

August 4, 2015

AGENDA

Regular Meeting of the Hazlet Township Committee held at _____ p.m.

Salute to the flag and moment of silent prayer called by the Mayor.

Mayor’s Statement – Open Public Meetings Act & Emergency Fire Exits.

In Compliance with the “Open Public Meetings Act” of the State of New Jersey, adequate notice of this meeting of the Township Committee was provided in the following manner:

- (A) On January 5, 2015, advance written notice of this meeting was posted at:
1766 Union Avenue, Hazlet, New Jersey.
- (B) On January 5, 2015, advance written notice of this meeting was forwarded to the Independent and published in the Asbury Park Press on January 7, 2015.
- (C) On January 5, 2015, copies of advance written notice of this meeting were mailed to all persons who requested and paid for such notices on or before January 1, 2015.

FIRE EXITS are located in the directions I am indicating:

Farther down at the end of the room, through the doors and down the stairs, directly out the front door.

To my right is the door, make a right down the hallway which leads to the stairs and directly out the rear of the building.

If you are alerted for fire, please move in a calm and orderly manner to the nearest exit. Finally, let the record reflect that the minutes of this meeting will accurately reflect the topics addressed during this meeting but will not be a verbatim transcript of tonight’s proceedings. Thank you. I direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

<u>ROLL CALL</u>	<u>PRESENT</u>	<u>ABSENT</u>
Committeeman DiNardo	_____	_____
Committeewoman Kiley	_____	_____
Committeewoman Ronchetti	_____	_____
Deputy Mayor Aagre	_____	_____
Mayor Sachs	_____	_____

Approval of Minutes – Workshop Meeting – July 7, 2015.
Regular Meeting – July 7, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
(abstain 7/7/15)

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Approval of Executive Session Minutes – July 7, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
(abstain 7/7/15)

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Reports:

MUNICIPAL COURT – June 2015 – Total fees collected - \$38,810.50.

DEPARTMENT OF PUBLIC WORKS – June 2015 – Received and read.

POLICE DEPARTMENT – June 2015 – Total Calls Handled – 2,134.

CONSTRUCTION OFFICIAL – June 2015 – Total fees collected - \$47,389.00.

Resolution S-1

Appointment of the following as police officers in the Township of Hazlet: Nathan V. Rucinski
Nicholas Hungerford and Nicholas H. Torres.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Resolution S-2

Appointment of Cody Sachs as a police officer in the Township of Hazlet.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Resolutions, Motions and Appointments:

Resolutions #191 through #197 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussions of these items. If discussion is desired by the Mayor or any member of the Township Committee, that item will be removed and will be considered separately. Advance copies of each resolution have been given to each Committee Member. The original resolutions are with the Municipal Clerk for inspection as listed below.

191. Waiver of construction permit fees for Lillian Drive School for the installation of fire suppression equipment.

192. Amending Resolution #176 (Salary for Frank Littriello).

193. Refund of 2015 Railroad Parking Permit Fees.

194. Waiver of construction permit fees for the VFW Post 4303 to replace the roof.

195. Authorizing the Township to assess a Municipal Lien on various properties – property maintenance.

196. Issuance of Raffle License RL-4043 to the Golden Agers Bowling League, RL-4045 to the Holmdel Football Association, Inc. and RL-4046 to the VFW Post 4303.

197. Issuance of a construction permit fee refund to Green Sun Energy Services for 286 Middle Road.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

198. Authorizing the Municipal Administrator to execute the transaction term sheet between the Port Authority of New York and New Jersey, Township of Hazlet and NY/NJ Baykeeper with respect to Waackaack Meadows (AKA McNamee Property).

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

199. Agreement of payment in full for Hazlet Trailer Park for their 2013, 2014 and 2015 licensing fees.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

200. Authorizing the Municipal Tax Collector to cancel tax refunds or delinquencies of less than ten (\$10.00) dollars.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

201. Authorizing the acquisition of five (5) 2015 Ford Police Interceptor Vehicles.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Ordinance Introductions:

1. AN ORDINANCE AMENDING CHAPTER 296 "CODE INSPECTION BUREAU" SECTION 15(c) OF THE ORDINANCES OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAZLET

Title read by: _____

Hearing Date: September 1, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

2. CAPITAL ORDINANCE OF THE TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING AN APPROPRIATION OF \$1,384,369 FOR VARIOUS ROAD IMPROVEMENTS, VARIOUS PARK IMPROVEMENTS AND VARIOUS MUNICIPAL BUILDING IMPROVEMENTS, APPROPRIATING \$1,155,500 FROM THE CAPITAL IMPROVEMENT FUND, \$149,869 FROM A MONMOUTH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AND \$79,000 FROM A MONMOUTH COUNTY OPEN SPACE GRANT

