Introduced: October 28, 2019

Adopted: November 25, 2019

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

ORDINANCE #2019-19

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2013, OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $20,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $20,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE VILLAGE FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of South Orange Village, in the County of Essex, New Jersey (the "Village") is hereby authorized to refund all or a portion of the outstanding General Obligation Bonds, Series 2013, of the Village, dated January 29, 2013, issued in the original principal amount of $34,445,000 (the "2013 Bonds"). The 2013 Bonds maturing on or after January 15, 2021 (the "Refunded Bonds") may be redeemed at the option of the Village in whole or in part on any date on or after January 15, 2020 (the "Redemption Date") at a redemption price equal to 100% of such Refunded Bonds, plus unpaid accrued interest, if any, to the Redemption Date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed $20,500,000 pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding $200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Village as defined in the Local Bond Law is increased by the $20,500,000 amount of the Refunding Bonds authorized by this refunding bond ordinance and that an amount representing the $19,955,000 principal amount of the bonds to be refunded will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 5. The purpose of the refunding is to effect an interest cost savings for the Village.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. The Mayor, the Chief Financial Officer, the Village Clerk and other appropriate representatives of the Village are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Village to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the Refunded Bonds referred to in Section 1 hereof.

Section 8. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

# # #

Introduction – First Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Coallier			X			
Hartshorn Hilton	X		X			
Jones		X	X			
Schnall			X			
Zuckerman			X			

CERTIFICATION

I, Kevin D. Harris, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Board of Trustees at their regular meeting held on Monday, October 28, 2019.

Kevin D. Harris
Village Clerk

Adoption – Second Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Coallier			X			
Hartshorn Hilton	X		X			
Jones			X			
Schnall			X			
Zuckerman		X	X			

CERTIFICATION

I, Kevin D. Harris, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Board of Trustees at their regular meeting held on November 25, 2019.

Kevin D. Harris
Village Clerk

Adopted:

Sheena C. Collum, Village President

Attest:

Kevin D. Harris, Village Clerk

Gmail by Google

Kevin Harris <kharris@southorange.org>

Fwd: Your Supplemental Debt Statement Submission has been received DCA:0144005590

1 message

Chris Battaglia <ChrisB@ttaglia.com> Sat, Oct 26, 2019 at 10:28 AM
To: kharris@southorange.org, tanderson@msbnj.com

See attached for SDS and below for confirmation of submission

---------- Forwarded message ---------
From: **DCA DoNotReply** <DoNotReply@dca.nj.gov>
Date: Sat, Oct 26, 2019 at 10:27 AM
Subject: Your Supplemental Debt Statement Submission has been received DCA:0144005590
To: Chris Battaglia <chrisb@ttaglia.com>

SDS for South Orange Village was submitted on/at 10/26/2019 10:27 AM

0719_sds_2019_Filed - Refunding Bond.pdf
112K

Filed

State of New Jersey
Department of Community Affairs
Supplemental Debt Statement

Local Government: South Orange Village Prepared As Of: 10/28/2019

Budget Year Ending: December 31 (Month D-D) 2019 (Year)

Name: Chris Battaglia Phone:
Title: Chief Financial Officer Email: chrisb@ttaglia.com
Address: CFO Cert #: N-0894

Chris Battaglia, Being duly sworn, deposes and says: Deponent is the Chief Financial Officer of South Orange Village here and in the statement hereinafter mentioned called the local unit. The Supplemental Debt Statement annexed hereto and hereby made a part hereof is a true statement of the debt condition of the local unit as of the date therein stated and is computed as provided by the Local Bond Law of New Jersey.

	Net Debt as per Annual Debt Statement	Decrease (Since December 31, last past)	Increase (Since December 31, last past)	Net Debt
Bonds and Notes for School Purposes	$0.00	$	$	$0.00
Bonds and Notes for Self-Liquidating Purposes	$0.00	$	$	$0.00
Other Bonds and Notes	$55,471,419.59	$3,050,000.00	$14,250,000.00	$66,671,419.59

2 Net Debt at the time of this statement is $66,671,419.59

The amounts and purposes separately itemized of the obligations about to be authorized, and any deductions which may be made on account of each such item are: (see Note "C" below)

Bond Ordinance	Purposes	Amount	Deduction	Net
	Refunding Bond Ordinance	$20,500,000.00	$19,955,000.00	$545,000.00
		$20,500,000.00	$19,955,000.00	$545,000.00

4 The net debt of the local unit determined by the addition of the net debt amounts stated in items 2 and 3 above is: $67,216,419.59

5 Equalized valuation basis (the average of the equalized valuations of real estate, including improvements and the assessed valuation of class II railroad property of the local unit for the last 3 preceding years) as stated in the Annual Debt Statement or the revision thereof last filed.

	Year		
(1)	2016	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	$2,700,354,921.00
(2)	2017	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	$2,928,358,996.00
(3)	2018	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	$3,013,871,520.00

6 Equalized Valuation Basis – Average of (1), (2) and (3)..... $2,880,861,812.33

7 Net Debt (Line 4 Above) expressed as a percentage of such equalized valuation basis (Line 6 above) is: 2.333%

Notes

A If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of N.J.S.A. 40A:2-7 or other section of law providing such exception.

B This form is also to be used in the bonding of separate (not Type I) school districts as required by N.J.S.A. 18A:24-16, and filed before the school district election. In such case pages 3 and 4 should be completed to set forth the computation supporting any deduction in line 3 above.

C Only the account of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should not be included nor shown as a deduction.

