

**ORDINANCE 2020-33 (AMENDED VERSION)**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XI "PERSONNEL" "SEC. 11-3, SCHEDULE "D", DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:**

**Section I.** Schedules D listed in the ordinance shall hereby be amended to include as follows:

**SCHEDULE "D" OTHERS & UNCLASSIFIED POSITIONS**

<b><u>Titles – Positions</u></b>	<b><u>Salary Range</u></b>
Municipal Department Head	\$20,000 – 150,000

**SECTION III.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION III.** All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV.** This Ordinance shall take effect 20 days after final passage, adoption and publication according to law and shall be retroactive to January 1, 2020 as it pertains to those wages which are established by contract.

**ORDINANCE NO. 2020-35**

**ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED  
GENERAL ORDINANCE CHAPTER 31 ENVIRONMENT & NATURAL RESOURCES  
ADDING SECTION 7 INVASIVE PLANTS**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 31 Environment & Natural Resources of the Borough's Revised General Ordinances is hereby amended to include the following sections:

**31-7 INVASIVE PLANTS**

**31-7.1 Purpose and Intent.**

It is determined that certain types of the Invasive Species Plants are invasive, often difficult to control, and can cause significant damage to property. The purpose of this section is to preserve and protect public and private property in the Borough from the damaging spread of Invasive Species Plants, to protect indigenous and other plant materials from the invasive spread of Invasive Species Plants, and to maintain the general welfare of the residents of the Borough.

**31-7.2 Definitions.**

- a. **INVASIVE PLANTS** - shall mean all native and non-native vines and vegetation that, by their nature: (i) grow beyond the borders of the property of initial planting or cultivation; (ii) are competitive, persistent, and pernicious; and (iii) cause a neighboring property owner or the Borough potential hardship due to the vegetation being overly competitive, poisonous, allergenic, illegal by State statute, or hazardous to the neighboring property's trees, vegetation, structures and facilities. Examples of Invasive Plants shall include but are not limited to the following plant genera: Bamboo (clumping, spreading or running type), Ragweed (ambrosia), Poison ivy (*Rhus radicans*), Poison oak (*Toxicodendron vernix*), Tree of heaven (*Ailanthus altissima*), Garlic mustard (*Alliaria petiolate*), Japanese knotweed (*Polygonum caspidatum*), Mile-a-minute (*Polygonum Perfoliatum*), Multi flora rose (*Rosa multiflora*), Kudzu (*Pueraria montana*), and Porcelain berry (*Ampelopsis brevipedunculata*), and shall include the plant, and any cutting, flower, seed, root, other plant part, or cultivar therefrom.
- b. **BOROUGH** — Shall mean the Borough of Belmar Monmouth County, New Jersey.
- c. **NOTICE** — Shall mean any written notice by, from or on behalf of the Borough, notifying the Property Owner(s) that they are in violation of this section and directing them to cure or fix the violation. Such Notice shall be sent by certified mail, return receipt requested, addressed to the owner(s) listed on the current tax address on file with the Borough. A copy may also be posted on the property in question.
- d. **RECEIPT OF NOTICE** — Shall mean receipt of the Notice required herein shall be the date of mailing said Notice, or, if applicable, posting of the Notice on the property in question, whichever is earlier.

**31-7.3 Control of Growth.**

All property owners must control the growth of invasive plants on their property. Failure to control the significant spread of such vegetation beyond the boundaries of any property within the Borough is a violation of this section.

Spread is significant when the plant's roots grow beyond the boundaries of a property owner's yard or take over or invade a neighbor's fencing, plants or other landscaping.

#### **31-7.4 Inspection.**

All places and premises in the Borough of Belmar shall be subject to inspection by the Code Enforcement Officer or his designee to determine compliance with this section.

#### **31-7.5 Plantings of Invasive Plants Prohibited.**

All new in-ground plantings of invasive plants are strictly prohibited. All existing plantings must be contained by appropriate physical barriers to prevent growth or spread of existing invasive species beyond the boundaries of a resident's property.

