ORDINANCE #2026-17

A BOND ORDINANCE AUTHORIZING THE CAPITAL RENEWAL AND REPLACEMENT FACILITIES FY 2026 PROJECT AT OCEAN COUNTY COLLEGE LOCATED IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, AND APPROPRIATING THE AGGREGATE AMOUNT OF $6,713,917, THEREFOR, INCLUDING SUPPORT FROM THE STATE OF NEW JERSEY IN THE AMOUNT OF $3,356,958.50 PURSUANT TO THE PROVISIONS OF CHAPTER 12 P.L. 1971 AND AUTHORIZING THE ISSUANCE OF BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF OCEAN TO FINANCE THE SAME.

WHEREAS, on February 27, 2025 the Ocean County College Board of Trustees adopted a resolution approving various facility improvements at the Ocean County College (the "College") for fiscal year 2026; and

WHEREAS, on May 7, 2025 the Ocean County College Board of School Estimate approved the funding request of $6,713,917 for fiscal year 2026 for the College facility improvements consisting of the renovation of existing buildings on the main campus to accommodate new educational programs to be offered by Ocean County College that require laboratories: Dental Hygiene, Radiography, Respiratory Therapy, Medical Assistant and Paramedic; and

WHEREAS, the Ocean County Board of Commissioners, acting pursuant to the procedures to be used by Community Colleges of the State of New Jersey and to the Resolution of the Ocean County College Board of School Estimate, wishes to adopt a bond ordinance appropriating sums of money and authorizing the issuance of bonds for the above mentioned project.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF OCEAN, IN THE STATE OF NEW JERSEY (NOT LESS THAN TWO THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

SECTION 1. That the improvements described in Section 2 of this Bond Ordinance are hereby authorized to be undertaken by the County of Ocean, New Jersey as general improvements. For the said improvements or purposes stated in Section 2, there is hereby appropriated the sum of money therein stated as the appropriation made for said improvements or purposes such sums amounting in the aggregate to $6,713,917 and including State Support of Capital Projects for County Colleges (Chapter 12, P.L. 1971, as amended) in the amount of $3,356,958.50 anticipated to be received from the State of New Jersey for the purposes described in Section 2 thereof.

SECTION 2. It is hereby found, determined and declared that the improvements or purposes, appropriation, and the amount of bonds or notes authorized and amount anticipated to be received as State Support of Capital Projects for County Colleges (Chapter 12, P.L. 1971, as amended) are as follows:

IMPROVEMENT OR PURPOSE	ESTIMATED COST AND APPROPRIATION	AMOUNT OF BONDS OR NOTES AUTHORIZED	ANTICIPATED AMOUNT AS STATE SUPPORT
Capital Renewal and Replacement Facilities Improvement Project FY 2026 including the renovation of existing buildings on the main campus to accommodate new educational programs to be offered by Ocean County College that require laboratories: Dental Hygiene, Radiography, Respiratory Therapy, Medical Assistant and Paramedic			
TOTALS	$6,713,917	$6,713,917	$3,356,958.50

SECTION 3. That the sum of $6,713,917 be and the same is hereby appropriated for the purposes stated in this Ordinance.

SECTION 4. There is hereby authorized the issuance of negotiable bonds in an aggregate principal amount of $6,713,917 to finance the costs of the purposes stated in Section 2 hereof. Said bonds shall bear interest at a rate not exceeding the limit authorized by law, and the maturities, method of sale and other details thereof shall be determined by subsequent resolutions to be adopted in the manner provided by law.

SECTION 5. That in order to temporarily finance the purposes provided for in Section 2 hereof, there is hereby authorized the issuance of bond anticipation notes of said County in an aggregate principal amount of $6,713,917. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Comptroller; provided that no note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and shall be in such form as may be determined by the County Comptroller. The County Comptroller shall determine all matters in connection with notes issued pursuant to this Ordinance, and the County Comptroller'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: 2-8.1. The County Comptroller is hereby authorized to sell part or all of the notes 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 plus accrued interest from their dates to the date of delivery thereof. The County Comptroller is directed to report in writing to the Board of Commissioners at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

SECTION 6. The County reasonably expects to commence acquisition and/or construction of the improvements described in Section 2 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the County further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof. This bond ordinance is intended to be a declaration of official intent under Treasury Regulation Section 1.150-2.

SECTION 7. Any grant monies received for the purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 8. The amount of the proceeds of the obligations authorized by this Ordinance which may be used for the payment of interest on such obligations, architects' fees, accounting, engineering and inspection costs, legal expenses, and other items as provided in N.J.S.A. 40A: 2-20 shall not exceed the sum of $1,000,000.

SECTION 9. The Capital Budget of the County of Ocean is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board 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 Clerk of the Board of Commissioners and is available there for public inspection.

SECTION 10. It is hereby found, determined and declared as follows:

A. The improvements or purposes described in Section 2 of this bond ordinance are not current expenses. They are improvements or purposes the County may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property benefited thereby.

B. The average period of usefulness of the improvements for which the obligations authorized by this Ordinance are to be issued is twenty (20) years.

C. The supplemental debt statement provided for in N.J.S.A. 40A: 2-10 was duly filed in the Office of the Clerk of the Board of Commissioners prior to the passage of this Ordinance on first reading, and a complete executed duplicate of such supplemental debt statement has been 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 that such supplemental debt statement shows that the gross debt of the County as defined in N.J.S.A. 40A: 2-43 is increased by this Ordinance by $6,713,917 and that the obligations authorized by this Ordinance will be within all debt limitations prescribed by said Local Bond Law.

D. The appropriation of $6,713,917 provided for in Section 2 hereof, when added to the amount of the County's bonds or notes for County College purposes outstanding or authorized but not issued at the date of such appropriation, will not exceed one-half of one percent of the equalized valuation basis of the

County as shown on the County Annual Debt Statement last filed prior to said date pursuant to the Local Bond Law.

SECTION 11. In the event the monies set forth above for the purposes are not necessary for said purposes, then such monies shall be for the completion of any of the other purposes provided for in this Ordinance.

SECTION 12. The full faith and credit of the County of Ocean shall be pledged to the payment of the principal of and interest on the bonds and notes authorized by this Ordinance, and as long as any of said bonds or notes are outstanding, an appropriation shall be included in each annual budget of the County hereafter adopted in an amount sufficient to pay the principal of and interest on such bonds or notes maturing in each year. The obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy ad valorem taxes upon all the taxable real property within the County for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 13. After passage upon first reading of this Ordinance, the Clerk of the Board of Commissioners is hereby directed to publish the full text of the Ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING ORDINANCE" (with appropriate completions, insertions and corrections), on the County official Internet website as required by P.L.2025, c.72, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Clerk of the Board of Commissioners is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this Ordinance.

SECTION 14 After final adoption of this Ordinance by the Board of Commissioners, the Clerk of the Board of Commissioners is hereby directed to publish the full text of this Ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF ORDINANCE" (with appropriate completions, insertions and corrections), on the County official Internet website as required by P.L.2025, c.72.

SECTION 15. The Board of Commissioners of the County hereby covenants on behalf of the County to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

SECTION 16. This Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

<u>NOTICE OF ADOPTION OF ORDINANCE</u>

PUBLIC NOTICE IS HEREBY GIVEN that the bond ordinance published herewith has been finally adopted by the Board of Commissioners of the County of Ocean on July 8, 2026, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

MICHELLE I. GUNTHER, Clerk
Board of Commissioners

JOHN C. SAHRADNIK
County Counsel