

REGULAR MEETING HELD ON WEDNESDAY, MAY 11, 2016
5:00 PM
ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR**
2. **ROLL CALL**
3. **MOMENT OF SILENT PRAYER AND SALUTE TO THE FLAG**
4. **PUBLIC STATEMENT**

"Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975 Adequate Notice as defined by Section 3D of Chapter 231, P.L. 1975, has been made by regular mail, such notice being submitted on January 7, 2016 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

| | |
|--------------------------|------------|
| New Jersey Herald | WSUS Radio |
| New Jersey Sunday Herald | WNNJ Radio |
| Star Ledger | |

and is also posted on the bulletin board maintained in the Administrative Center for public announcements and has been submitted to the Sussex County Clerk in compliance with said Act."

5. **APPROVAL OF AGENDA**

(Voice vote.)

6. **PUBLIC HEARINGS**

A.

FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Graham: "At our regular meeting held on April 27, 2016, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 29, 2016, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

BOND ORDINANCE AMENDING A BOND ORDINANCE (PROVIDING FOR VARIOUS 2014 GENERAL CAPITAL IMPROVEMENTS FOR THE SUSSEX COUNTY TECHNICAL SCHOOL) HERETOFORE FINALLY ADOPTED BY THE COUNTY OF SUSSEX, STATE OF NEW JERSEY ON APRIL 23, 2014, TO AMEND THE DESCRIPTION THEREIN

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Bond Ordinance?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Bond Ordinance be finally adopted. (Roll call vote)

MOTION to authorize the Clerk to advertise this Bond Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. (Voice vote)

B.

FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Graham: "At our regular meeting held on April 27, 2016, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 29, 2016, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF 2016 CAPITAL IMPROVEMENTS AT AND FOR CERTAIN FACILITIES OF SUSSEX COUNTY COMMUNITY COLLEGE, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, THE PRINCIPAL OF AND INTEREST ON THE AGGREGATE PRINCIPAL AMOUNT OF

**WHICH WILL BE ENTITLED TO STATE AID, PURSUANT TO
CHAPTER 12 OF THE LAWS OF NEW JERSEY OF 1971**

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Bond Ordinance?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Bond Ordinance be finally adopted. (Roll call vote)

MOTION to authorize the Clerk to advertise this Bond Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center.
(Voice vote)

C.
FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Graham: "At our regular meeting held on April 27, 2016, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 29, 2016, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL
IMPROVEMENTS, BY AND IN THE COUNTY OF SUSSEX, STATE
OF NEW JERSEY; APPROPRIATING \$6,323,100 THEREFORE
AND AUTHORIZING \$6,022,000 BONDS OR NOTES OF THE
COUNTY TO FINANCE PART OF THE COSTS THEREOF**

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Bond Ordinance?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Bond Ordinance be finally adopted. (Roll call vote)

MOTION to authorize the Clerk to advertise this Bond Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center.
(Voice vote)

D.

FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Graham: "At our regular meeting held on April 27, 2016, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 29, 2016, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

BOND ORDINANCE PROVIDING FOR VARIOUS 2016 GENERAL CAPITAL IMPROVEMENTS FOR THE SUSSEX COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$2,440,000 THEREFOR (INCLUDING A \$976,000 GRANT FROM THE STATE OF NEW JERSEY) AND AUTHORIZING THE ISSUANCE OF \$1,464,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING A PORTION OF SUCH APPROPRIATION

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Bond Ordinance?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Bond Ordinance be finally adopted. (Roll call vote)

MOTION to authorize the Clerk to advertise this Bond Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center.
(Voice vote)

E.

PUBLIC HEARING – 2016 SUSSEX COUNTY BUDGET AS APPROVED

MOTION to open Public Hearing for the 2016 Sussex County Budget As Approved.
(Voice vote)

PUBLIC HEARING IS NOW OPEN

Is anyone present to be heard regarding the 2016 County Budget As Approved?

MOTION that the Public Hearing be closed. (Voice vote)

**RESOLUTION RE: FINAL ADOPTION OF THE 2016 SUSSEX COUNTY BUDGET
AS APPROVED**

Freeholder Director Graham: “BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex that the Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$84,850,217.00 for the County purposes to be raised by taxation and certification to the County Board of Taxation of the following summary of general revenues and appropriations.”

MOTION to finally adopt the 2016 County Budget as Approved. (Roll call vote)

7. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations

1. Proclamation in recognition of May as being “Older Americans Month”.
2. Proclamation in recognition of Dylan T. Scheidle earning the rank of Eagle Scout.

(Voice vote by consent, unless there is a request by a Board Member for individual consideration.)

8. PUBLIC SESSION FROM THE FLOOR

Please Note: Everyone is asked to keep their comments to 5 minutes or less. Please state your name, spell your last name, and state your municipal residency.

9. FREEHOLDERS’ COMMENTS

10. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS IN COMPLIANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS SERVICES, WITH ACCUMULATED VALUE LESS THAN THE BID THRESHOLD, AS STATED BELOW

- B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE AN AGREEMENT WITH NJ TRANSIT FOR NJ JOB ACCESS AND REVERSE COMMUTE (NJ JARC SFY 17 & SFY 18) ROUND 3, FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017; AND, ROUND 4, FOR THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2018
- C. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF NEW STORAGE AND FILING SYSTEM FOR THE SUSSEX COUNTY PROSECUTOR'S OFFICE RECORDS CENTER
- D. RESOLUTION RE: AUTHORIZING ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH STRATEGIC INSURANCE PARTNERS (SIP) TO PROVIDE BROKER SERVICES FOR HEALTH AND PRESCRIPTION DRUG INSURANCE PLANS WITHOUT COMPETITIVE BIDDING AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(m)
- E. RESOLUTION RE: AUTHORIZING AN AGREEMENT BETWEEN SUSSEX COUNTY AND BENECARD SERVICES, INC. TO PROVIDE PRESCRIPTION BENEFIT ADMINISTRATION AND SERVICES FOR THE COUNTY OF SUSSEX
- F. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF TWO (2) VEHICLES BY THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT FOR THE DIVISION OF FACILITIES MANAGEMENT AND FOR THE DIVISION OF SENIOR SERVICES
- G. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF THREE (3) VEHICLES BY THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT FOR VARIOUS DEPARTMENTS

The Board of Chosen Freeholders of the County of Sussex has reviewed the Consent Agenda consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest. (Roll call vote.)

11. APPROVAL OF MINUTES

Regular Meeting – April 27, 2016

(Voice vote.)

12. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: REAPPOINTMENT OF KATHLEEN BAKLARZ AS A MEMBER OF THE SUSSEX COUNTY DISABILITY SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2018
2. RESOLUTION RE: APPOINTMENT OF PAMELA WHITEMAN AS A MEMBER OF THE SUSSEX COUNTY DISABILITY SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2018
3. RESOLUTION RE: APPOINTMENT OF RHONDA A. IWANSKI (Female, Consumer) AS A MEMBER OF THE SUSSEX COUNTY HUMAN SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO EXPIRE DECEMBER 31, 2018

(Roll call vote.)

13. RESOLUTION

- A. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 IN OGDENSBURG BOROUGH
- B. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 AND CR 613 IN ANDOVER TOWNSHIP
- C. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A PERMANENT LICENSE TO RETAIN APPURTENANCES AND PERFORM MAINTENANCE ACTIVITIES FOR BRIDGE C-17 ON PROPERTY WITHIN THE "LACKAWANNA CUTOFF" IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

- D. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN ACCESS AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR TEMPORARY ACCESS TO PROPERTY WITHIN THE "LACKAWANNA CUTOFF" FOR THE RECONSTRUCTION OF BRIDGE C-17 IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.
- E. RESOLUTION RE: AMENDING DIRECTOR'S APPOINTMENTS FOR VARIOUS DEPARTMENT LIAISONS AND COMMITTEES FOR CALENDAR YEAR 2016
- F. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN AMENDMENT TO THE GRANT APPLICATION FOR A PROJECT UNDER THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, (JAG), FOR A TOTAL AMOUNT OF \$3,700.00 FOR THE PERIOD OF OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016

(Voice vote by consent, unless there is a request by a Board Member for individual consideration.)

14. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

15. FINANCIAL

- A. RESOLUTION RE: PAYMENT OF BILLS

(Roll call vote)

- B. RESOLUTION RE: AMENDING THE 2016 CAPITAL BUDGET

(Roll call vote)

C.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE

MOTION to adopt this Bond Ordinance on first reading. (Roll call vote)

BOND ORDINANCE PROVIDING FOR RENEWABLE ENERGY PROJECTS ASSOCIATED WITH THE RENEWABLE ENERGY PROGRAM OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY, BY AND IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “COUNTY”); APPROPRIATING \$3,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,952,380 BONDS OR NOTES OF THE COUNTY TO FINANCE A PORTION OF THE COST THEREOF

MOTION to authorize the Clerk to advertise this Bond Ordinance as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with Notice of Public Hearing stating that a hearing will be held on May 25, 2016 at 6:00 pm prior to final adoption of this Bond Ordinance.

(Voice vote)

16. PERSONNEL

A. Personnel Agenda

(Voice vote.)

17. ADMINISTRATIVE REPORT

A. Other

18. COUNTY COUNSEL

A. Capital Projects

B. Litigation

C. Contract

D. Other Matters

19. UNFINISHED BUSINESS

- 20. **NEW BUSINESS**
- 21. **PUBLIC SESSION FROM THE FLOOR**

Please Note: Everyone is asked to keep their comments to 5 minutes or less. Please state your name, spell your last name, and state your municipal residency

22. **EXECUTIVE SESSION – (Closed Session – If Applicable)**

RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 10:4-12 ET SEQ.

WHEREAS, the subject matter(s) about to be discussed may be excluded from the public portion of the meeting by Resolution of the Board of Chosen Freeholders as an exception to the “Open Public Meetings Act” pursuant to N.J.S.A. 10:4-12 (b); and

WHEREAS, it appears necessary for the Board of Chosen Freeholders to discuss such matter(s) in Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, in accordance with the provisions of N.J.S.A. 10:4-12(b) and N.J.S.A. 10:4-13 that the Board at this time enter into an Executive Session from which the public shall be excluded; and

BE IT FURTHER RESOLVED, that the general nature of the subject(s) to be discussed relate to the following item(s) authorized by N.J.S.A. 10:4-12(b) as designated below:

- _____ (1) **Matters Required by Law to be Confidential:**
- _____ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:**
- _____ (3) **Matters Involving Individual Privacy:**
- _____ (4) **Matters Relating to Collective Bargaining Agreements:**
- _____ (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:**
- _____ (6) **Matters Relating to Public Safety and Property:**
- _____ (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege:**

_____ (8) **Matters Relating to the Employment Relationship:**

_____ (9) **Matters Relating to the Potential Imposition of a Penalty:**

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders or provided by law that the public interest will no longer be served by such confidentiality; and

BE IT FURTHER RESOLVED that upon completion of the business for which the Board has entered into the Executive Session, the Board shall reconvene and resume its meeting open to the public.

23. REMINDERS

Wednesday May 25, 2016 Regular Meeting – 6:00 PM

24. ADJOURNMENT
(Voice vote.)

**BOND ORDINANCE
NUMBER _____**

**BOND ORDINANCE AMENDING A BOND ORDINANCE
(PROVIDING FOR VARIOUS 2014 GENERAL CAPITAL
IMPROVEMENTS FOR THE SUSSEX COUNTY
TECHNICAL SCHOOL) HERETOFORE FINALLY
ADOPTED BY THE COUNTY OF SUSSEX, STATE OF
NEW JERSEY ON APRIL 23, 2014, TO AMEND THE
DESCRIPTION THEREIN**

BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN
FREEHOLDERS OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (not less
than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. A Bond Ordinance of the County of Sussex, State of New Jersey (the "County") heretofore duly adopted by the Board of Chosen Freeholders of the County on April 23, 2014 entitled BOND ORDINANCE PROVIDING FOR VARIOUS 2014 GENERAL CAPITAL IMPROVEMENTS FOR THE SUSSEX COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$1,902,000 THEREFOR (INCLUDING A \$354,000 GRANT FROM THE STATE OF NEW JERSEY) AND AUTHORIZING THE ISSUANCE OF \$1,548,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING A PORTION OF SUCH APPROPRIATION "", (the "Original Ordinance"), is hereby amended to include, but not be limited to, greenhouse improvements or construction and athletic court or field improvements and fencing, which shall be referred to in Section 3(a) of the Original Ordinance as improvements or purposes permitted to be undertaken.

SECTION 2. Section 3(a) of the Original Ordinance is hereby amended with the effect and to the extent as follows:

“SECTION 3. (a) The improvements for the Sussex County Technical School hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to the following:

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Useful Life</u> |
|--|--|----------------------|--------------------|
| (i) Paving And Drainage Of The McNeice Parking Lot; | \$524,142 | \$524,142 | 20 years |
| (ii) Replacement Of Sewer Treatment Plant; and | \$896,200 (including a grant from the State in the amount of \$354,000) | \$542,200 | 40 years |
| (iii) Greenhouse Improvements Or Construction And Athletic Court Or Field Improvements And Fencing | \$481,658 | \$481,658 | 15 years |
| <u>Totals</u> | <u>\$1,902,000</u> | <u>\$1,548,000”</u> | |

SECTION 3. Section 5(b) of the Original Ordinance is hereby amended with the effect and to the extent as follows:

“(b) The average period of usefulness of said improvements or purposes, within the limitations of said Local Bond Law and taking into consideration the amounts provided for in the Board of School Estimate Resolution and according to the reasonable life thereof as computed from the date of the said bonds authorized by this bond ordinance, is 25.45 years.”

SECTION 4. No additional appropriation, down payment, or authorization of issuance of bonds or notes, over and above the respective appropriation, down

payment or authorization of issuance of bonds or notes authorized by the Original Ordinance as adopted, is hereby made or authorized. The supplemental debt statement required by the Local Bond Law was duly made and filed at the time of introduction of the Original Ordinance. No additional or amended supplemental debt statement is required to be filed at this time.

SECTION 5. The Capital Budget of the County is hereby amended to conform with the provisions of this amendatory 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, shall be filed in the Office of the Clerk of the Board of Chosen Freeholders and shall be available for public inspection.

SECTION 6. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Clerk of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full, in summary or as provided by law after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

SECTION 7. The average period of usefulness of said improvement or purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is

amended in the Original Ordinance and hereby decreased to 25.45 years (from 27 years).

SECTION 8. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to payor 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 County Treasurer/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 County and to execute such disclosure document on behalf of the County. The County Treasurer/Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County 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 County 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 County fails to comply with its undertaking, the County shall not be liable for any

monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: April 27, 2016

CATHERINE M. WILLIAMS
Clerk of the Board of Chosen Freeholders

ADOPTED ON SECOND READING

DATED: May 11, 2016

CATHERINE M. WILLIAMS
Clerk of the Board of Chosen Freeholders

**COUNTY OF SUSSEX
BOND ORDINANCE NUMBER _____**

BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF 2016 CAPITAL IMPROVEMENTS AT AND FOR CERTAIN FACILITIES OF SUSSEX COUNTY COMMUNITY COLLEGE, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, THE PRINCIPAL OF AND INTEREST ON THE AGGREGATE PRINCIPAL AMOUNT OF WHICH WILL BE ENTITLED TO STATE AID, PURSUANT TO CHAPTER 12 OF THE LAWS OF NEW JERSEY OF 1971

In accordance with the provisions of an Act of the Legislature of the State of New Jersey entitled, "An Act concerning the establishment and operation of county colleges and providing for the method of financing and raising the necessary funds therefor", approved May 14, 1962 and effective July 1, 1963, as amended and supplemented (1962 N.J. Laws c. 41; N.J.S.A. 18A:64A-1 et seq.) (the "Act"), a county college in and for the County of Sussex, State of New Jersey (the "County"), has heretofore been established by due and proper action of the Board of Chosen Freeholders of the County named and known as Sussex County Community College. Pursuant to due action of the Board of Trustees of Sussex County Community College (the "Board of Trustees") and approved by the Board of School Estimate of Sussex County Community College (the "Board of School Estimate"), the sum of \$3,000,000 has been fixed and determined as the amount needed and necessary to be raised for the undertaking of capital improvements at and for certain facilities of Sussex County Community College, located within the County of Sussex, State of New Jersey. The Board of Chosen Freeholders of the County desires to appropriate the sum recommended by the Board of School Estimate and as set forth herein.

BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. Pursuant to the provisions of the Act, and any other laws applicable thereto, the sum of \$3,000,000 is hereby appropriated by the County of Sussex, State of New Jersey (the "County"), including all amounts to be provided by grant or other aid funds for the following improvements for Sussex County Community College (the "College"), including, but not limited to, repaving and improvements to parking lots and associated curb, sidewalk and drainage improvements; safety and security improvements including, but not limited to, lighting improvements and acquisition and installation, as applicable, of cameras and digital emergency signage; façade, HVAC system and window improvements; acquisition of various furnishings, equipment and computer hardware and software throughout the campus, and as more particularly described in a document on file in the office of the County Treasurer/Chief Financial Officer or the Deputy Treasurer, or any other project that is deemed necessary by the County and the College that is eligible for State of New Jersey funds pursuant to chapter 12 of the Laws of New Jersey of 1971. No down payment is required pursuant to the provisions of N.J.S.A. 18A:64A-19(2)(b). All such improvements and purposes have been specified by the certificate heretofore made and delivered by the Board of School Estimate to this Board of Chosen Freeholders. Accordingly, the said sum of \$3,000,000 is hereby appropriated by the County for the undertaking of said improvements or purposes identified in this Section 1, including the appropriation heretofore made. All of such above improvements or purposes shall also include, as applicable, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, design and engineering services, and all work, equipment, materials and accessories, site and utility work, demolition, excavation and landscaping necessary therefor and incidental thereto, all in accordance with the plans and specifications therefor on file or to be filed with the Clerk of the Board of Chosen Freeholders and hereby approved.

SECTION 2. In order to finance and provide for the improvements or purposes described in Section 1 hereof and to meet said aggregate principal amount of appropriation,

negotiable bonds of the County are hereby authorized to be issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), in the aggregate principal amount of \$3,000,000 by virtue of the provisions of the Act. In anticipation of the issuance of said bonds and to temporarily finance said purpose, negotiable notes of the County in the aggregate principal amount not exceeding \$3,000,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law. The principal of and interest on the \$1,500,000 principal portion of \$3,000,000 aggregate principal amount of said bonds or notes authorized hereby shall be provided for by State of New Jersey funds pursuant to Chapter 12 of the Laws of New Jersey of 1971 pursuant to and with the limitations prescribed by said laws.

SECTION 3. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Treasurer/Chief Financial Officer or the Deputy Treasurer of the County, provided that no note shall mature later than one (1) year from its dated date, subject to the renewal(s) thereof as authorized under the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the County Treasurer/Chief Financial Officer or the Deputy Treasurer. The County Treasurer/Chief Financial Officer or the Deputy Treasurer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the County Treasurer/Chief Financial Officer or the Deputy Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The County Treasurer/Chief Financial Officer or the Deputy Treasurer is hereby authorized and directed to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dated dates to the date of delivery thereof. The County Treasurer/Chief Financial Officer or the Deputy Treasurer is directed to report in writing to the Board of Chosen Freeholders of the County at the meeting next succeeding the date

when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 4. The following matters are hereby determined, declared, recited and stated:

(a) The aggregate estimated cost of the improvements or purposes described in Section 1 hereof is \$3,000,000, and the aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$3,000,000.

(b) The improvements or purposes described in Section 1 of this bond ordinance are not current expenses and the average period of usefulness of said improvements or purposes, within the limitations of said Local Bond Law and according to the reasonable life thereof as computed from the date of the said bonds authorized by this bond ordinance, is 15.83 years.

(c) The Supplemental Debt Statement required by said Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of Chosen Freeholders 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 County as defined in said law is increased by the authorization of the bonds and notes referred to in this bond ordinance by \$3,000,000 and that a deduction from gross debt may be taken therefor pursuant to the provisions of N.J.S.A. 18A:64A-22.4, and that the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Law.

(d) An aggregate amount of not exceeding \$600,000 for items of expense permitted under the Local Bond Law, N.J.S.A. 40A:2-20, has been included in the foregoing estimated cost of said improvements or purposes described in Section 1 hereof.

(e) The Board of Chosen Freeholders, being the governing body of the County, hereby concurs in and consents to the said appropriation and in and to the issuance of said bonds.

SECTION 5. In the event the United States of America and/or the State of New Jersey make a contribution or grant in aid to the County for the improvements or purposes authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America and/or the State of New Jersey. In the event, however, that any amount so contributed or granted by the United States of America and/or the State of New Jersey shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. The bonds or notes to be issued hereunder to the extent of \$3,000,000 will be entitled to the benefits of the provisions of title 18A of the New Jersey Statutes, including without limitation N.J.S.A. 18A:64A-22.1 et seq. (Chapter 12 of the Laws of New Jersey of 1971). Pursuant to aforesaid law, the State of New Jersey is expected to appropriate and pay the amounts payable on account of interest and principal on the bonds and interest on the notes, issued in anticipation thereof, as they become due.

SECTION 6. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7. The capital budget of the County is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, the resolutions promulgated by the Local Finance Board as adopted by the County showing all 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, are on file with the Clerk of the Board of Chosen Freeholders and are available for public inspection.

SECTION 8. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 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 8 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 9. The County Treasurer/Chief Financial Officer or Deputy Treasurer 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 County and to execute such disclosure document on behalf of the County. The County Treasurer/Chief Financial Officer or Deputy Treasurer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County 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 County 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 County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10. The County 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 this ordinance.

SECTION 11. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Clerk

of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

ADOPTED ON FIRST READING
DATED: April 27, 2016

CATHERINE M. WILLIAMS,
Clerk of the Board of Chosen Freeholders

ADOPTED ON SECOND READING
DATED: May 11, 2016

CATHERINE M. WILLIAMS,
Clerk of the Board of Chosen Freeholders

**COUNTY OF SUSSEX
BOND ORDINANCE NUMBER 16-__**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2016
CAPITAL IMPROVEMENTS, BY AND IN THE COUNTY OF
SUSSEX, STATE OF NEW JERSEY; APPROPRIATING
\$6,323,100 THEREFORE AND AUTHORIZING \$6,022,000
BONDS OR NOTES OF THE COUNTY TO FINANCE PART
OF THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN
FREEHOLDERS OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the County of Sussex, State of New Jersey (the "County") as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$6,323,100, said sum being inclusive of the sum of \$301,100 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). The down payment is now available therefor by virtue of either provisions or a provision in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes or from moneys actually held by the County.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$6,323,100 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the County are hereby authorized to be issued in the principal amount of \$6,022,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to

temporarily finance said improvements or purposes, negotiable notes of the County in a principal amount not exceeding \$6,022,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following (and as also further described in the plans, specifications or documents therefor on file in the Office of the Clerk of the Board of Chosen Freeholders):

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|--|----------------------|----------------------|---------------------|--------------------|
| (i) Various Technology Improvements throughout the County, including, but not limited to, acquisition and installation, as applicable, of various computer hardware and software, and network equipment, including, but not limited to, modules, document composition components and licenses; and the acquisition and installation of a x-ray machine for the mailroom, and all apparatus therefor; | \$51,450 | \$49,000 | \$2,450 | 7 years |
| (ii) Various Bridge Improvements throughout the County, including, but not limited to, Bridge X-09 (CR 565 - Wantage) and Bridge O-07 (Passaic Avenue - Ogdensburg); | \$1,578,150 | \$1,503,000 | \$75,150 | 20 years |
| (iii) Various Roadway Improvements throughout the County, including, but not limited to, road resurfacing, crack sealing, microsurfacing, and drainage and guiderail improvements; | \$987,000 | \$940,000 | \$47,000 | 10 years |
| (iv) Acquisition and installation, as applicable, of various non-passenger vehicles and equipment for the Division of Public Works, Office of Weights & Measures, the Division of Facilities Management, and the Division of Engineering including, but not limited to, a tandem axle dump truck, a sweeper | \$666,750 | \$635,000 | \$31,750 | 5 years |

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|--|----------------------|----------------------|---------------------|--------------------|
| and a tree bucket truck, and all apparatus therefor; and | | | | |
| (v) Various Capital Improvements to facilities and/or equipment throughout the County, including, but not limited to, improvements to Sheriff's office including, but not limited to, building exterior and acquisition and installation, as applicable, of radio hardware; various improvements to the jail including, but not limited to, the acquisition and installation of gun lockers and a cooking range; various improvements to the Prosecutor's office, various improvements to Judicial Center including, but not limited to, improvements to elevators; improvements to heating systems at various County garages; demolition and associated clean-up, removal, and disposal of salt shed at Stillwater; acquisition and installation, as applicable, of various equipment including, but not limited to, ice control equipment and a zero turn mower and all apparatus therefor or incidental thereto; improvements to Frankford Complex water system; and improvements to general security measures, emergency power, W.E.B.S., environmental, hygiene and asbestos issues, flooring, telephone systems, rest areas, locker rooms and related facilities for 911/OEM use, parking lots, sidewalks and driveways throughout the County. | \$3,039,750 | \$2,895,000 | \$144,750 | 5.74 Years |
| TOTALS | <u>\$6,323,100</u> | <u>\$6,022,000</u> | <u>\$301,100</u> | |

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$6,022,000.

