

ORDINANCE NO.: 06-15

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING AND APPROPRIATING \$816,404.00 CONSTRUCTION COSTS AND \$203,270.00 ENGINEERING COSTS FOR A TOTAL OF \$1,019,674.00 FOR THE REALIGNMENT OF HOWARD BOULEVARD AT ONEIDA AVENUE PROJECT

WHEREAS, the Mayor and Council for the Borough of Mount Arlington desires to begin the construction project on the realignment of Howard Boulevard at Oneida Avenue; and

WHEREAS, in order to finance the expenditures associated with the Howard Boulevard at Oneida Avenue Project, including but not limited to, all activities associated with the construction; the design and implementation of all necessary measures; and issuance of Request for Proposals; the General Capital Fund Reserve must be formally appropriated. The estimated cost for the project prepared by the Borough Engineer is \$816,404.00 construction costs and \$203,270.00 engineering costs for a total of **\$1,019,674.00**, as set forth in the attached twelve (12) page packet which includes a Project Costs Summary, dated June 10, 2015; Howard Boulevard Realignment Cost Evaluation for Increased Scope Construction and Services, dated June 2015; Engineer's Opinion of Probable Costs of Realignment of Howard Boulevard at Oneida Avenue, dated October 2014; Proposal for Professional Engineering Services, dated June 27, 2014; Howard Boulevard Realignment Costs Evaluation for Increased Scope, dated January 2015; and Engineer's Opinion of Probable Construction Costs for Howard Boulevard Reconstruction, dated May 27, 2015, a copy of all documents shall be incorporated herein as if set forth at length; and

WHEREAS, the Borough Engineer and the Borough CFO recommends the Mayor and Council for the Borough of Mount Arlington authorize the appropriation.

BE IT ORDAINED, by the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey as follows:

Section 1: The improvement and purpose described in Section 3 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Mount Arlington, County of Morris, New Jersey (hereinafter referred to as the "Borough"). For the said

improvement or purpose stated in Section 3 of this ordinance, there is hereby appropriated \$816,405.00, said sum being inclusive of all appropriations heretofore made therefor.

Section 2: The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is as follows:

The construction of the Howard Boulevard at Oneida Avenue Project, including but not limited to, all activities associated with the construction; the design and implementation of all necessary measures; and issuance of Request for Proposals. For the said improvement or purpose stated in this Section, there is appropriated \$816,404.00 for construction costs, which is comprised of \$15,000.00, amount of capital improvement fund for preliminary plans as per Borough Resolution 2014-88, a copy of which shall be incorporated herein as if set forth at length; \$125,000.00, amount of capital improvement fund as per Borough Ordinance 09-14, a copy of which shall be incorporated herein as if set forth at length; \$556,624.00, as agreed upon with the County of Morris to be set forth in an Interlocal Agreement; and \$119,780.00 from the Borough of Mount Arlington Capital Improvement Fund; and \$203,270.00 for engineering fees and costs from the Borough of Mount Arlington Capital Improvement Fund. This totals for the **\$1,019,674.00** for the entire project.

Section 3: The improvement authorized is expenditures associated with the Howard Boulevard at Oneida Avenue Project, including but not limited to, all activities associated with construction costs; the design and implementation of all necessary measures; and Request for Proposals.

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

- (a) The purpose described in Section 2 of this ordinance is not a current expense and is property or an improvement which the Borough may lawfully acquire or make as a general improvement having a period of usefulness of at least five (5) years and no part of the cost thereof has been or shall be specially assessed on property benefitted thereby.
- (b) Amount not exceeding \$203,270.00 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Law may be included as part of the costs of said improvement and are included in the foregoing estimates thereof.

Section 4: Any grant or other moneys received for the purposes described in Section 3 hereof in addition to the funds expressly appropriated in Section 2 hereof, shall be applied to direct payment of the cost of the improvement.

Section 5: The Capital Budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the

Director of the Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 6: The provisions of this Ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 7: To the extent that any previous Ordinance or resolutions inconsistent with or contradictory hereto, said Ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 8: This ordinance shall take effect after final adoption and publication in the manner provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Council of the Borough of Mount Arlington, introduced on June 9, 2015; revised on the record on June 9, 2015, amended accordingly and revised Ordinance properly noticed; and will be further considered after a public hearing held on July 7, 2015 at the Municipal Building at 7:00 p.m.

Attest:

BOROUGH OF MOUNT ARLINGTON



Linda DeSantis, RMC, Borough Clerk



Arthur R. Ondish, Mayor
Borough of Mount Arlington