34 of the Township finally adopted on November 8, 2010, (ii) \$1,950,825 authorized in Bond Ordinance #2011-2 finally adopted March 28, 2011 and (iii) \$1,388,543 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$7,602,125, including the \$4,087,000 appropriated in Section 3(c) of Bond Ordinance #2010-34 of the Township finally adopted on November 8, 2010, (ii) \$2,053,500 appropriated in Bond Ordinance #2011-2 finally adopted March 28, 2011 and (iii) \$1,461,625 appropriated herein.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All 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 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 notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Princeton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 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 \$1,388,543, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) There are no additional costs pursuant to N.J.S.A. 40A:2-20 included in the additional appropriation provided for herein.

Section 7. Any grant moneys or funds referred to in Section 1 hereof being provided by the Princeton Recreation Board and the Borough of Princeton received for the purpose described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of

obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. 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 9. 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 real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

STATEMENT

The bond ordinance published herewith has been finally adopted on September 19, 2011 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement.

A handwritten signature in cursive script that reads "Kathy Brzezynski".

Kathy Brzezynski
Deputy Township Clerk