

ORDINANCE 2025-05

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING BOND ORDINANCE 2022-10, ADOPTED ON NOVEMBER 15, 2022, TO INCREASE THE APPROPRIATIONS FOR CERTAIN CAPITAL IMPROVEMENTS PREVIOUSLY SPECIFIED THEREIN

WHEREAS, the Mayor and Council of the Borough of Island Heights (the “**Borough**”), heretofore adopted Bond Ordinance 2022-10, entitled:

“BOND ORDINANCE AUTHORIZING THE HOLLY AVENUE AND LAKE DRIVE ROADWAY IMPROVEMENTS PROJECT AND APPROPRIATING FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) OF BONDS TO FINANCE THE APPROPRIATION, AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS”

(the “**Original Bond Ordinance**”), pursuant to which the Borough authorized the issuance of bonds and notes up to the aggregate principal amount of \$550,000.00 to fund the costs of construction of roadway improvements to Holly Avenue and Lake Drive under the 2022 NJDOT Municipal Aid Program (the “**Construction Project**”); and

WHEREAS, the costs for the Construction Project have exceeded the amount appropriated for such project under the Original Bond Ordinance; and

WHEREAS, the Mayor and Council believes it to be in the best interests of the residents of the Borough to increase the original appropriation for the Construction Project as set forth in the Original Bond Ordinance so that the Construction Project may be completed.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Island Heights (not less than two-thirds (2/3) of all the members thereof affirmatively concurring), as follows:

Section 1. Definitions. The Original Bond Ordinance, as hereby amended, shall be referred to as the “**Amended Bond Ordinance**”.

Section 2. Amendments to Original Bond Ordinance.

- (a) The “Appropriation and Estimated Cost” of the improvements described in Section 3 of the Original Bond Ordinance is hereby increased by \$200,000.00 from \$550,000.00 to \$750,000.00
- (b) As a result of the increase in appropriation under Section 2(a), above, the “Amount of Bonds or Notes” under the Original Bond Ordinance as set forth in Section 3 of the Original Bond Ordinance shall be increased by \$200,000.00 from \$550,000.00 to \$750,000.00 for the Construction Project.
- (c) The authorized soft costs as set forth in Section 6(d) of the Original Bond Ordinance are hereby amended and increased by \$35,000.00 from \$100,000.00 to \$135,000.00, reflecting updated professional services, legal fees, permitting, and other incidental expenses necessary to carry out the project as originally authorized. This amendment does not alter the overall scope of the project but ensures that the financial provisions accurately reflect the current and anticipated expenditures.
- (d) There is no down payment required for the Construction Project as set forth in the Original Bond Ordinance and no additional down payment will be required as this amendment authorizes obligations for a project that will be partially funded through grant monies.

Section 3. Period of Usefulness. The average period of usefulness of the improvements and purposes authorized herein, as set forth in Section 6(b) of the Original Bond Ordinance, taking into account the respective amounts of obligations authorized for each purpose and computed in accordance with the provisions of N.J.S.A. 40A:2-22 shall remain unchanged at **10 years**.

Section 4. Supplemental Debt Statement.

- (a) This Amended Bond Ordinance increases the aggregate appropriation and the authorization of bonds or notes under the Original Bond Ordinance and, as such, constitutes an increase in indebtedness of the Borough. A Supplemental Debt Statement has been prepared and filed in accordance with the requirements of N.J.S.A. 40A:2-10 of the Local Bond Law.

- (b) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Clerk of the Borough and a complete executed duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by this amendment to the Original Bond Ordinance by the additional sum of Two Hundred Thousand Dollars (\$200,000.00), and the Notes and Bonds authorized by the Original Bond Ordinance as hereby amended will be within all debt limitations prescribed by the Local Bond Law.

Section 5. Ratification of Original Bond Ordinance. The Original Bond Ordinance is hereby reaffirmed in its entirety and shall remain in full force except as modified herein.

Section 6. Effective Date. This Amended Bond Ordinance amending the Original Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law of New Jersey.

The foregoing Bond Ordinance was duly adopted by the Mayor and Council of the Borough of Island Heights at their Regular Meeting on July 8, 2025.

A handwritten signature in black ink, appearing to read 'SEAN ASAY', is written over the printed name.

**SEAN ASAY
BOROUGH CLERK**