Title read by: _____

Hearing Date: September 1, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

3. BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 1478-10 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 3, 2010, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES BY \$285,000 AND THE DOWN PAYMENT BY \$15,000 THEREIN

Title read by: _____

Hearing Date: September 1, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Payment of Bills:

Advance bill lists have been supplied to each Committee Member.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Citizens Hearing:

Motion to close hearing:

Offered _____ 2nd _____

Voice Vote: _____

Motion to adjourn:

Offered _____ 2nd _____

Voice Vote: _____

Time: _____

RESOLUTION S-1

WHEREAS, the Township of Hazlet is in receipt of a Certification of Eligibles for the position of Police Officer in the Police Department; and

WHEREAS, it is the desire of the Township Committee to appoint three (3) eligibles to said position of police officer in the Township of Hazlet.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that Nathan V. Rucinski, Nicholas Hungerford and Nicholas H. Torres be and they are hereby appointed to the position of Police Officer in the Hazlet Township Police Department effective August 17, 2015; and

BE IT FURTHER RESOLVED that they be compensated at an annual salary of \$47,087.46 pro rated, as set forth in the current PBA Contract; and

BE IT FURTHER RESOLVED that the Certifying Agent process and forward the necessary paperwork to the Department of Personnel.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION S-2

WHEREAS, the Township of Hazlet is in receipt of a Certification of Eligibles for the position of Police Officer in the Police Department; and

WHEREAS, it is the desire of the Township Committee to appoint one (1) eligible to said position of police officer in the Township of Hazlet.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that Cody Sachs be and he is hereby appointed to the position of Police Officer in the Hazlet Township Police Department effective August 17, 2015; and

BE IT FURTHER RESOLVED that he be compensated at an annual salary of \$47,087.46 pro rated, as set forth in the current PBA Contract; and

BE IT FURTHER RESOLVED that the Certifying Agent process and forward the necessary paperwork to the Department of Personnel.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, Lillian Drive School, is in the process of obtaining permits to install fire suppression equipment; and

WHEREAS, a request was received from Lillian Drive School to waive all permit fees; and

WHEREAS, it is the desire of the Township Committee to waive said fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that the Township's permit fees to install fire suppression equipment be and are hereby waived; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Construction Department.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS on July 7, 2015 Resolution #176 (Salary for Frank Littriello) was adopted; and

WHEREAS the salary was incorrect; and

WHEREAS it is the desire of the Township Committee to amend same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that Frank Littriellos corrected salary should be \$35,801.47 prorated and retroactive to and including June 19, 2015.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Payroll Clerk.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the below named shall receive a refund of their 2015 Railroad Parking Permit fee.

<u>NAME</u>	<u>AMOUNT</u>
Laura Keady 501 S. Riverside Drive Neptune, NJ 07753	\$66.68
Anna Chang 47 Londonberry Drive Holmdel, NJ 07733	\$133.33

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Finance Office.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, the VFW Post 4303 is in the process of obtaining permits to replace the roof; and

WHEREAS, a request was received from the VFW Post 4303 to waive all permit fees; and

WHEREAS, it is the desire of the Township Committee to waive said fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that the Township's permit fees to replace the roof be and are hereby waived; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Construction Department and the VFW Post 4303.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, the grass and weeds are overgrown on various properties in Hazlet Township; and

WHEREAS, the said grass and weeds have created a hazardous condition to the health and welfare of the area residents; and

WHEREAS, the Township of Hazlet has undertaken the necessary clean-up to preserve the health and welfare of the area residents and correct this dangerous condition; and

WHEREAS, Chapter 213, Section 213.5 of the Code of the Township of Hazlet, permits the Municipality to assess all costs related thereto.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that the cost for clean up plus an administrative fee, be assessed as a municipal lien against the properties listed below and shall be collected in the same manner, bearing interest at the same rate as taxes:

40 Lafayette Drive, Block 190, Lot 34 - \$285.00
29 Lynn Boulevard, Block 97, Lot 8 - \$285.00
6 Peter Place, Block 64.09, Lot 3 - \$285.00
28 Maple Place, Block 227, Lot 1 - \$285.00
13 Hazlet Avenue, Block 171, Lot 11 - \$285.00
88 Fieldcrest Way, Block 68.13, Lot 13.88 - \$285.00
66 Liberty Place, Block 139, Lot 1 - \$285.00
55 Thorne Place, Block 141, Lot 14 - \$285.00
27 Hudson Avenue, Block 148.03, Lot 5 - \$285.00
72 Munro Avenue, Block 46, Lot 1 - \$285.00
55-57 10th Street, Block 23, Lot 7 - \$285.00
63 13th Street, Block 38, Lot 3 - \$285.00
130 6th Street, Block 13, Lot 21 - \$285.00
135 7th Street, Block 13, Lot 19 - \$285.00