(c) The aggregate estimated cost of said improvements and purposes

is \$6,323,100, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the down payments in the aggregate amount of \$301,100.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all consulting, engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with and as further described in the plans, specifications or documents therefor on file in the Office of the Clerk of the Board of Chosen Freeholders, as applicable, and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America and/or the State of New Jersey make a loan, contribution or grant-in-aid to the County, for the improvements or purposes authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America and/or the State of New Jersey. In the event, however, that any amount so loaned, contributed or granted by the United States of America and/or the State of New Jersey, shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Treasurer/Chief Financial Officer or the Deputy Treasurer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the County Treasurer/Chief Financial Officer or the Deputy Treasurer. The County Treasurer/Chief Financial Officer or the Deputy Treasurer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the County Treasurer/Chief Financial Officer or the Deputy Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The County Treasurer/Chief Financial Officer or the Deputy Treasurer are each hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The County Treasurer/Chief Financial Officer or the Deputy Treasurer are each directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the County is hereby amended to conform with the provisions of this 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 programs, as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk of the Board of Chosen Freeholders and will be available for public inspection.

SECTION 7. 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 current expenses and are improvements or purposes which the County may lawfully undertake as general 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 said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 9.89 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of Chosen Freeholders of the County 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 County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$6,022,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,250,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of the principal of such debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to payor 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 Chief Financial Officer of the County 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 County and to execute such disclosure document on behalf of the County. The Chief Financial Officer of the County is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County 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 County 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 County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County 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 this ordinance.

SECTION 12. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Clerk of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

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.

**ADOPTED ON FIRST READING
DATED: APRIL 27, 2016**

**CATHERINE M. WILLIAMS,
Clerk of the Board of Chosen Freeholders**

**ADOPTED ON SECOND READING
DATED: MAY 11, 2016**

**CATHERINE M. WILLIAMS,
Clerk of the Board of Chosen Freeholders**

**BOND ORDINANCE
NUMBER _____**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2016
GENERAL CAPITAL IMPROVEMENTS FOR THE SUSSEX
COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE
COUNTY OF SUSSEX, STATE OF NEW JERSEY;
APPROPRIATING \$2,440,000 THEREFOR (INCLUDING A
\$976,000 GRANT FROM THE STATE OF NEW JERSEY)
AND AUTHORIZING THE ISSUANCE OF \$1,464,000
BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE
OF NEW JERSEY, FOR FINANCING A PORTION OF SUCH
APPROPRIATION**

In accordance with the provisions an Act of the Legislature of the State of New Jersey entitled, "An Act revising the Education Law and the statutes relating to the State Library and the State Museum and continuing the Department of Higher Education and the State Department of Education and establishing a new Title to be known as Title 18A, Education, of the New Jersey Statutes", approved and effective April 27, 1968, as amended and supplemented (1967 N.J. Laws c. 271; N.J.S.A. 18A:54-1, et seq.) (the "Act"), a county vocational and technical school system in and for the County of Sussex, State of New Jersey (the "County"), has heretofore been established by due and proper action of the Board of Chosen Freeholders (the "Board of Chosen Freeholders") of the County, named and known as the Sussex County Technical School. Pursuant to due action of the Board of School Estimate of the Vocational School of the County of Sussex (the "Board of School Estimate"), the sum of \$2,440,000 has been determined as the aggregate amount necessary to undertake general capital improvements to and the acquisition of various equipment for, as applicable, the Sussex County Technical School (the "Project"), of which a \$1,464,000 aggregate portion has been fixed and determined as the amount needed and necessary to be raised by the County as its local share for the

undertaking of the Project and a \$976,000 portion is the amount of the State of New Jersey's share for the undertaking of the Project. The Board of Chosen Freeholders now desires to appropriate said sum as recommended by the Board of School Estimate as set forth herein as follows:

BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3(a) of this bond ordinance are hereby authorized as general improvements or purposes to be undertake by the County. For the said improvements or purposes stated in Section 3(a) and pursuant to the provisions of the Act, and any other laws applicable thereto, the aggregate sum of \$2,440,000 is hereby appropriated by the County, said sum being inclusive of all appropriations heretofore made therefore, including a grant received or expected be received from the State of New Jersey (the "State") in the amount of \$976,000 (the "Grant"). No down payment is required pursuant to the provisions of N.J.S.A. 18A:54-31.

SECTION 2. In order to finance and provide for the improvements or purposes described in Section 3 hereof and to meet said aggregate principal amount of appropriation not provided for by the Grant, negotiable bonds of the County are hereby authorized to be issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), in the aggregate principal amount of \$1,464,000 by virtue of the provisions of the Act. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the

County in the aggregate principal amount not exceeding \$1,464,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements for the Sussex County Technical School hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to the following:

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Useful Life</u> |
|--|--|----------------------|--------------------|
| (i) General Capital Improvements to and/or Replacement of Roofing; and | \$1,830,000 (including a grant from the State in the amount of \$732,000) | \$1,098,000 | 20 years |
| (ii) General Capital Improvements to the Welding Shop. | \$610,000 (including a grant from the State in the amount of \$244,000) | \$366,000 | 10 years |
| <u>Totals</u> | <u>\$2,440,000</u> | <u>\$1,464,000</u> | |

(b) All of such above improvements or purposes, as specified and described in the resolution heretofore made and delivered by the Board of School Estimate of the Vocational School of the County of Sussex to the Board of Chosen Freeholders (the “Board of School Estimate Resolution”) include, as applicable, design and engineering services, and all work, equipment, materials and accessories necessary therefor and incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,464,000.

(d) The aggregate estimated cost of said improvements or purposes is \$2,440,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor, is the Grant available for such improvements or purposes.

SECTION 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Treasurer/Chief Financial Officer of the County, provided that no note shall mature later than one (1) year from its dated date, subject to the renewal(s) thereof as authorized under the Local Bond Law. The notes shall bear interest at such rate and be in such form as may be determined by the County Treasurer/Chief Financial Officer. The County Treasurer/Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the County Treasurer/Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The County Treasurer/Chief Financial Officer is hereby authorized to sell part or all of the notes to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dated dates to the date of delivery thereof. The County Treasurer/Chief Financial Officer is directed to report in writing to the Board of Chosen Freeholders at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the interest rate and the maturity schedule of the notes so 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(a) of this bond ordinance are not current expenses and are each an improvement or purpose which the County may lawfully acquire or make as general improvements.

(b) The average period of usefulness of said improvements or purposes, within the limitations of said Local Bond Law and taking into consideration the amounts provided for in the Board of School Estimate Resolution and according to the reasonable life thereof as computed from the date of the said bonds authorized by this bond ordinance, is 17.5 years.

(c) The Supplemental Debt Statement required by said Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of Chosen Freeholders 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 County as defined by the Local Bond Law is increased by the authorization of the bonds and notes referred to in this bond ordinance by \$1,464,000, and that the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense permitted under section 20 of said Local Bond Law has been included in the foregoing estimated cost of said improvements or purposes.

(e) The Board of Chosen Freeholders, being the governing body of the County, hereby concurs in and consents to the said appropriation and in and to the issuance of said bonds or notes.

SECTION 6. Except for the Grant, in the event the United States of America and/or the State make a contribution or grant in aid to the County for any of the general capital improvements or purposes authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America and/or the State. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America and/or the State shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 7. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 8. The capital budget of the County is hereby amended to conform with the provisions of this 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, shall be filed in the office of the Clerk of the Board of Chosen Freeholders and shall be available for public inspection.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to payor 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 County Treasurer/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 County and to execute such disclosure document on behalf of the County. The County Treasurer/Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County 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 County 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 County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County 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 this ordinance.

SECTION 12. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Clerk of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full, in summary or as provided by law after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

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

ADOPTED ON FIRST READING
DATED: April 27, 2016

CATHERINE M. WILLIAMS
Clerk of the Board of Chosen Freeholders

ADOPTED ON SECOND READING
DATED: May 11, 2016

CATHERINE M. WILLIAMS
Clerk of the Board of Chosen Freeholders

Proclamation

WHEREAS, Sussex County is a community that includes approximately 27,500 citizens age 60 and older who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

WHEREAS, the older adults in Sussex County are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

WHEREAS, Sussex County is committed to helping all individuals live longer, healthier lives and recognizes the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

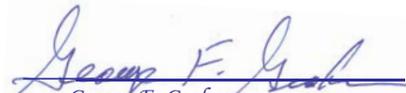
WHEREAS, Sussex County can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social inclusion.
- Emphasizing home and community based services that support independent living.
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex does hereby proclaim the month of May 2016, to be Older Americans Month in the County of Sussex, and urges everyone to take time this May to honor our older adults as powerful and vital individuals who greatly contribute to the community.