#### **31-76. Removal or abatement.**

- a. In the event Invasive Species Plant(s) are present on any plot of land, or any other premises or place in the Borough and a complaint is received by the Borough regarding an encroachment of any Invasive Species Plant and the Borough Code Enforcement Inspector, after observation and/or inspection, determines that there is an encroachment or invasion of an Invasive Species Plant on any adjoining/neighborhood private or public property or public right-of-way, the Borough shall serve notice to the Invasive Species Plant property owner, in writing, to remove or abate the violation within such time as shall be specified in such notice.
- b. The cost of abatement shall be borne by the Invasive Species Plant property owner.
- c. If the owner fails to comply with such notice within the time period specified herein, the Borough may remove or otherwise control the invasive plant species and the Borough may thereafter recover the cost of such removal from the property owner and place a lien on the property to recover the cost of said removal.

**31-7.7 Violations, Abatement and Penalties.**

- a. Whenever an invasive species as defined by this section is found planted in the ground ~~[WU1]~~ on any plot of land, lot or any other premises or place, a notice of violation shall be given to the Property Owner, in writing, giving said owner ~~10~~ [DA(2)] days to remove or abate the same.
- b. The cost of the abatement shall be borne by the Property Owner.
- c. If the Property Owner fails to comply with such notice within the time period specified, the Borough may remove or otherwise control the invasive plant species and the Borough may thereafter recover the cost of such removal from the Property Owner and place a lien on the property to recover the cost of the removal.
- d. In the absence of reasonable cause, any person violating any of the provisions of this section who fails to abate the violation after notice shall be subject to the following penalties:
  - 1. A fine, not to exceed \$1,000, plus the costs of prosecution, for each day on which a violation has occurred, and for which the property owner has been found guilty.
  - 2. Each day on which the violation occurs shall constitute a separate offense under this section.

**BE IT FURTHER ORDAINED** that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.

## ORDINANCE NO. 2020-38

### AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS XI PERSONNE & CHAPTER II ADMINISTRATION OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Belmar Mayor and Council wish to amend Chapters II and XI as follows:

#### **SECTION I.** CHAPTER 2 ADMINISTRATION - ARTICLE III DEPARTMENTS & OFFICES **2-11 Establishment**

There is hereby established and/or continued the following departments and offices in the Borough of Belmar under the direction and supervision of the Mayor as chief executive:

- a. Department of Administration.
- b. Department of Finance.
- c. Department of Public Safety.
- d. Department of Code Enforcement.
- e. Department of Public Works.
- f. Department of ~~Parks and~~ Recreation.
- g. Public Library
- h. Purchasing
- i. Human Resources
- j. Marina
- k. Beach Utility
- l. Special Operations (see Section 11-16)
- m. Buildings & Grounds
- o. Municipal Clerk
- p. Water/Sewer Utility
- q. Information Technology

#### **SECTION II**            **3-1 ESTABLISHMENT; ADMINISTRATOR IN CHARGE.**

There is hereby established the Department of Administration, the head of which shall be the Borough Administrator, in whose absence or by virtue of no appointment having been made the Mayor shall perform the duties, and he or she shall assist the Mayor in supervising and directing all departments of the Borough and shall specifically oversee the following offices and divisions, as well as provide support services for the Mayor and Borough Council:

- ~~a. Office of Personnel.~~
- a. ~~b.~~ Office of Borough Attorney.
- b. ~~e.~~ Office of Borough Engineer.
- ~~d. Office of Public Assistance.~~
- ce. Municipal Court.

~~f. Free Public Library.~~

g. The following agencies, boards, commissions and committees (for administration and coordination purposes); Board of Adjustment, Municipal Coordinators on Aging, Senior Citizen Information and Referral Program Coordinators, Community Development Program Representative, Environmental Commission, Local Assistance Board, Planning Board, Shade Tree Committee, representatives to the South Monmouth Regional Sewerage Authority, the Belmar Housing Authority, and similar agencies, boards, commissions and committees.