BE IT FURTHER RESOLVED that the cost assessed shall be in addition to any penalties imposed for violations to this Chapter.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the above foregoing is a true copy of a Resolution that was duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Municipal Clerk be and is hereby authorized to issue the following Raffle Licenses:

RL-4043 – GOLDEN AGERS BOWLING LEAGUE
RL-4045 – HOLMDEL FOOTBALL ASSOCIATION, INC.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, the Department of Construction of the Township of Hazlet, in the County of Monmouth, State of New Jersey, collected monies associated with a certificate of continued occupancy application; and

WHEREAS, said monies have been received from the following and were deposited into the Township's Current Fund under Fees and Permits for 286 Middle Road; and

WHEREAS, a permit update was not permitted and a separate permit had to be filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the Chief Financial Officer be authorized to return the fee that was paid for the first permit; and

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution to the applicant and to the Finance Office.

APPLICANT

AMOUNT OF REFUND

Green Sun Energy Services
P.O. Box 4314
Middletown, NJ 07748

\$250.00

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Municipal Administrator, Dennis Pino is hereby authorize to execute the transaction term sheet between the Port Authority of New York and New Jersey, Township of Hazlet and the NY/NJ Baykeeper with respect to Waackaack Meadows (AKA McNamee Property).

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, Hazlet Trailer Park is subject to the provisions of Chapter 296, "Code Inspection Bureau," of the Township Ordinances requiring registration and licensing of all rental property within the Township of Hazlet and establishing licensing fees thereunder; and

WHEREAS, the owner of Hazlet Trailer Park did not timely pay their licensing fees in 2013, 2014 and 2015; and

WHEREAS, the Township Zoning Officer has filed a complaint in the Joint Municipal Court to collect such fees including late fees; and

WHEREAS, the late fee set forth in the ordinance would impose an unreasonable penalty.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hazlet that it hereby agrees to the payment of the following fees and late fees in full settlement of this matter and authorize a dismissal of the complaint upon full payment:

2013-- \$590.00 Licensing Fee, plus \$250.00 Late Fee.
2014 -- \$590.00 Licensing Fee, plus \$250.00 Late Fee.
2015 -- \$590.00 Licensing Fee, plus \$250.00 Late Fee.

CERTIFICATION

I, EVELYN A. GRANDI, Township Clerk of the Township of Hazlet, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee of the Township of Hazlet at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

AN ORDINANCE AMENDING CHAPTER 296
"CODE INSPECTION BUREAU" SECTION 15(c)
OF THE ORDINANCES OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF HAZLET

BE IT ORDAINED by the Township Committee of the Township of Hazlet that Subsection c. of Section 15, "Rental License Fee," of Chapter 296, "Code Inspection Bureau," shall be amended as follows:

c. An annual Rental Property License shall not be issued until all Rental Property License fees and any late fees have been paid in full. Annual Rental Property License fees shall be due and payable by the 15th of January each year. A late fee of \$250 per month or part thereof shall be assessed with respect to any Rental Property License fee, regardless of the number of units, which has not been received by the Code Inspection Bureau by the 25th day of January. The late fee shall increase to \$1,000 per month or any part thereof if the fee and penalty has not been received by the Code Inspection Bureau by the 25th day of April.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon adoption and publication according to law.

RESOLUTION

WHEREAS, the Governing Body of Hazlet Township finds and declares that N.J.S.A. 40A:5-17-1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

WHEREAS, the Governing Body further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

WHEREAS, the Governing Body further finds and declares that it is in the best interest of the citizens of Hazlet Township for the Municipal Tax Collector to be authorized to process the cancellations of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars in accordance with N.J.S.A. 40A:5-17-1;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of Hazlet Township that Municipal Tax Collector Ashlesha Deshpande is hereby authorized to process the cancellation of tax refunds or delinquencies of less than Ten (\$10.00) Dollars during the calendar year of 2015 in accordance with N.J.S.A. 40A:5-17-1.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

AUTHORIZING THE ACQUISITION OF FIVE (5) 2015 FORD POLICE
INTERCEPTOR VEHICLES

BE IT RESOLVED by the Township Committee of Hazlet Township that the Hazlet Township Police Department be and is hereby authorized to purchase from Winner Ford, under State Contract A88728, five (5) 2015 Ford Police Interceptor vehicles at the base price amount of \$23,069.00 per vehicle.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 4th day of August, 2015.

