

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD
REQUESTING A WAIVER OF DOWN PAYMENT FOR A BOND ORDINANCE
PROVIDING FOR STORMWATER IMPROVEMENTS**

WHEREAS, pursuant to N.J.S.A. 40A:2-11 requires local governments to appropriate a down payment which is not less than five percent of the amount of obligations authorized for each bond ordinance, the down payment must have been made available prior to final adoption of the bond ordinance from any combination of the following sources: 1. Reserve funds in the capital improvement fund accumulated from annual budget appropriations; 2. Current budget appropriation; and/or 3. Emergency appropriation; and

WHEREAS, Hurricane Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds, and heavy and sustained rainfall that caused severe damage in North Brunswick to municipal facilities, infrastructure, vehicles and equipment, including the Municipal Complex; and

WHEREAS, the Township has been working with representatives from Federal Emergency Management Agency “FEMA”, that provides funding for eligible mitigation measures under the Mitigation Assistance Grant Program and collectively have identified stormwater improvements necessary as part of a long-term solution to mitigate future damage; and

WHEREAS, under the FEMA Mitigation Assistance Grant Program, if the Township is approved for the Stormwater Project that is currently anticipated to exceed \$25,000,000, the Township shall be required to have project funding in place, and seek reimbursement under the grant; and

WHEREAS, when a local government seeks a waiver from the debt limitations of N.J.S.A. 40A:2-6 et seq. for a bond ordinance authorizing obligations solely for the purposes delineated in N.J.S.A. 40A:2-27 et seq., the application must be submitted to the Local Finance Board within the established filing schedule on a form approved by the Board; and

WHEREAS, the Township believes:

- (a) it is in the public interest to accomplish the Stormwater Project;
- (b) said Project is for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said Project are not unreasonable or exorbitant; and
- (d) the adoption of the bond ordinance, funding of the appropriation and obligations therein, and the waiver of down payment is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF NORTH BRUNSWICK, AS FOLLOWS:

SECTION 1. The application to the Local Finance Board is hereby approved, and the Township’s Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

SECTION 2. The Township Clerk is hereby directed to file a certified copy of this resolution with the Local Finance Board.

SECTION 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings and recommendations as provided by the applicable New Jersey Statutes.

SECTION 4. The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with the Project not determined by this or a subsequent resolution, all in consultation with Bond Counsel and the Municipal Advisor, and the manual or electronic signature of the Chief Financial Officer upon any documents shall be conclusive as to all such determinations. The Mayor, Business Administrator, Chief Financial Officer, Township Clerk, and any other authorized Township representative, are each hereby authorized and directed to take such actions as are necessary to consummate the Project, and any such actions previously taken by the aforesaid Township representatives and professionals are hereby ratified and confirmed.

SECTION 5. This resolution shall take effect immediately.

Cavel Gallimore
Chief Financial Officer

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION / CERTIFICATION**

APPLICANT'S NAME: Township of North Brunswick, County of Middlesex, New Jersey
("Township")

I, Lisa Russo, Clerk of the Township of North Brunswick

DO HEREBY DECLARE:

That the documents submitted herewith and the statements herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the local finance board approved by the governing body of the Township on August 7, 2023; and

That the governing body of the Township has notified each participating local unit of its submission of this application to the local finance board and has made available to each, a true copy of this application.

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on August 7, 2023.

Lisa Russo
Township Clerk