COMPUTATION AS TO INDEBTEDNESS FOR IMPROVEMENT OR EXTENSION OF AN EXISTING MUNICIPAL PUBLIC UTILITY, N.J.S.A. 40A:2-7(h); NJSA 40A:2-47(a)

1. Annual Debt Statement, excess in revenues of utility
2. Less Interest and principal computed as provided in N.J.S.A. 40A:2-47(a) for all obligations authorized but not issued to the extent not already charged to income in the annual debt statement.
3. Excess revenue prior to authorizing proposed obligations = (column 1 minus column 2)
4. Interest and principal calculated for proposed obligations N.J.S.A. 40A:2-47(a)
(a) Interest for one year at 4 1/2%
(b) First installment of serial bonds legally issuable
(c) Total charges (Items (a) and (b))

	1	2	3	4(a)	4(b)	4(c)
Municipal Public Utility	**ADS Excess in Revenues of Utility**	**Less Interest and Principal**	**Excess Revenue**	**Interest for One Year**	**1st Installment of Serial Bonds Legally Issuable**	**Total Charges**

Note: If line 3 equals or exceeds line 4, obligations may be authorized under the provisions of N.J.S.A. 40A:2-7(h) as limited by N.J.S.A. 40A:2-47(a).

COMPUTATION OF SCHOOL INDEBTEDNESS AND DEDUCTIONS UNDER PROVISIONS OF N.J.S.A. 18A: 24-17

N.J.S.A. 18A:24-19 (Lines 1 to 7)

1	Average of equalized valuations (page 1, line 3)		$2,880,861,812.33
2	Gross School District Debt outstanding and authorized but not issued (not including proposed issue)		$
3	Less: Sinking funds held for payment of School Debt, by Sinking Fund Commission		$
4	Net debt for school purposes (line 2, minus line 3)		$0.00
5	Debt deduction for school purposes' % (as per line below)	%	$
	(a) 2½% Kindergarten or Grade 1 through Grade 6		
	(b) 3 % Kindergarten or Grade 1 through Grade 8		
	(c) 3½% Kindergarten or Grade 1 through Grade 9		
	(d) 4 % Kindergarten or Grade 1 through Grade 12		
6	Available debt deduction (excess, if any, of line 5 over line 4)		$0.00
7	School Bonds about to be authorized		$

Note: Omit lines 8 to 13, if line 6 equals or exceeds line 7. or if shown on line 17

N.J.S.A. 18A:24-22 (Lines 8 to 13)

8	Excess of line 7 over line 6	$0.00
9	Municipal Debt Limit (3½% of line 1 above)	$100,830,163.43
10	Net Debt	$66,671,419.59
11	Available Municipal Borrowing Margin (excess, if any, of line 9 over line 10)	$34,158,743.84
12	Use of Municipal Borrowing Margin (line 8 not exceeding line 11)	$0.00
13	Remaining Municipal Borrowing Margin after authorization of proposed School Bonds (line 11 minus line 12)	$34,158,743.84

Note: Omit lines 14 to 16, if line 11 equals or exceeds line 8, or if shown on line 17

N.J.S.A. 18A:24-24 (lines 14 to 16)

14	Amount of line 7		$
15	Amount of Deduction:	(a) Amount of line 6	$0.00
		(b) Amount of line 11	$34,158,743.84
		Total	$34,158,743.84
16	Excess of line 14 over line 15		$0.00

Computation of Regional School Indebtedness

	1	2	3	4	5
Municipality	Average Equalized Valuations 40A:2-43		Apportionment of Previous Bonds Issued or Authorized	Amount Apportionment of Proposed Bond Issue	Total Apportionment of Previous Bonds Issued or Authorized plus Apportionment Proposed Bond Issue (Column 3 plus 4)
	Amount	Percentage			
Maplewood Township	$3,989,280,097.00	58.06692423%	0.00	0.00	0.00
South Orange Village	$2,880,861,812.33	41.93307577%	0.00	0.00	0.00
Totals	**$6,870,141,909.33**	**100.00%**			

SPECIAL DEBT STATEMENT

BORROWING POWER AVAILBLE UNDER N.J.S.A. 40A:2-7(f)

1	Amount of accumulated debt incurring capacity under RS 40:1-16(d) as shown on the latest Annual Debt Statement.		$
2	Obligations heretofore authorized in excess of debt limitation and pursuant to:		
	(a) N.J.S.A. 40A:2-7(d)	$	
	(b) N.J.S.A. 40A:2-7(f)	$	
	(c) N.J.S.A. 40A:2-7(g)	$	
	Total		$0.00
3	Available debt incurring capacity (N.J.S.A. 40A:2-7(f))		$
4	Obligations about to be authorized pursuant to N.J.S.A. 40A :2-7(f) (If item 3 equals or exceeds item 4, obligations may be authorized)		$

BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(g)

1	Total appropriations made in local unit budget for current fiscal year for payment of obligations of local unit included in Annual Debt Statement or revision thereof last filed as of preceding December 31, 2018		$
2	Less the amount of such obligations which constitute utility and assessment obligations:		$
3	Excess of item 1 over item 2:		$0.00
4	Amount raised in the tax levy of the current fiscal year by the local unit for the payment of bonds or notes of any school district		$
5	Amount equal to 2/3 of the sum of item 3 and item 4		$0.00
6	(a) Amount of obligations heretofore authorized under N.J.S.A. 40A:2-7(g) in current fiscal year	$	
	(b) Amount of authorizations included in 6(a) which were heretofore repealed	$	
	(c) Excess of item 6(a) over item 6(b)		$0.00
7	Excess of item 5 over item 6(c)		$0.00
8	Obligations about to be authorized		$
9	Borrowing capacity still remaining after proposed authorization		$0.00

(item 7 less item 8) (If item 7 equals or exceeds item 8, obligations may be authorized)