~~3-4 OFFICE OF PUBLIC ASSISTANCE.~~

~~Within the Department of Administration there shall be an office of Public Assistance, the head of which shall be the Local Assistance Board of five members appointed by the Borough Council. One member of the Board shall serve for a term of one year, and such member may be a member of the Borough Council. At least one of the five members of the Board shall be a woman. Four members shall serve for terms of four years, each for staggered terms. Members of the Local Assistance Board shall serve without compensation. The Local Assistance Board shall have such powers and perform such duties as are prescribed by general law and ordinance and shall appoint a Director of Welfare pursuant to state law.~~

**SECTION III.            6-2 DEPARTMENT OF CODE ENFORCEMENT; OFFICES THEREOF.**

There is hereby established within the Department of Code Enforcement and Administration the following offices:

- a. Office of Construction. Within the Department of Code Enforcement there shall be a construction office, headed by ~~the Building Official, who shall serve as~~ the Borough's Construction Code Official. He/she shall be responsible for the administration and enforcement of the ~~Construction~~Building Code, and shall have all of the powers, functions and duties prescribed by general law and ordinance for ~~Building and~~ Construction Code officials.
- b. Office of Land Use. (Refer to Chapter ~~4032~~, Development.)
- c. Office of Fire Protection. (Refer to Chapter 28, Fire Protection and Prevention.)
- d. Office of Housing headed by the Director of Code Enforcement.

**SECTION IV.            7-2 DEPARTMENT OF PUBLIC WORKS; DIVISION THEREOF.**

There is hereby established within the Department of Public Works, the following divisions:

- a. Division of Streets, ~~Parks and Public Building Maintenance.~~
- b. Division of Sanitation.
- c. Division of Recycling
- d. Division of Vehicle Maintenance
- ~~c. Division of Water and Sewer.~~
- ~~d. Division of Marine Operations.~~

**SECTION V. CHAPTER 8. DEPARTMENT OF ~~PARKS AND RECREATION~~**

**8-2 DEPARTMENT OF ~~PARKS AND RECREATION~~; DIVISIONS THEREOF.**

There is hereby established within the Department of ~~Parks and~~ Recreation, the following divisions:

a. Division of ~~Parks and~~ Recreation.

~~b. Division of Beaches.~~

**SECTION VI. 11-14 APPOINTED POSITIONS.**

Residents of the Borough of Belmar shall be given preference upon initial hiring to all competitive ~~classified~~ positions, except as otherwise provided by law. Any bona fide resident for the purpose of this section is a person having a permanent domicile within the Borough.

In the event that there are no qualified residents to initially fill positions of employment within the Borough, then preference shall be given in the following order:

a. Other residents of Monmouth County.

b. Other residents of counties contiguous to Monmouth County.

c. The residents of the State.

d. All other applicants.

**SECTION VII. CREATION OF CHAPTER 4A – PURCHASING**

Chapter 4, Article V in entirety is hereby renumbered as Code Chapter 4A , Article I and the within sections and subsections renumbered accordingly and shall include the following amendment:

*PURCHASING AGENT*

Shall mean the Purchasing Agent or Qualified Purchasing Agent ~~Director of Finance~~ or his or her representative in his or her function of administrator of purchasing, or a person designated and authorized by the Borough Administrator, subject to approval of the Borough Council, and shall be referred to in the detailed procedure as the "buyer."