Evelyn A. Grandi
Municipal Clerk

CAPITAL ORDINANCE OF THE TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING AN APPROPRIATION OF \$1,384,369 FOR VARIOUS ROAD IMPROVEMENTS, VARIOUS PARK IMPROVEMENTS AND VARIOUS MUNICIPAL BUILDING IMPROVEMENTS, APPROPRIATING \$1,155,500 FROM THE CAPITAL IMPROVEMENT FUND, \$149,869 FROM A MONMOUTH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AND \$79,000 FROM A MONMOUTH COUNTY OPEN SPACE GRANT

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

SECTION 1:

The improvements described in Section 2 of this ordinance (the "Improvements") are hereby authorized to be undertaken by the Township of Hazlet, New Jersey (the "Township") as a general improvement. For the said Improvements there is hereby appropriated the amount of \$1,384,369, such sum includes the sum of (a) \$149,869 grant expected to be received from the Monmouth County Community Development Program in connection with the improvements described in Section 2(a)(1), \$79,000 grant expected to be received from Monmouth County in connection with the improvements described in Section 2(a)(2) and \$1,155,500 from the Township's Capital Improvement Fund.

SECTION 2:

(a) The Improvements authorized are as follows:

1. Reconstruction of various Township roadways, including, but not limited to, Sycamore Avenue and West Jack Street, in the amount of \$1,112,869.
2. Improvements to Natco Lake Parks Trails and various Township parks in the amount of \$171,500.
3. Improvements to various municipal buildings in the amount of \$100,000.

SECTION 3:

The capital budget of the Township is hereby amended (if required) 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, Division of Local Government Services,

Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 4:

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

(a) The Improvements described in Section 2 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

SECTION 5:

This ordinance shall take effect at the time and in the manner provided by law.

**BOND ORDINANCE AMENDING AND SUPPLEMENTING
BOND ORDINANCE NUMBER 1478-10 FINALLY ADOPTED BY
THE TOWNSHIP COMMITTEE ON AUGUST 3, 2010, TO
INCREASE THE AUTHORIZATION OF BONDS OR NOTES BY
\$285,000 AND THE DOWN PAYMENT BY \$15,000 THEREIN**

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, STATE OF NEW
JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS
FOLLOWS:**

SECTION 1. The bond ordinance of the Township of Hazlet, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on August 3, 2010, number 1478-10, entitled: "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS, AND APPROPRIATING \$682,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a)(2) of the Original Ordinance, as amended and supplemented hereby, there is hereby authorized within the \$373,500 original appropriation set forth in Section 3(a)(2) an additional down payment in the amount of \$15,000 as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or

budgets of the Township for down payment or for capital improvement purposes. Additionally, the total authorization of negotiable bonds or notes contained in Section 3(a)(2) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$285,000 from \$70,000 and shall equal the amount of \$355,000, the down payment shall be increased by \$15,000 from \$3,500 and shall equal the amount of \$18,500, as amended and supplemented hereby. The original total appropriation set forth in section 3(a)(2) of the Original Ordinance in the amount of \$373,500 shall remain unchanged. Additionally, the original total appropriation set forth in the Original Ordinance in the amount of \$682,500 shall remain unchanged.

SECTION 3. In order to finance the cost of the improvements or purposes set forth in Section 3(a)(2) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Township in the amount of \$285,000 are hereby authorized to be issued by the Township for such improvements or purposes in Section 3(a)(2) of the Original Ordinance, as amended and supplemented, such that the total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$285,000 from \$150,000 and shall equal the amount of \$435,000.

SECTION 4. Section 3(a)(2) of the Original Ordinance shall be amended to read in its entirety as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Average Period of Usefulness</u>
"2. Sidewalk improvements near Beers Street School, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of the Clerk and hereby approved.	\$373,500	\$355,000	10 years"
TOTAL ALL PURPOSES	\$682,500	\$435,000	

SECTION 5. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a 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, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 6. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the additional authorization of the bonds and notes provided

for in this amendatory and supplemental bond ordinance by \$285,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 7. The average period of usefulness of said improvements or purpose set forth in Section 6(b) of the Original Ordinance is hereby amended within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by the Original Ordinance, as amended and supplemented hereby, to 11.8 years.

SECTION 8. 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 the Original Ordinance, as amended and supplemented hereby. 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 as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Sections 2 and 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer 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 Township 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 11. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 12. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.