

BOROUGH OF BARRINGTON, NEW JERSEY

ORDINANCE 2013-1006

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$981,200 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$420,090, MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Borough Council of the Borough of Barrington, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Barrington, County of Camden, New Jersey ("Borough").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$981,200;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$420,090; and
- (c) a down payment in the amount of \$22,110 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$420,090, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$22,110, which amount represents the required down payment, and the sum of \$539,000, which amount represents a grant from the New Jersey Department of Transportation, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$420,090 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$420,090 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell all or part of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby 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 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$200,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants; the maximum amount of obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Streetscape Improvements to Clements Bridge Road between US Route 30 and the New Jersey Turnpike Overpass, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as further described in the documentation on file and available for review at the Borough Clerk's office	\$652,000	\$5,650	\$539,000	\$107,350	10 years
B. Supplemental Funding for the White Horse Pike Redevelopment Project including, but not limited to, the remediation of White Horse Pike Economic Redevelopment Zone (Block 48, Lot 1; Block 57, Lots 8.02 and 7.03; Block 124, Lots 4, 5 and 5.02), together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto; all as further described in the report prepared in connection therewith, dated January 15, 2004 on file and available for review at the Borough Clerk's office	50,000	2,500	0	47,500	20 years
C. Reconstruction and/or Resurfacing of Various Borough Roads including, but not limited to, Second Avenue and Albany Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	20,000	1,000	0	19,000	10 years
D. Acquisition of Various Equipment for the Administration Offices including, but not limited to, a digital recording system, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	9,000	450	0	8,550	5 years
E. Acquisition of Various Equipment for the Highway Department including, but not limited to, a Bucket Truck and Excavator, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	136,000	6,800	0	129,200	10 years
F. Acquisition of Various Equipment for the Police Department including, but not limited to, a Sports Utility Vehicle and Records Management System, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	49,000	2,450	0	46,550	5 years
G. Acquisition of Various Equipment for the Fire Department including, but not limited to, Thermal Imaging Cameras and Generators, together with the acquisition of all materials and equipment	35,200	1,760	0	33,440	5 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
and completion of all work necessary therefore or related thereto					
H. Various Sewer Improvements including, but not limited to, Jet Vac Transmission and Sanitary Sewer Manhole Frames and Covers, all as further described in the documentation on file and available for review at the Borough Clerk's office	30,000	1,500	0	28,500	20 years
TOTAL	\$981,200	\$22,110	\$539,000	\$420,090	

Section 8. Grants in addition to those identified in Section 7 above or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance the costs of the purposes described in Section 7 above.

Section 9. The average period of useful life of the purposes for the financing of which the Bond Ordinance authorizes the issuance of bonds or bond anticipation notes authorized for such several purposes, is not less than 10.75 years (20.00 years for Section 7(H), and 10.08 years, collectively, for Sections 7(A) through (G)).

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original 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. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$420,090 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution 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 available for inspection.

Section 13. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable

arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

APPROVED:

ROBERT KLAUS, Mayor

ATTEST:

TERRY SHANNON, RMC, Borough Clerk

Date of Introduction: June 11, 2013

Date of Final Adoption: August 14, 2013

ORDINANCE NO. 1008

**OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN, STATE
OF NEW JERSEY AMENDING CHAPTER 120, VEHICLES AND
TRAFFIC, OF THE CODE OF THE BOROUGH OF BARRINGTON**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Barrington, County of Camden, and State of New Jersey that Article V-A, and Article VIII of Section 120, Vehicles and Traffic, is hereby added and amended, respectively, in the Code of the Borough of Barrington, as follows:

ARTICLE I. ARTICLE V-A. SECTION 120-12.2 Stopping or standing prohibited.

No person shall stop or stand a vehicle during the times specified in Schedule VII-A (see Section 120-22.1) of any day upon any of the streets or part of streets described in said Schedule VII-A, attached to and made a part of this chapter.

ARTICLE II. ARTICLE VIII. SECTION 120-22.1 Schedule VII-A: No stopping or standing.

In accordance with the provisions of Section 120-12.2, no person shall stop or stand a vehicle between the times specified upon any of the following described streets or parts of streets:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Third Avenue	South	Anytime	From a point 30 feet west of the westerly curbline of Clements Bridge Road to a point 50 feet west of the westerly curbline of Clements Bridge Road

ARTICLE III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE IV.

This Ordinance shall take effect upon passage and publication according to law.

THE BOROUGH OF BARRINGTON

BY: _____
ROBERT KLAUS, MAYOR

ATTEST:

TERRY SHANNON, BOROUGH CLERK

Introduced: July 9, 2013
Adopted: August 14, 2013

I hereby certify this to be a true copy of an ordinance adopted by the Borough of Barrington at the council meeting held August 14, 2013.