BY ORDER OF THE BOARD OF CHOSEN FREEHOLDERS

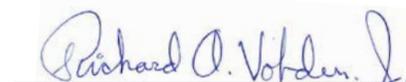

George F. Graham
Freeholder Director




Carl F. Lazzaro
Deputy Freeholder Director


Phillip R. Crabb
Freeholder


Jonathan Rose
Freeholder


Richard A. Vohden, Jr.
Freeholder


Catherine M. Williams, Clerk

Dated: May 11, 2016

RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS IN COMPLIANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS BID EXEMPT SERVICES AS STATED BELOW

WHEREAS, the County of Sussex has a need to acquire various services as non-fair and open contracts in compliance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Thomas W. Gildersleeve, Purchasing Agent, has determined and certified in writing that the value of these services with each vendor(s) listed has in the past and will exceed \$36,000.00 during this fiscal year; and

WHEREAS, these vendor(s) provide goods and/or services exempt from public bidding and as such purchase requisitions under \$36,000.00 but accumulating to over \$36,000.00 can be issued during normal business operations; and

WHEREAS, the term of these expenditures is for the 2016 fiscal year; and

WHEREAS, the following vendor(s) have executed a certification that certifies that the business entity has not made a contribution that would bar them from receiving purchase orders in excess of \$17,500.00, and the business entity will report to the Election Law Enforcement Commission any contribution that would violate the Pay-To-Play Law (N.J.S.A. 19:44A-20.4 et seq.) through this fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex authorizes the Purchasing Agent to issue purchase orders to the following vendor(s) for the various services described below:

| | <u>Vendor Name</u> | <u>Description of Service</u> | <u>N.J.S.A</u> |
|----|-----------------------------------|-------------------------------|-----------------|
| 1. | All County Fuel Oil Co. Inc. | Emergency Fuel Oil | 40A:11-6 |
| 2. | Cherry, Weber & Associates | Engineering Design Services | 40A:11-6 |
| 3. | Computer Design & Integration LLC | Computer Software Support | 40A:11-5(1)(dd) |
| 4. | Election Systems & Software LLC | Election Machines | 40A:11-5(1)(l) |
| 5. | Pocono Produce Company | Fresh Food Supplies | 40A:11-5(1)(e) |
| 6. | RP Baking LLC | Bread & Bakery | 40A:11-5(1)(e) |
| 7. | EMC Corporation | Computer Software Support | 40A:11-5(1)(dd) |

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is available in On-Base.

Certified as a true copy of the
Resolution adopted by the Board
on the 11th day of May, 2016

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE AN AGREEMENT WITH NJ TRANSIT FOR NJ JOB ACCESS AND REVERSE COMMUTE (NJ JARC SFY 17 & SFY 18) ROUND 3, FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017; AND, ROUND 4, FOR THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2018

WHEREAS, NJ TRANSIT has allocated operating funds for NJ-Job Access and Reverse Commute program (NJ-JARC) to improve access to transportation services to employment and employment-related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities; and

WHEREAS, the Grant Agreement will impose certain obligations upon all Subrecipients; and

WHEREAS, the County of Sussex will provide a match through local/other funds equal to or greater than amount awarded to the Subrecipient through NJ TRANSIT; and

WHEREAS, the Subrecipient has or will provide all Annual Certifications and Assurances and monthly reports for the project as required by NJ TRANSIT.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders, County of Sussex, that the Freeholder Director and Clerk of the Board are hereby authorized to submit a project proposal to NJ TRANSIT; and

BE IT FURTHER RESOLVED that the Freeholder Director and Clerk of the Board are authorized to file with the submission of a project proposal to NJ TRANSIT the Annual Certifications and Assurances and any and all other documents required by NJ TRANSIT; and

BE IT FURTHER RESOLVED that the Freeholder Director is authorized to execute Grant and Cooperative Agreements with NJ TRANSIT on behalf of the County of Sussex; and

BE IT FURTHER RESOLVED that certified copies of this Resolution and three (3) copies of the Agreement be forwarded to NJ TRANSIT, Attention: James Flynn, Community Transportation Administrator, One Penn Plaza East, Newark, NJ 07105-2246.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

**RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF
NEW STORAGE AND FILING SYSTEM FOR THE SUSSEX
COUNTY PROSECUTOR'S OFFICE RECORDS CENTER**

WHEREAS, the Board of Chosen Freeholders have established certain budgets so that various goods and services can be purchased to carry out the required County functions in a timely manner; and

WHEREAS, upon recommendation of the Division of Facilities Management, there is a need to purchase a new storage and filing system for the Sussex County Prosecutor's Office Records Center; and

WHEREAS, the following vendor is an authorized supplier as approved by the Division of Purchase and Property of the New Jersey Department of the Treasury and assigned contract number, thereby affording the County the opportunity of direct purchase without competitive bidding:

Montel Aetnastak Inc. (Storage Systems USA Inc.) #A79573 \$105,483.49

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders does hereby authorize the execution of the necessary purchase order in the approximate total amount of \$105,483.49 (requisitions #66163 for \$75,000.00 and #66265 for \$30,483.49) by the Sussex County Office of Purchasing to permit the purchase of a new storage and filing system for the Sussex County Prosecutor's Office Records Center; and

BE IT FURTHER RESOLVED that upon receipt, inspection and approval of voucher therefore by the using agency, payment, pursuant to said purchase order, is hereby authorized with the same to be charged against funds established in the appropriate account for said purpose; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is available in On-Base.

Certified as a true copy of the
Resolution adopted by the
Board of Chosen Freeholders
on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZING ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH STRATEGIC INSURANCE PARTNERS (SIP) TO PROVIDE BROKER SERVICES FOR HEALTH AND PRESCRIPTION DRUG INSURANCE PLANS WITHOUT COMPETITIVE BIDDING AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(m)

WHEREAS, there exists a need for insurance broker services for the County's health and prescription drug insurance plans; and

WHEREAS, the County of Sussex and Strategic Insurance Partners (SIP), desire to enter into an Agreement setting forth their respective responsibilities in relation to the aforementioned services; and

WHEREAS, Strategic Insurance Partners (SIP) will be paid directly by Blue Cross/Blue Shield (health insurance) and BeneCard Services Inc.(prescription drug insurance) for their services; and

WHEREAS, Strategic Insurance Partners (SIP) compensation will not exceed one percent (1%) of the health premium paid by the County of Sussex to Blue Cross and Blue Shield of New Jersey and not exceed three percent (3%) of the prescription drug premium paid by the County of Sussex to BeneCard Services Inc.; and

WHEREAS, Robert J. Maikis, Jr., Treasurer for the County of Sussex has certified that the value of these services will exceed \$17,500.00, and a copy of the written certification is attached hereto; and

WHEREAS, Ron Tappan, Acting County Administrator has completed the required Certification for an Extraordinary Unspecifiable Services, a copy of which is attached hereto; and

WHEREAS, Mark Grossbard of Strategic Insurance Partners (SIP) has executed a certification, which is attached hereto and made a part hereof, that the business entity has not made a contribution that would bar the award of this Agreement, and the business entity will continue to report to the Election Law Enforcement Commission any contribution that would violate the Pay-To-Play Law (N.J.S.A. 19:44A-20.4 et seq. and 19:44A-20.26) during the term of this Agreement, and has listed political contributions made during the past twelve months as set forth in said certification.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex hereby agrees to enter into an Agreement with Strategic Insurance Partners (SIP), pursuant to N.J.S.A. 40A:11-5(1)(m) for the purpose of providing broker services for the County's health and prescription drug insurance plans; and

BE IT FURTHER RESOLVED that the Freeholder Director and the Clerk of the Board are hereby authorized to execute, on behalf of the County, the Professional Services Agreement, which is annexed hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Agreement terms shall be in effect from date of award until December 31, 2016; and

BE IT FURTHER RESOLVED that this Agreement is awarded without competitive bidding as an “Extraordinary Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law because the Agreement is for a service covering the purchase of insurance and consultant services; and

BE IT FURTHER RESOLVED that inasmuch as this Agreement is awarded without public advertising for competitive bidding under the provisions of the Local Public Contracts Law as an Extraordinary Unspecifiable Service Agreement, a Notice of Award of this Agreement shall forthwith be published once in The New Jersey Herald following passage of this Resolution, as required by law; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution and Agreement be made available for public inspection at the Office of the Clerk of the Board of Chosen Freeholders, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution and Agreement be forwarded to Strategic Insurance Partners, 492 Franklin Avenue, Nutley, NJ 07110 Attn: Mark Grossbard; and a copy is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZING AN AGREEMENT BETWEEN SUSSEX COUNTY AND BENECARD SERVICES, INC. TO PROVIDE PRESCRIPTION BENEFIT ADMINISTRATION AND SERVICES FOR THE COUNTY OF SUSSEX

