

**TOWNSHIP OF FRANKLIN
ORDINANCE NUMBER 3908-10**

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3452 FINALLY ADOPTED ON MAY 11, 2004 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE RESURFACING OF VARIOUS ROADWAYS AND THE PARKING LOT OF THE DEPARTMENT OF PUBLIC WORKS FACILITY, IN AND BY THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,189,925 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,133,261 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF," TO AMEND THE DESCRIPTION THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The bond ordinance of the Township of Franklin, in the County of Somerset, State of New Jersey (the "Township"), finally adopted by the Township Council on May 11, 2004, numbered 3452 and entitled, "BOND ORDINANCE PROVIDING FOR THE RESURFACING OF VARIOUS ROADWAYS AND THE PARKING LOT OF THE DEPARTMENT OF PUBLIC WORKS FACILITY, IN AND BY THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,189,925 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,133,261 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF," (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows.

SECTION 2. The description of the improvement or purpose contained in Section 3 of the Original Ordinance is hereby amended to read in its entirety:

"The improvement hereby authorized and the purpose for the financing of which said bonds or notes are to be issued is the resurfacing of Arden Street from Holly Street to Abbott Road, Abbott Road from Drake Street to Winston Drive, Hillcrest

Avenue from Hamilton Street to Arden Street, Johnson Road from Berger Street to Abbott Road, Old Bennetts Lane from South Middlebush Road to Dahmer Road, Ralph Street from Norma Avenue to Matilda Avenue, Sycamore Place from Laurel Avenue to the end, the entire lengths of Cedarbrook Drive, Darby Road, Prescott Court, Callaway Terrace, Pembroke Court, Dorset Court, Nina Court, Domino Road, Emerson Road, Ellison Road, Victor Street, Meadow Avenue, Vermont Avenue, Hillview Avenue, Central Avenue, Garden Avenue, Lynwood Avenue, Evelyn Avenue, Orchard Street, Clover Place and Bennington Parkway, all such roadways being located within the Township, and the parking lot of the Department of Public Works Facility located at 40 Churchill Avenue, in and by the Township; such resurfacing to consist of, as required, milling, repaving with pavement having a useful life or durability at least equal to that of a Class C Roadway (as defined under the Local Bond Law) and striping, and the Campus Drive Storm Sewer Emergency Repair Project, which includes but is not limited to, the replacement of approximately 250 linear feet of failed elliptical corrugated metal storm water pipe on Campus Drive west of Howard Avenue with reinforced concrete pipe, the restoration of damaged roadway pavement with full depth asphalt pavement consisting of dense graded aggregate, bituminous concrete base course and bituminous concrete asphalt surface course, and also including all work, materials, equipment and appurtenances necessary therefor and incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.”

SECTION 3. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and 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, is on file in the Office of the Clerk of the Township and is available for public inspection.

SECTION 4. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 5. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ORDINANCE NO. 3908-10

This is a true copy of an ordinance adopted by the Township Council Township of Franklin, Somerset County, New Jersey.

Introduced: September 28, 2010

Public Hearing: October 12, 2010

Adoption: October 12, 2010

Notice of Adoption: October 19, 2010

Effective Date: November 8, 2010

Ann Marie McCarthy, Township Clerk

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF FRANKLIN
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Franklin, in the County of Somerset, State of New Jersey, on September 28, 2010. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Building in said Township on October 12, 2010 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

- Title:** BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3452 FINALLY ADOPTED ON MAY 11, 2004 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE RESURFACING OF VARIOUS ROADWAYS AND THE PARKING LOT OF THE DEPARTMENT OF PUBLIC WORKS FACILITY, IN AND BY THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,189,925 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,133,261 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF," TO AMEND THE DESCRIPTION THEREOF
- Purpose(s):** Amend the description of Bond Ordinance Number 3452 (which provides for the resurfacing of various roadways and the parking lot of the Department of Public Works Facility) to include the Campus Drive Storm Sewer Emergency Repair Project, which includes but is not limited to, the replacement of approximately 250 linear feet of failed elliptical corrugated metal storm water pipe on Campus Drive west of Howard Avenue with reinforced concrete pipe, the restoration of damaged roadway pavement with full depth asphalt pavement consisting of dense graded aggregate, bituminous concrete base course and bituminous concrete asphalt surface course
- Authorization:** No additional appropriation, authorization and down payment are being authorized.
- Useful Life:** 5 years (unchanged)

**ANN MARIE MCCARTHY,
Township Clerk**

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF FRANKLIN
PUBLIC NOTICE**

BOND ORDINANCE STATEMENTS AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Council of the Township of Franklin, in the County of Somerset, State of New Jersey on October 12, 2010 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3452 FINALLY ADOPTED ON MAY 11, 2004 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE RESURFACING OF VARIOUS ROADWAYS AND THE PARKING LOT OF THE DEPARTMENT OF PUBLIC WORKS FACILITY, IN AND BY THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,189,925 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,133,261 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF," TO AMEND THE DESCRIPTION THEREOF

Purpose(s): Amend the description of Bond Ordinance Number 3452 (which provides for the resurfacing of various roadways and the parking lot of the Department of Public Works Facility) to include the Campus Drive Storm Sewer Emergency Repair Project, which includes but is not limited to, the replacement of approximately 250 linear feet of failed elliptical corrugated metal storm water pipe on Campus Drive west of Howard Avenue with reinforced concrete pipe, the restoration of damaged roadway pavement with full depth asphalt pavement consisting of dense graded aggregate, bituminous concrete base course and bituminous concrete asphalt surface course

Authorization: No additional appropriation, authorization and down payment are being authorized.

Useful Life: 5 years (unchanged)

ANN MARIE MCCARTHY,
Township Clerk

CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Township of Franklin, in the County of Somerset, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a

regular meeting of the governing body of the Township duly called and held on September 28, 2010 at 7:00 p.m. at the Township Municipal Building, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township as of this ___ day of _____, 2010.

(SEAL)

ANN MARIE MCCARTHY,
Township Clerk

CERTIFICATE OF FINAL ADOPTION

I, the undersigned Clerk of the Township of Franklin, in the County of Somerset, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the governing body of the Township duly called and held on October 12, 2010 at 7:00 p.m. at the Township Municipal Building and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township as of this ___ day of _____, 2010.

(SEAL)

**ANN MARIE MCCARTHY,
Township Clerk**

CLERK'S CERTIFICATE

I, ANN MARIE MCCARTHY, DO HEREBY CERTIFY that I am the Clerk of the Township of Franklin, in the County of Somerset (the "Township"), a municipal corporation organized

and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

(1) Attached hereto is the bond ordinance introduced on September 28, 2010 and finally adopted on October 12, 2010.

(2) After introduction, the bond ordinance was published as required by law on _____, 2010 in _____(name of newspaper).

(3) Following the passage of the ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said ordinance or a summary thereof and a notice that copies of the ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the ordinance by the governing body. Copies of the ordinance were made available to all who requested same.

(4) After final passage, the ordinance was duly published as required by law on _____, 2010 in _____(name of newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

(5) The ordinance has not been amended, added to, altered or repealed and said ordinance is now in full force and effect.

(6) A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, as applicable.

(7) An impression of the official seal of the Township is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township as of this ___ day of _____, 2010.

(SEAL)

ANN MARIE MCCARTHY,
Township Clerk