**SECTION VIII.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION IX.** All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

**SECTION X.** This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.



## ORDINANCE 2020-39

### ORDINANCE OF THE BOROUGH OF BELMAR, AMENDING CHAPTER 28 OF THE REVISED GENERAL ORDINANCES TO ADD SECTION 28-1.13.7 OPEN BURNING

**WHEREAS**, the Borough of Belmar wishes to amend various chapters of the Revised General Ordinances by adding the following sections:

#### SECTION I.

##### 28-1.13.7 Open Burning

Open air burning is prohibited within the Borough of Belmar unless in conformance with the standards established herein. Except as provided herein, it shall be unlawful for any person to permit kindling, igniting or maintaining any bonfire, brush fire or to burn off grass, leaves, debris, branches, wood, refuse, garbage, waste, or rubbish on any lot or field or to authorize any such fire to be kindled or maintained on any street, alley lot, lands or public grounds or upon any private lots or fields unless a written permit to do so shall be first obtained from the Construction Code Official and Fire Official.

##### A. Open Burning Regulations

1. Outdoor fires utilized for cooking are permitted without a permit either when contained in a manufactured metal grill or other similar device intended for such use or a campfire.
2. Outdoor fires utilized for any other recreational purpose are permitted when either contained in a manufactured device designed for such purpose and utilized strictly in accordance with the manufacturer's requirements or, alternatively, in a proper noncombustible stone, cement, brick, tile or metal assembled fire pit materials and shall not be more than three feet in diameter.
3. For all existing pre-made or assembled fire pit within the Borough, should the Fire Chief, Fire Marshal, Construction Code Official or his authorized designee determine that a fire pit is unsafe, he may order that said fire pit not be used until he or his designee deems said fire pit safe.
4. No open air burn may occur on a residential property within 15 feet of any main or accessory structure on the property, including, but not limited to, any dwelling, garage or shed.
5. A fully functioning fire extinguisher must be available for fire extinguishment purposes whenever any fire is ongoing.
6. Permitted fuel. Only firewood and untreated lumber are permitted to be burned. Burning of any and all other materials, including but not limited to garbage, rubber, plastics, and yard waste, at any location within the Borough is prohibited. No green wood, leaves or other materials which cause excessive smoke may be burned indoors or outdoors at any time. Any smoke or odor from any indoor or outdoor fire must be kept to a minimum.
7. Flames may not exceed two feet in height at any time, and should the prevailing winds cause the sustained smoke from said fire to blow into a neighboring dwelling or property, said fire must be extinguished immediately. The Fire Chief, Fire Marshal, Construction Code Official or his designee are authorized to require that any residential outdoor fire be immediately extinguished if he determines that said fire constitutes a hazardous condition. In addition, the Belmar Fire Department and/or the Belmar Police Department are authorized to require that any residential outdoor fire pit be immediately extinguished if sustained smoke emissions are found to be

offensive to occupants of surrounding properties. Failure to comply with Fire or Police Department orders shall constitute a violation of this chapter in addition to any and all criminal and regulatory violations which may be cited against the property owner and those individuals responsible for maintenance of the hazardous or offensive condition.

8. Indoor and outdoor fires must be attended at all times by a competent adult owner or legal resident of the property from the time said fire is commenced through the time said fire is completely extinguished.
9. Permitted locations. Open burning shall be permitted only on residential properties and/or properties used for agricultural purposes, except in the event that a school, church, or other nonprofit organization conducts a bonfire which has obtained the necessary permit from the Fire Marshal to conduct said activity.
10. Setbacks. Permitted open air burning devices shall be set back not less than 10 feet from the nearest lot line.

### **B. Violations & Penalties**

Each and every person failing to comply with any of the provisions in this chapter shall, upon conviction thereof, be punished by a fine of up to \$2,500 per offense, a term of imprisonment of up to 90 days and/or be required to perform community service for up to 90 days. Each day a violation exists shall constitute a new and separate offense subject to prosecution. If the device is found to be the fault of a fire that causes property damage the property owner may be subject to reimbursement for fire department suppression costs.