WHEREAS, proposals to provide prescription benefit administration and services under Sussex County's prescription benefit plan were solicited by the County's authorized representative; and

WHEREAS, the proposals received were reviewed by the County's authorized representative and the Sussex County staff, and it is recommended that an award be made to Benecard Services, Inc. based on pricing offered; and

WHEREAS, the County Treasurer has certified that there are sufficient funds for the awarding of said Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex does hereby authorize the Agreement between Sussex County and Benecard Services, Inc. to provide Prescription Benefit Administration and Services for the County of Sussex; and

BE IT FURTHER RESOLVED that this Agreement will be in effect from May 1, 2016 for an eight (8) month period ending December 31, 2016;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Strategic Insurance Partners, 492 Franklin Avenue, Nutley, NJ 07110; Benecard Services, Inc., 3131 Princeton Pike, Building 2B, Suite 103, Lawrenceville, NJ 08648 and a copy is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board on the 11th day of May, 2016. .

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF TWO (2) VEHICLES BY THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT FOR THE DIVISION OF FACILITIES MANAGEMENT AND FOR THE DIVISION OF SENIOR SERVICES

WHEREAS, the Board of Chosen Freeholders has established a Trust Fund to assist in the replacement of necessary agency vehicles; and

WHEREAS, upon recommendation of the Fleet Manager, the following vehicles are proposed for purchase through the funds mentioned for the Division of Facilities Management and for the Division of Senior Services:

1. Two (2) Ford Transit 150 Cargo Van - \$19,839.00 each

WHEREAS, the following vendor is an authorized supplier, as approved by the Division of Purchase and Property of the New Jersey Department of the Treasury and assigned contract numbers, thereby affording the County the opportunity of direct purchase without competitive bidding:

1. DFFLM Inc. - #88211

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders does hereby authorize the execution of the necessary purchase order in the approximate total amount of \$40,858.00 (requisition # 66429 and #66430 each for \$20,429.00) by the Sussex County Office of Purchasing to permit the purchase of the above listed vehicles for the County of Sussex; and

BE IT FURTHER RESOLVED that \$1,180.00 of the total amount is for a contract option (reverse sensing system, lighting package); and

BE IT FURTHER RESOLVED that the old vehicles will be removed from the active fleet of vehicles upon receipt of the purchased vehicles; and

BE IT FURTHER RESOLVED that upon receipt, inspection and approval of voucher therefore by the using agency, payment, pursuant to said purchase order, is hereby authorized with the same to be charged against funds established in the appropriate account for said purpose; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

**RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF
THREE (3) VEHICLES BY THE SUSSEX COUNTY OFFICE
OF FLEET MANAGEMENT FOR VARIOUS
DEPARTMENTS**

WHEREAS, the Board of Chosen Freeholders has established a Trust Fund to assist in the replacement of necessary agency vehicles; and

WHEREAS, upon recommendation of the Fleet Manager, the following vehicles are proposed for purchase through the funds mentioned for the Department of Environmental and Public Health Services, the Department of Engineering and Planning and the Office of Fleet Management:

1. One (1) Jeep Patriot 2WD - \$16,045.00
2. Two (2) Jeep Patriots 4WD - \$17,093.00 each

WHEREAS, the following vendor is an authorized supplier, as approved by the Division of Purchase and Property of the New Jersey Department of the Treasury and assigned contract numbers, thereby affording the County the opportunity of direct purchase without competitive bidding:

1. Hertrich Fleet Services - #A83011

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders does hereby authorize the execution of the necessary purchase order in the approximate total amount of \$50,231.00 (requisition # 66433 for \$16,045.00 and #66434 for \$34,186.00) by the Sussex County Office of Purchasing to permit the purchase of the above listed vehicles for the County of Sussex; and

BE IT FURTHER RESOLVED that the old vehicles will be removed from the active fleet of vehicles upon receipt of the purchased vehicles; and

BE IT FURTHER RESOLVED that upon receipt, inspection and approval of voucher therefore by the using agency, payment, pursuant to said purchase order, is hereby authorized with the same to be charged against funds established in the appropriate account for said purpose; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is available in On-Base.

Certified as a true copy of the
Resolution adopted by the
Board of Chosen Freeholders
on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: REAPPOINTMENT OF KATHLEEN BAKLARZ AS A MEMBER OF THE SUSSEX COUNTY DISABILITY SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2018

NOW, THEREFORE, BE IT RESOLVED that Kathleen Baklarz, be and is hereby reappointed as a member of the Sussex County Disability Services Advisory Council for a term of three (3) years; said term to begin immediately and to expire December 31, 2018; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Kathleen Baklarz, Special Child Health Services, 201 Wheatsworth Road, Hamburg, NJ 07419; the Sussex County Division of Community and Youth Services – Disability Services; and a copy is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

RESOLUTION RE: APPOINTMENT OF PAMELA WHITEMAN AS A MEMBER OF THE SUSSEX COUNTY DISABILITY SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2018

NOW, THEREFORE, BE IT RESOLVED that Pamela Whiteman be and she is hereby appointed as a member of the Sussex County Disability Services Advisory Council for a three (3) year term; term to begin immediately and expire December 31, 2018; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Pamela Whiteman, 66 Stevens Trail, Hopatcong, NJ 07843; and the Sussex County Division of Community and Youth Services – Disability Services; and a copy is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

RESOLUTION RE: APPOINTMENT OF RHONDA A. IWANSKI (Female, Consumer) AS A MEMBER OF THE SUSSEX COUNTY HUMAN SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO EXPIRE DECEMBER 31, 2018

WHEREAS, Rhonda A. Iwanski does fulfill the requirements of the category of Consumer; and

WHEREAS, as consumers are required to meet New Jersey Department of Human Services certification requirements; and

WHEREAS, Rhonda A. Iwanski has agreed to serve as a member of the Sussex County Human Services Advisory Council.

NOW, THEREFORE, BE IT RESOLVED that Rhonda A. Iwanski is hereby appointed as a member of the Sussex County Human Services Advisory Council. Said term will expire on December 31, 2018; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Rhonda A. Iwanski, 8 Devita Road, Sandyston, NJ 07826; and the Sussex County Division of Community Services – Human Services Advisory Council.

Certified as a true copy of the
Resolution adopted by the Board
on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

**RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 IN
OGDENSBURG BOROUGH**

WHEREAS, the Borough of Ogdensburg has requested a temporary closure of a portion of CR 517 on May 30, 2016 for the purpose of conducting the Memorial Day Parade; and

WHEREAS, N.J.S.A. 39:4-197 provides that no municipality, in exercise of its power to regulate parades, processions, or assemblages, shall prohibit normal traffic on any County road without the consent of the Board of Chosen Freeholders; and

WHEREAS, the Sussex County Department of Engineering and Planning has received requests from the Borough of Ogdensburg for the temporary closure of County Route 517; and

WHEREAS, the Sussex County Department of Engineering and Planning shall be provided with appropriate Certificates of Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex as follows:

1. The Sussex County Board of Chosen Freeholders hereby consents to the temporary closure of CR 517 in the Borough of Ogdensburg on May 30, 2016 for the purposes of allowing the Franklin American Legion Post #132 to hold the Memorial Day Parade on said route, subject to the issuance of appropriate Certificates of Insurance acceptable to County Counsel; and

BE IT FURTHER RESOLVED that a copy of said Resolution shall be forwarded to Steven Ciasullo, Mayor, Ogdensburg Borough, 14 Highland Avenue, Ogdensburg, NJ 07439; and a copy is available in On-Base.

Certified as a true copy of the
Resolution adopted by the Board
on the 11th day of May, 2016.