Terry Shannon, Municipal Clerk

ORDINANCE NO. 1009

**APPROVING THE PURCHASE OF CERTAIN LANDS BY THE
BOROUGH OF BARRINGTON FROM VERNON DUCKREY AND
AUTHORIZING THE EXECUTION OF ALL DOCUMENTS
NECESSARY TO IMPLEMENT SAID PURCHASE**

WHEREAS, the Borough of Barrington (hereinafter "Barrington") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, by Resolution adopted on July 11, 2000 and pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq. ("Local Redevelopment and Housing Law"), set forth at N.J.S.A. 40A:12A-6(a), the Borough Council of the Borough of Barrington ("Borough") directed the Planning Board of the Borough of Barrington ("Planning Board") to conduct a preliminary investigation to determine whether an area comprising the Economic Redevelopment - Phase I and II, inclusive of Lot 7.02 in Block 57 on the Official Tax Map of the Borough (hereinafter designated as the "Economic Redevelopment - Phase I and II Project Area") as an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board conducted a preliminary investigation in accordance with the guidelines set forth in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-6, and held a public hearing on this matter; and

WHEREAS, by Resolution adopted on June 25, 2001, and pursuant to N.J.S.A. 40A:12A-6(b)(5), the Planning Board recommended to the Borough Council that the Barrington Economic Redevelopment - Phase I and II Project Area be determined to be an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, by Resolution adopted July 10, 2001, the Borough Council approved the Planning Board's recommendation that the area comprising the stated Economic Redevelopment - Phase I and II was determined to be an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-6; and

WHEREAS, by Ordinance adopted August 14, 2001, the Borough Council adopted the Redevelopment Plan of the Borough of Barrington ("Redevelopment Plan") for the Redevelopment Area, based on the report containing the recommendation of the Planning Board following the Planning Board's review of the Redevelopment Plan; and

WHEREAS, N.J.S.A. 40A:12-5(a) authorizes a municipality to acquire lands or rights therein by purchase, gift, condemnation or otherwise in the manner provided by said statute.

WHEREAS, Barrington has determined that it is necessary to acquire for highway purposes the land and premises hereinafter described in order to eliminate a left turn across the White Horse Pike, U.S. Route #30, onto Bell Avenue, and to create an access road with traffic control devices at the White Horse Pike, U.S. Route #30 and Bell Avenue; and

WHEREAS, Vernon Duckrey (hereinafter "Duckrey") is an individual and is the owner of real property located at 300 White Horse Pike, more fully described as Lot 7.02 in Block 57 on the Official Tax Map of the Borough of Barrington, which is within the boundaries of the Economic Redevelopment - Phase I and II Project Area; and

WHEREAS, Barrington wishes to purchase the above referenced property from Duckrey for consideration in the amount of Six Hundred, Thirty-seven Thousand, Five Hundred (\$637,500.00) Dollars, plus closing costs; and

WHEREAS, the purchase of this property by Barrington is consistent with and in furtherance of the above-mentioned Redevelopment Agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Barrington to authorize the proper municipal officials to execute the appropriate documents necessary to implement said transaction on behalf of the Borough of Barrington.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Barrington, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the purchase of real property located at 300 White Horse Pike, more fully described as Lot 7.02 in Block 57 on the Official Tax Map of the Borough of Barrington, from Vernon Duckrey in the amount of Six Hundred, Thirty-seven Thousand, Five Hundred (\$637,500.00) Dollars, plus closing costs; is hereby approved; and

AND BE IT FURTHER ORDAINED that Robert Klaus, Mayor of the Borough of Barrington and Terry Shannon, Borough Clerk of the Borough of Barrington be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Barrington; and

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Barrington, be and hereby is authorized to prepare, file and execute any and all documents to implement said acquisition on behalf of the Borough of Barrington.

THE BOROUGH OF BARRINGTON

BY: _____
ROBERT KLAUS, MAYOR

ATTEST:

TERRY SHANNON, BOROUGH CLERK

The foregoing Ordinance was introduced by the Mayor and Borough Council at the regular meeting held on August 14, 2013. This Ordinance will be considered for adoption on final reading and public hearing to be held on September 10, 2013 at 6:00 p.m. in the Council Meeting Room, Barrington Municipal Building, 229 Trenton Avenue, Barrington, New Jersey.