**SECTION II.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

**SECTION II.** This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

**ORDINANCE NO. 2020-40**

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE  
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 29 OF THE  
BOROUGH CODE ENTITLED "WATER/SEWER RATES".**

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Section 29-7.1 of the Borough Code entitled "Water/Sewer Rates" is hereby modified as follows:

**SECTION I    29-2.3 Extension of Systems shall be modified to read as follows:**

Applicants for extensions of the water or sewer systems which will result in or require additional or relocated meters, pipes, lines, or service to any property already being served by the water or sewer systems shall be required to pay the cost of the extension and tap in addition to the cost as noted below of any additional meters and lines. Extensions of main lines will be assessed as local improvements and charged to owners of abutting property according to the requirements of State law. Water service will not be supplied through private systems or lines.

<i>Meter Size</i>	<i>Inside Meter Wall Mount</i>	<i>Outside Meter In Pit</i>
5/8" Water meter	\$390.00	\$390.00
1" Water meter	\$515.00	\$515.00
1 1/2" Water meter	\$1040.00	\$1040.00
2" Water meter	\$1240.00	\$1240.00

**SECTION II.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION III.** All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV.** This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

**ORDINANCE NO. 2020-41**

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XVIII OF THE BOROUGH CODE ENTITLED “BEACH FRONT AND MARINE REGULATIONS”, IN PARTICULAR SECTION 18-2.5 (FEES AND CHARGES)**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Section 18-2.5 of the Borough Code entitled “Fees and Charges” is hereby modified to include that no fees for beach badges shall be charged to the following persons:

**SECTION I.** 18-2.5 Fees and Charges.

The fees or charges for the above required badges, checks, or other insignia to be obtained to enter upon and use the beachfront of the Borough and for the rental of storage lockers shall be as follows:

- a. Season badges, for entry at any time during the dates when a fee is required, per person ages 16 through 64, unless otherwise designated below: \$70 plus a \$2.00 processing fee.—
- b. Senior citizen season badges, for entry any time during the dates when a fee is required, per person 65 years of age or over: \$30 plus a \$1.00 processing fee. —
- c. Daily badges, for entry on any one calendar day during the dates when a fee is required, per person, per day: \$9.
- d. All persons who purchase a season badge or senior citizen season badge and pay via credit card shall be responsible for paying the credit card processing fee presented at time of purchase.
- ~~d.—Disabled individuals, who meet the disability criteria for disability benefits under Title I of the federal Social Security Act (42 U.S.C. § 401 et seq.) and who possess adequate proof of the same issued by the Social Security Administration, for entry anytime during the dates when a fee is required, per person for a seasonal badge: \$30.~~
- e. All disabled veterans, with proper identification, and active military, including but not limited to the New Jersey National Guard, Coast Guard and all United States Armed Forces branches and their dependents: no charge.
- f. The appointing authority, by resolution adopted by the Borough Council, may be authorized to develop and approve promotions consisting of free or discounted daily and/or season beach badges, including but not limited to, special promotions in concert with the Belmar Business Partnership, Inc., and the Special Events Committee of the Borough of Belmar.
- g. Seasonal badges shall be sold during the time established by the Borough Council by resolution.

**SECTION II.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION III.** All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV.** This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.



**BOROUGH OF BELMAR  
COUNTY OF MONMOUTH**

**BOND ORDINANCE NO. 2020-42**

**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF A WATER MAIN LOCATED ALONG FIFTEENTH AVENUE FROM EAST RAILROAD AVENUE TO D STREET, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, 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 improvements described in Section 3 of this bond ordinance are hereby authorized as Water-Sewer Utility improvements to be undertaken in and by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$300,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$300,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, 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 improvements hereby authorized and the purposes for which the obligations are to be issued consist of the replacement of a water main located along Fifteenth Avenue from East Railroad Avenue to D Street, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$300,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$300,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from

time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who 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. 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 such notes occurs, such report shall 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 following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as Water-Sewer Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal 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 Borough as defined in the Local Bond Law is not increased by the authorization of the \$300,000 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$60,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and

limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

Section 6. 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 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 Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized 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 received and so used.

Section 8. The full faith and credit of the Borough 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 Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.