Catherine Williams, Clerk
Board of Chosen Freeholders
County of Sussex

**RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 AND
CR 613 IN ANDOVER TOWNSHIP**

WHEREAS, the Andover Township has requested a temporary closure of a portion of CR 517 and 613 on September 18, 2016 for the purpose of conducting a fundraising event , The 9th Annual David Nastro Oral Cancer Walk; and

WHEREAS, N.J.S.A. 39:4-197 provides that no municipality, in exercise of its power to regulate parades, processions, or assemblages, shall prohibit normal traffic on any County Road without the consent of the Board of Chosen Freeholders; and

WHEREAS, the Sussex County Department of Engineering and Planning has received requests from Andover Township for the temporary closures of County Route's 517 and 613; and

WHEREAS, the Sussex County Department of Engineering and Planning shall be provided with appropriate Certificates of Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex as follows:

1. The Sussex County Board of Chosen Freeholders hereby consents to the temporary closures of CR 517 & 613 in Andover Township on September 18, 2016 for purposes of allowing the 9th Annual David Nastro Oral Cancer Walk, subject to the issuance of appropriate Certificates of Insurance acceptable to County Counsel; and

BE IT FURTHER RESOLVED that a copy of said Resolution shall be forwarded to Diana Francisco, Municipal Clerk, Andover Township, 134 Newton-Sparta Road, Newton, NJ 07860; and a copy is available in On-Base.

Certified as a true copy of the
Resolution adopted by the Board
on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A PERMANENT LICENSE TO RETAIN APPURTENANCES AND PERFORM MAINTENANCE ACTIVITIES FOR BRIDGE C-17 ON PROPERTY WITHIN THE “LACKAWANNA CUTOFF” IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

WHEREAS, Bridge C-17, constructed in 1911, is a single span reinforced concrete arch supported by concrete abutments on spread footings crossing over the “Lackawanna Cutoff” located on Roseville Road in the Township of Byram, said “Lackawanna Cutoff” being certain real property owned by the New Jersey Department of Transportation (NJDOT); and

WHEREAS, due to the overall poor condition of the Bridge C-17 superstructure the Department of Engineering and Planning, Division of Engineering, awarded an accelerated design contract for the replacement of Bridge C-17 with construction programmed to commence in the Summer of 2016; and

WHEREAS, the construction plans and specifications developed for the replacement of Bridge C-17 address the structurally deficient and functionally obsolete condition of the existing bridge by providing for a widened structure and improved approach roadway alignment; and

WHEREAS, the proposed improvements will result in the bridge wingwalls (appurtenances) extending outside the Roseville Road right of way and onto NJDOT property; and

WHEREAS, in order to legitimize the ongoing occupation of the bridge appurtenances and performance of routine maintenance activities on NJDOT property the County must enter into an Agreement with NJDOT, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Agreement provides a permanent license, in lieu of an easement, which grants the County rights to retain and provide for routine maintenance of the bridge and bridge appurtenances, said license depicted on Exhibit A of this Agreement; and

WHEREAS, the County is also entering into a separate Access Agreement with NJDOT which allows the County, its Contractor and Representatives permission to enter upon NJDOT property for the purposes of reconstructing Bridge C-17; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders that the Freeholder Director and the Clerk of the Board are hereby authorized to execute the attached Agreement.

BE IT FURTHER RESOLVED that a certified copy of this Resolution and three original executed Agreements shall be forwarded to the New Jersey Department of Transportation, 1035 Parkway Avenue, P.O. Box 600, Trenton, New Jersey 08625 Attn: Dave Kook, Division of ROW & Access Management; and a copy is available in On-Base.

Certified as a true copy of a
Resolution adopted by the Board
on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN ACCESS AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR TEMPORARY ACCESS TO PROPERTY WITHIN THE “LACKAWANNA CUTOFF” FOR THE RECONSTRUCTION OF BRIDGE C-17 IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

WHEREAS, Bridge C-17, constructed in 1911, is a single span reinforced concrete arch supported by concrete abutments on spread footings crossing over the “Lackawanna Cutoff” located on Roseville Road in the Township of Byram, said “Lackawanna Cutoff” being certain real property owned by the New Jersey Department of Transportation (NJDOT); and

WHEREAS, New Jersey Transit is in the process of awarding a design/build contract to restore the track along the “Lackawanna Cutoff” from the Morris & Essex Line in Roxbury Township to a proposed new train station in Andover Township with the intent of reactivating passenger train service along said track which is spanned by Bridge C-17; and

WHEREAS, due to the overall poor condition of the Bridge C-17 superstructure the Department of Engineering and Planning, Division of Engineering, awarded an accelerated design contract for the replacement of Bridge C-17 with construction programmed to commence in the Summer of 2016, prior to the “Lackawanna Cutoff” reactivation; and

WHEREAS, authorization for a NJDOT 2014 Local Bridges Future Needs Program grant in the amount of \$1,000,000.00 for the replacement of Bridge C-17 has been received; and

WHEREAS, an application for NJDOT 2016 Local Bridges Future Needs Program grant funding in the amount of \$500,000.00 to supplement the \$1.0 million authorized grant for the bridge replacement is in review; and

WHEREAS, the County’s contractor for the project will necessarily access NJDOT property with equipment and materials during the reconstruction of Bridge C-17; and

WHEREAS, in order to gain access to NJDOT property within the “Lackawanna Cutoff” for construction operations the County must enter into an Access Agreement with NJDOT, a copy of which is attached hereto and made a part hereof, which requires the County to procure or cause it’s Contractor to procure Commercial General Liability Insurance which matches the current NJDOT contract specifications and to indemnify and hold harmless NJDOT from any liability arising out of the occupation of the property; and

WHEREAS, this Agreement shall terminate upon completion of the occupation of the property for the purposes of reconstructing Bridge C-17 and any required restoration of the property is completed; and

WHEREAS, the County is also entering into a separate Agreement with NJDOT which grants the County rights to retain and provide for routine maintenance of Bridge C-17 on NJDOT property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders that the Freeholder Director and the Clerk of the Board are hereby authorized to execute the attached Access Agreement; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution and three original executed Access Agreements shall be forwarded to the New Jersey Department of Transportation, 1035 Parkway Avenue, P.O. Box 600, Trenton, New Jersey 08625 Attn: Dave Kook, Division of ROW & Access Management; and a copy is available in On-Base.

Certified as a true copy of a
Resolution adopted by the Board
on the 11th day of May, 2016.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

**RESOLUTION RE: AMENDING DIRECTOR'S APPOINTMENTS FOR
VARIOUS DEPARTMENT LIAISONS AND
COMMITTEES FOR CALENDAR YEAR 2016**

WHEREAS, the Sussex County Board of Chosen Freeholders adopted a Resolution on January 4, 2016 to appoint liaisons to various departments and committees; and

WHEREAS, there is a need to amend said appointment list with the appointment of a Freeholder Liaison to the Workforce Investment Board.

NOW, THEREFORE, BE IT RESOLVED that the Freeholder Director is authorized to make the appointments on the schedule attached hereto; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is available in On-Base.

Certified as a true copy of a
Resolution adopted by the Board
on the 11th day of May, 2016.

Catherine M Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN AMENDMENT TO THE GRANT APPLICATION FOR A PROJECT UNDER THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, (JAG), FOR A TOTAL AMOUNT OF \$3,700.00 FOR THE PERIOD OF OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016

WHEREAS, the Sussex County Prosecutor's Office wishes to apply for funding for a project under the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG); and

WHEREAS, the Division of Criminal Justice, Department of Law and Public Safety, under the guidelines set forth by the United States Bureau of Justice Assistance (BJA) in its Edward Byrne Memorial Justice Assistance Grant (JAG) for the year beginning October 1, 2015 and ending September 30, 2016, has allocated Federal funding under the JAG Federal Grant in the amount of \$3,700.00 for the contract period; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Office of the Prosecutor for the purpose described in the previously approved application; and

WHEREAS, the Board of Chosen Freeholders has reviewed the accompanying Application and has approved said request on March 23, 2016; and

WHEREAS the Resolution awarding this Contract on March 23, 2016 contained the General Conditions and Assurances which were then revised and require new signatures.

NOW, THEREFORE, BE IT RESOLVED that upon recommendation of the Sussex County Prosecutor, the Sussex County Board of Chosen Freeholders does hereby amend the previously approved JAG Contract to include the revised General Conditions and Assurances;

BE IT FURTHER RESOLVED that the Freeholder Director is authorized and directed to execute the new General Conditions and Assurances for the application for JAG; and

BE IT FURTHER RESOLVED that the Freeholder Director continues to be authorized and directed to sign all related materials to the JAG previously awarded to the County of Sussex; and

BE IT FURTHER RESOLVED that the Freeholder Director, the Sussex County Prosecutor, Francis A. Koch, the Sussex County Administrator and the County Financial

Officer continue to be authorized to sign the appropriate Subgrant Award and related documents; and

BE IT FURTHER RESOLVED that three (3) certified copies with original signatures of this Resolution, revised General Conditions and original application and attachments approved by the Board of Chosen Freeholders on March 23, 2016 be forwarded to Phoenix Smith, Chief, Program Development/Grants Section, Office of the Attorney General, Department of Law and Public Safety, Division of Criminal Justice, P.O. Box 085, Trenton, New Jersey, 08625-0085.

