

ORDINANCE: O-2022-10-S

**BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 20-22-S FINALLY ADOPTED BY THE
BOROUGH COUNCIL OF THE BOROUGH OF
FANWOOD, NEW JERSEY ON DECEMBER 21, 2020**

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

Section 1. The Bond Ordinance of the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey (the "Borough") entitled "Bond Ordinance Providing An Appropriation Of \$7,200,000 For The Construction Of A Library In And By The Borough Of Fanwood, In The County Of Union, New Jersey And Authorizing The Issuance Of \$3,702,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation" finally adopted on December 21, 2020 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. The Ordinance is hereby amended by (a) deleting the reference of "\$7,200,000" for the appropriation and estimated cost and "\$3,702,500" for the estimated maximum amount of bonds or notes and substituting in lieu therefor "\$10,700,000" and "\$7,202,500; and (b) deleting the reference to "\$2,500,000" for Section 20 costs and substituting in lieu therefor "\$3,500,000".

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions 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 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$7,202,500.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

**BOROUGH OF FANWOOD
UNION COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE

The Bond Ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Fanwood, New Jersey, held on September 6, 2022. It will be further considered for final passage after public hearing thereon at a meeting of said Borough Council to be held at the Municipal Building, 75 North Martine Avenue, in said Borough on October 3, 2022 at 7:00 o'clock p.m. and during the week prior to and up to and including the date of such meeting, copies of said Bond Ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

**KATHLEEN HOLMES
BOROUGH CLERK**

**BOROUGH OF FANWOOD
UNION COUNTY, NEW JERSEY**

PUBLIC NOTICE

BOND ORDINANCE STATEMENTS AND SUMMARIES

THE BOND ORDINANCE PUBLISHED HEREWITH HAS BEEN FINALLY ADOPTED ON OCTOBER 3, 2022, 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.

KATHLEEN HOLMES
BOROUGH CLERK

**Re: BOROUGH OF FANWOOD
UNION COUNTY, NEW JERSEY**

Bond Ordinance Amending Bond Ordinance No. 20-22-S

- Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Clerk's office as well as in Trenton.
- N/A Down Payment Certificate.
- Certified copy of the minutes of the meeting of the Borough Council held September 6, 2022 showing introduction of the ordinance.
- Affidavit of Publication in local newspaper following introduction of the ordinance.
- Certified copy of the minutes of the meeting of the Borough Council held October 3, 2022 showing public hearing and final adoption of the ordinance.
- Affidavit of Publication in local newspaper following final adoption of the ordinance.
- Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

DEBT STATEMENT CERTIFICATE

I, Kathleen Holmes, Clerk of the Borough of Fanwood, in the County of Union, New Jersey (herein called the “Local Unit”), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the Local Unit that was prepared as of September 2, 2022 by Patricia Celardo, who was then Chief Financial Officer of the Local Unit and filed in my office on September 2, 2022, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on September 2, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Local Unit this 27th day of October 2022.

Kathleen Holmes, Clerk

(SEAL)

CERTIFICATE

I, KATHLEEN HOLMES, Clerk of the Borough of Fanwood, in the County of Union, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on September 6, 2022 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 27th day of October, 2022.

Kathleen Holmes, Clerk

(SEAL)

EXTRACT from the minutes of a Regular meeting of the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey held at the Municipal Complex in the Borough of Fanwood on September 6, 2022, at 7:00 o'clock p.m.

PRESENT: Council President, Anthony Carter, Jeffrey Banks, Francine Glaser, Erin McElroy-Barker, Katherine Mitchell, and Patricia Walsh

ABSENT: NONE

[Attach appropriate minutes hereto]

CERTIFICATE

I, KATHLEEN HOLMES, Clerk of the Borough of Fanwood, in the County of Union, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on October 3, 2022 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 27th day of October 2022.

Kathleen Holmes, Clerk

(SEAL)

EXTRACT from the minutes of a Regular meeting of the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey held at the Municipal Complex in the Borough of Fanwood on October 3, 2022, at 7:00 o'clock p.m.

PRESENT: Council President, Anthony Carter, Jeffrey Banks, Francine Glaser, Erin McElroy-Barker, Katherine Mitchell, and Patricia Walsh

ABSENT: NONE

[Attach appropriate minutes hereto]

CLERK'S CERTIFICATE

I, KATHLEEN HOLMES, Clerk of the Borough of Fanwood, in the County of Union, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Borough of Fanwood, in the County of Union, State of New Jersey (herein called the "Local Unit"). In this capacity I have the responsibility to maintain the minutes of the meetings of the governing body of the Local Unit and the records relative to all ordinances and resolutions of the Local Unit. The representations made herein are based upon the records of the Local Unit.

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Local Unit on first reading on September 6, 2022, and finally adopted by the governing body on October 3, 2022, and where necessary approved by the Mayor on October 3, 2022

3. On September 7, 2022, a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general-public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Local Unit at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them.

4. A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on October 6, 2022. No protest signed by any person against making the improvement

or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 27th day of October 2022.

Kathleen Holmes, Clerk

[SEAL]