



T: 973-402-9410
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100 Washington Street
Boonton, NJ 07005

RESOLUTION 22-135

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$6,294,398 BOND ANTICIPATION NOTES OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Town of Boonton, in the County of Morris (the "Town") entitled: "Bond ordinance appropriating \$500,000, and authorizing the issuance of \$475,000 bonds or notes of the Town, for various improvements or purposes authorized to be undertaken by the Town of Boonton, in the County of Morris, New Jersey, for the water utility of the Town", finally adopted on May 1, 2017 (#09-17), bond anticipation notes of the Town in a principal amount not exceeding \$414,300 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Town entitled: "Bond ordinance appropriating \$1,829,946, and authorizing the issuance of \$1,472,616 bonds or notes of the Town, for various improvements or purposes authorized to be undertaken by the Town of Boonton, in the County of Morris, New Jersey", finally adopted on June 4, 2018 (#10-18), bond anticipation notes of the Town in a principal amount not exceeding \$708,440 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Town entitled: "Bond ordinance appropriating \$1,354,807, and authorizing the issuance of \$760,091 bonds or notes of the Town, for various improvements or purposes authorized to be undertaken by the Town of Boonton, in the County of Morris, New Jersey", finally adopted on June 3, 2019 (#05-19), bond anticipation notes of the Town in a principal amount not exceeding \$654,180 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Town entitled: "Bond ordinance providing for the improvement of the water supply and distribution system in and by the Town of Boonton, in the County of Morris, New Jersey, appropriating \$81,700, and authorizing the issuance of \$77,615 bonds or notes of the Town, for financing such appropriation", finally adopted on June 17, 2019 (#07-19), bond anticipation notes of the Town in a principal amount not exceeding \$66,615 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Town entitled: "Bond ordinance providing for the improvement of the Police Department headquarters in and by the Town of Boonton, in the County of Morris, New Jersey, appropriating \$165,000, and authorizing the issuance of \$157,000 bonds or notes of

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the Town, for financing such appropriation”, finally adopted on June 1, 2020 (#08-20), bond anticipation notes of the Town in a principal amount not exceeding \$157,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Town entitled: “Bond ordinance appropriating \$1,795,087, and authorizing the issuance of \$1,183,783 bonds or notes of the Town, for various improvements or purposes authorized to be undertaken by the Town of Boonton, in the County of Morris, New Jersey”, finally adopted on July 6, 2020 (#10-20), bond anticipation notes of the Town in a principal amount not exceeding \$1,183,783 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Town entitled: “Bond ordinance appropriating \$375,785, and authorizing the issuance of \$356,000 bonds or notes of the Town, for various improvements or purposes authorized to be undertaken by the Town of Boonton, in the County of Morris, New Jersey, for the water utility of the Town”, finally adopted on July 6, 2020 (#11-20), bond anticipation notes of the Town in a principal amount not exceeding \$356,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the Town entitled: “Bond ordinance providing for the improvement of the sanitary sewerage system in and by the Town of Boonton, in the County of Morris, New Jersey, appropriating \$1,466,400, and authorizing the issuance of \$1,393,080 bonds or notes of the Town, for financing such appropriation”, finally adopted on July 6, 2020 (#14-20), bond anticipation notes of the Town in a principal amount not exceeding \$1,393,080 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the Town entitled: “Bond ordinance providing for the acquisition of the Darress Theater in and by the Town of Boonton, in the County of Morris, New Jersey, appropriating \$800,000, and authorizing the issuance of \$761,000 bonds or notes of the Town, for financing such appropriation”, finally adopted on September 8, 2020 (#19-20), bond anticipation notes of the Town in a principal amount not exceeding \$761,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the Town entitled: “Bond ordinance providing for the acquisition of lands in and by the Town of Boonton, in the County of Morris, New Jersey, appropriating \$630,000 therefor and authorizing the issuance of \$600,000 bonds or notes of the Town for financing such appropriation” finally adopted on May 3, 2021 (#09-21), bond anticipation notes of the Town in a

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principal amount not exceeding \$600,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 11. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Town (the "Chief Financial Officer"), provided that no note shall mature later than one 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 Chief Financial Officer and shall be signed and sealed by officials and officers of the Town in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 12. Any note issued pursuant to this resolution shall be a general obligation of the Town, and the Town's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 13. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Town, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

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Section 14. All action heretofore taken by Town officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 15. This resolution shall take effect immediately

I, Cynthia A. Oravits, Clerk of the Town of Boonton, County of Morris, and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Council of the Town of Boonton on May 16, 2022.

Cynthia A. Oravits, Town Clerk

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