The purpose of this Ordinance is to approve the purchase of certain land by the Borough of Barrington from Vernon Duckrey located at 300 White Horse Pike, Barrington, New Jersey. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Barrington Municipal Building, 229 Trenton Avenue, Barrington, New Jersey.

ORDINANCE NO. 1010

**APPROVING THE PURCHASE OF CERTAIN LANDS BY
THE BOROUGH OF BARRINGTON FROM 111, LLC AND
AUTHORIZING THE EXECUTION OF ALL DOCUMENTS
NECESSARY TO IMPLEMENT SAID PURCHASE**

WHEREAS, the Borough of Barrington (hereinafter "Barrington") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, by Resolution adopted on July 11, 2000 and pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq. ("Local Redevelopment and Housing Law"), set forth at N.J.S.A. 40A:12A-6(a), the Borough Council of the Borough of Barrington ("Borough") directed the Planning Board of the Borough of Barrington ("Planning Board") to conduct a preliminary investigation to determine whether an area comprising the Economic Redevelopment - Phase I and II, inclusive of Lot 7.02 in Block 57 on the Official Tax Map of the Borough (hereinafter designated as the "Economic Redevelopment - Phase I and II Project Area") as an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board conducted a preliminary investigation in accordance with the guidelines set forth in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-6, and held a public hearing on this matter; and

WHEREAS, by Resolution adopted on June 25, 2001, and pursuant to N.J.S.A. 40A:12A-6(b)(5), the Planning Board recommended to the Borough Council that the Barrington Economic Redevelopment - Phase I and II Project Area be determined to be an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, by Resolution adopted July 10, 2001, the Borough Council approved the Planning Board's recommendation that the area comprising the stated Economic Redevelopment - Phase I and II was determined to be an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-6; and

WHEREAS, by Ordinance adopted August 14, 2001, the Borough Council adopted the Redevelopment Plan of the Borough of Barrington ("Redevelopment Plan") for the Redevelopment Area, based on the report containing the recommendation of the Planning Board following the Planning Board's review of the Redevelopment Plan; and

WHEREAS, N.J.S.A. 40A:12-5(a) authorizes a municipality to acquire lands or rights therein by purchase, gift, condemnation or otherwise in the manner provided by said statute.

WHEREAS, Barrington has determined that it is necessary to acquire for highway purposes a portion of the land and premises hereinafter described in order to create a right turn lane from the White Horse Pike, U.S. Route #30, onto County Road #666, otherwise known as Copley Road; and

WHEREAS, the 111, LLC is the owner of real property located at 221, 235, 237 and 241 White Horse Pike, more fully described as Lots 4, 5, 5.02 and 6 in Block 124 on the Official Tax Map of the Borough of Barrington, which is within the boundaries of the stated Economic Redevelopment - Phase I and II area; and

WHEREAS, Barrington wishes to purchase a portion of the above referenced property from 111, LLC for consideration in the amount of Twenty-seven Thousand, Five Hundred (\$27,500.00) Dollars, plus closing costs; and

WHEREAS, the purchase of this property by Barrington is consistent with and in furtherance of the above-mentioned Redevelopment Agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Barrington to authorize the proper municipal officials to execute the appropriate documents necessary to implement said transaction on behalf of the Borough of Barrington.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Barrington, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the purchase of a portion of the real property located at 221, 235, 237 and 241 White Horse Pike, more fully described as Lots 4, 5, 5.02 and 6 in Block 124 on the Official Tax Map of the Borough of Barrington, from 111, LLC, in the amount of Twenty-seven Thousand, Five Hundred (\$27,500.00) Dollars, plus closing costs; is hereby approved; and

AND BE IT FURTHER ORDAINED that Robert Klaus, Mayor of the Borough of Barrington and Terry Shannon, Borough Clerk of the Borough of Barrington be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Barrington; and

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Barrington, be and hereby is authorized to prepare, file and execute any and all documents to implement said acquisition on behalf of the Borough of Barrington.

THE BOROUGH OF BARRINGTON

BY: _____
ROBERT KLAUS, MAYOR

ATTEST:

TERRY SHANNON, BOROUGH CLERK

The foregoing Ordinance was introduced by the Mayor and Borough Council at the regular meeting held on August 14, 2013. This Ordinance will be considered for adoption on final reading and public hearing to be held on September 10, 2013 at 6:00 p.m. in the Council Meeting Room, Barrington Municipal Building, 229 Trenton Avenue, Barrington, New Jersey.

The purpose of this Ordinance is to approve the purchase of a portion of certain land by the Borough of Barrington from 111, LLC located at 300 White Horse Pike, Barrington, New Jersey. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Barrington Municipal Building, 229 Trenton Avenue, Barrington, New Jersey.