

ORDINANCE NO. 2021-13

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE BOROUGH OF RED BANK, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Borough Council of the Borough of Red Bank, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Borough of Red Bank (the “Municipality”) is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the “Authority”) pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the “Lease”), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

- (a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$1,898,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;
- (b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and
- (c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin	Motion	X			
Councilwoman Triggiano		X			
Councilman Ballard		X			
Councilman Yngstrom					X
Councilman Zipprich		X			
Councilwoman Horgan	Second	X			

Introduction: June 23, 2021
Public Hearing/Adoption: July 21, 2021

I hereby certify the above to be a true copy.

Pamela Borghi

Pamela Borghi, Municipal Clerk

SCHEDULE A - EQUIPMENT LIST

Borough of Red Bank

<u>Equipment</u>	<u>Useful Life</u> <u>(Years)</u>	<u>Lease Term</u> <u>(Years)</u>	<u>Estimated Cost</u>
2021 Ford Explorer SUV	5	5	\$ 30,000
Patrol Vehicles (5)	5	5	250,000
Admin / Detective Vehicle (1)	5	5	40,000
Communications / Dispatch consoles	10	10	120,000
Mobile Radios (12)	10	10	8,000
Mobile Data Computers (5)	7	7	30,000
Radar Equipment	5	5	10,000
Enclosed trailer	15	10	11,000
Radios, pagers, repeater	10	10	50,000
Generator- 60kw (First Aid building)	15	10	65,000
Radios and repeaters	10	5	8,000
Turnout gear	5	5	75,000
Mobile Data Computers (3)	7	7	18,000
Chief Vehicle	5	5	65,000
Utility Trucks (2)	5	5	100,000
F-450 with Hoist assembly	5	5	100,000
Utility Trucks (2)	5	5	100,000
Mason Dump Truck (2)	5	5	150,000
Utility Tractor	15	10	35,000
Roll Off	5	5	195,000
Aerial Truck	15	10	265,000
Total			\$1,725,000

NOTICE

The Ordinance published herewith was introduced and passed upon first reading at a regular meeting of the governing body of the Borough of Red Bank, New Jersey, held on June 23, 2021. It will be further considered for final passage after public hearing thereon at a meeting of the governing body to be held at the Municipal Building, 90 Monmouth Street, Red Bank, New Jersey in said Borough on July 21, 2021 at __:__ o'clock p.m. and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

Pamela Borghi
Clerk

STATEMENT

The Ordinance published herewith has been finally adopted on July 21, 2021 and the 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.

Pamela Borghi
Clerk