Certified as a true copy of the
Resolution adopted by the
Board of Chosen Freeholders
on the **11th day of May, 2016**

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

**COUNTY OF SUSSEX
BOND ORDINANCE NUMBER _____**

**BOND ORDINANCE PROVIDING FOR RENEWABLE ENERGY
PROJECTS ASSOCIATED WITH THE RENEWABLE ENERGY
PROGRAM OF THE MORRIS COUNTY IMPROVEMENT
AUTHORITY, BY AND IN THE COUNTY OF SUSSEX, STATE
OF NEW JERSEY (THE “COUNTY”); APPROPRIATING
\$3,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$2,952,380 BONDS OR NOTES OF THE COUNTY TO
FINANCE A PORTION OF THE COST THEREOF**

WHEREAS, the County of Sussex, State of New Jersey, a political subdivision of the State (the “*County*”) developed a renewable energy program (the “*Renewable Energy Program*”) for the financing, design, permitting, acquisition, construction, installation, operation and maintenance of renewable energy capital equipment and facilities such as solar panels, including any related electrical modifications, work related to the maintenance of roof warranties, or other work required, desirable or convenient for the installation of such systems (collectively, the renewable energy capital equipment and facilities, the “*Renewable Energy Projects*”) for and on behalf of the County and its affiliates, and the local governmental units within the County, including without limitation municipalities, boards of education for school districts, local authorities and any other local government instrumentalities, public bodies or other local government entities (collectively, including the County, the “*Local Units*”);

WHEREAS, the Morris County Improvement Authority (the “*Authority*”) has been duly created by resolution no. 42 entitled “Resolution of the Board of Chosen Freeholders of Morris County, New Jersey creating the Morris County Improvement Authority” duly adopted by the Board of Chosen Freeholders (the “*Morris County Board of Chosen Freeholders*”) of the County of Morris (the “*Morris County*”) in the State of New Jersey (the “*State*”) on April 10, 2002 as a public body corporate and politic of the State pursuant to and in accordance with the county improvement authorities law, constituting Chapter 183 of the Law of New Jersey of 1960, and the acts amendatory thereof and supplemental thereto (as codified at N.J.S.A. 40:37A-44 *et seq.*, the “*Act*”), and other applicable law;

WHEREAS, as of the date hereof, the County has not created its own county improvement authority, and therefore pursuant to the Act, the County may determine to utilize the services of another county improvement authority, including without limitation the Authority, with the consent of both the County, a beneficiary county under the Act, and the Morris County Board of Chosen Freeholders, for any purpose for which an improvement authority shall exist, including those set forth in Section 11 of the Act (N.J.S.A. 40:37A-54, “*Section 11*”), which purposes include the development and implementation of the Renewable Energy Program;

WHEREAS, the Renewable Energy Projects procured under the Renewable Energy

Program are to be installed on, in, affixed or adjacent to and/or for any other Local Unit controlled buildings, other structures, lands or other properties of the Local Units (collectively, the "*Local Unit Facilities*");

WHEREAS, pursuant to that certain guaranty ordinance finally adopted on August 17, 2011, as amended and supplemented, all in accordance with Section 37 of the Act (N.J.S.A. 40:37A-80) and other applicable law (the "*Guaranty Ordinance*"), the County authorized the guarantee of bonds of the Authority in a not to exceed amount of \$50,000,000 to finance all costs in connection with the Renewable Energy Program;

WHEREAS, pursuant to that certain resolution number 11-39 entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF COUNTY OF SUSSEX GUARANTEED RENEWABLE ENERGY PROGRAM LEASE REVENUE NOTES AND BONDS, SERIES 2011 AND ADDITIONAL BONDS OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY" adopted by the governing body of the Authority on September 28, 2011, as amended and supplemented heretofore, the Act, and other applicable law and official action, the Authority issued its (i) "County of Sussex Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2011A (Federally Taxable)" dated December 14, 2011, in the aggregate principal amount of \$26,715,000 (the "*Series 2011A Bonds*"), (ii) "County of Sussex Guaranteed Renewable Energy Program Lease Revenue Note, Series 2011B (Federally Taxable)" dated December 14, 2011, in the aggregate principal amount of \$985,000 (the "*Series 2011B Note*", and together with the Series 2011A Bonds, the "*Series 2011 Bonds*") and (iii) "County of Sussex Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2015 (Federally Taxable)", dated May 12, 2016, in the aggregate principal amount of \$6,750,000 (the "*Series 2015 Bonds*" and together with the Series 2011 Bonds, the "*MCI Solar Bonds*"), to finance the Renewable Energy Projects;

WHEREAS, litigation ensued in connection with the Renewable Energy Projects and as a result a settlement was reached among all parties, including the County; however, certain amounts were still owed by the County to Power Partners Mastec, LLC ("*Mastec*") as part of the settlement and as payment for the Mastec's work and services associated with Renewable Energy Projects. These amounts owed to Mastec were to be paid out of 1603 U.S. Treasury Program reimbursements in connection with the Renewable Energy Projects that have, to date, not been received. The County now desires to pay these amounts owed to Mastec for the Renewable Energy Projects.

WHEREAS, pursuant to the provisions of Section 79 of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "Act"), for the purposes of aiding the Authority in the planning, undertaking, acquisition, construction or operation of any Renewable Energy Projects, the County has the power to, *inter alia*, (a) appropriate moneys for the purposes of the Authority and to loan or donate such moneys to the Authority; and . . . (b) appropriate money for all or part of the cost of acquisition or construction of the Renewable Energy Projects; and

WHEREAS, pursuant to the provisions of Section 79 of the Act, for the purposes of

aiding the Authority in the acquisition and construction of the Renewable Energy Projects, the County may incur indebtedness, borrow money and issue bonds or notes for all or any part of the financing of such Renewable Energy Projects; and

WHEREAS, pursuant to the Act, the County now desires to authorize an appropriation for the Renewable Energy Projects that are further described in Section 3(a) hereof and to authorize the issuance of bonds or notes the proceeds of which will be utilized to pay the costs of the Renewable Energy Projects.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken as a general improvement or purpose by the County of Sussex, State of New Jersey (the "County"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$3,100,000, said sum being inclusive of \$147,620 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). The down payment is now available therefor by virtue of either provisions or a provision in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes or from moneys actually held by the County.

SECTION 1. For the financing of said improvement or purpose described in Section 3 hereof, and to meet the part of the \$3,100,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the County are hereby authorized to be issued in the principal amount of \$2,952,380 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the County in a principal amount not exceeding \$2,952,380

are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 2. (a) The improvements hereby authorized and the purposes for the financing of which said bonds or notes are to be issued is the financing, design, permitting, acquisition, construction, installation, operation and maintenance of renewable energy capital equipment, facilities or systems undertaken by the Authority, such as solar panels, including any related electrical modifications, work related to the maintenance of roof warranties, or other work required, desirable or convenient for the installation of such systems (collectively, the renewable energy capital equipment and facilities, the "*Renewable Energy Projects*"), and also including all engineering, architectural and design work, preparation of plans and specifications, permits, bid documents, inspection and contract administration and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,952,380.

(c) The aggregate estimated cost of said improvement and purpose is \$3,100,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the down payment in the amount of \$147,620.

SECTION 4. In the event the United States of America and/or the State of New Jersey make a loan, contribution or grant-in-aid to the County, for the improvement or purpose authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United

States of America and/or the State of New Jersey. In the event, however, that any amount so loaned, contributed or granted by the United States of America and/or the State of New Jersey, shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Treasurer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the County Treasurer. The County Treasurer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the County Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The County Treasurer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The County Treasurer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the County is hereby amended to conform with the provisions of this 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 programs, as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk of the County and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the County may lawfully undertake as a general improvement, 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 said improvement or purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of Chosen Freeholders of the County 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 County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,952,380 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$620,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvement or purpose hereinbefore described.

SECTION 8. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy ad valorem taxes upon all the taxable property within the County for the payment of the principal of such debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to payor 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 County Treasurer 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 County and to execute such disclosure document on behalf of the County. The County Treasurer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County 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 County 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 County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County 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 this ordinance.

SECTION 12. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Clerk of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in summary after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the law.

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.

**ADOPTED ON FIRST READING
DATED: MAY 11, 2016**

**CATHERINE M. WILLIAMS,
Clerk of the Board of Chosen Freeholders**

**ADOPTED ON SECOND READING
DATED: MAY 25, 2016**

**CATHERINE M. WILLIAMS,
Clerk of the Board of Chosen Freeholders**