

TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE
ORDINANCE NO. 012-2015

AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Section 3 of Bond Ordinance #005-2013, as amended by Ordinance #015-2013 and Ordinance #004-2014, finally adopted April 8, 2013, as amended December 16, 2013 and April 14, 2014, respectively, (the "Original Bond Ordinance") of the Township of Upper, in the County of Cape May, New Jersey (the "Township"), is hereby amended to read as follows (certain appropriations and debt authorizations have been reallocated among the various purposes, as indicated below, such that the total appropriation and debt authorization are not changed):

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of various vehicles and equipment, consisting of trash trucks and containers, a dump snow plow and spreader, mowers, a mini-dump truck with utility box and snow plow, a utility body pick-up truck, a utility body pick-up truck with snow plow, a pick-up truck, a loader bucket, road patching equipment, an equipment trailer and a pickup truck, improvements to an existing loader and the acquisition and installation of carpeting at the Township Hall meeting room, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$1,946,500	\$1,849,175	5 years
b) The Paving Project, consisting of milling of existing surface and overlay of 2 inch bituminous surface course with ancillary work, including concrete curb and sidewalk, signs and drainage work, the reconstruction of the municipal parking lot and road condition inventory, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$990,000	\$940,500	10 years
c) The replacement of the boat ramp, consisting of engineering work, permits and the installation of a new pier and floating docks, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$125,000	\$118,750	10 years
d) Recreational field improvements, consisting of fencing, irrigation, baseball dugouts, the sewer pump station, the restroom building and sports field and baseball field lighting, improvements to Golden Oak Playground and the construction of a concession stand, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$216,000	\$205,200	15 years
e) Replacement of the Town Hall roof, repairs to the Public Works Building and the Rescue Squad Building and the acquisition and installation of an ADA door opener, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$235,000	\$223,250	10 years

f) The Building/Facility Security Project, consisting of the acquisition and installation of web enable cameras and recording equipment at Township Hall, the Community Center, Caldwell Park and Amanda's Field and the installation of bullet-resistant windows at Town Hall, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,000	\$95,000	10 years
g) Acquisition of various equipment, consisting of an emergency generator for the Rescue Squad, a vehicle fueling system and a vehicle lift, including all related costs and expenditures incidental thereto.	\$83,000	\$78,850	15 years
h) Acquisition of portable radios for the Public Works Department and the Rescue Squad, including all related costs and expenditures incidental thereto.	\$46,000	\$43,700	10 years
i) Acquisition of a portable tent for use as an emergency shelter, including all related costs and expenditures incidental thereto.	<u>\$6,500</u>	<u>\$6,175</u>	5 years
TOTALS	<u>\$3,748,000</u>	<u>\$3,560,600</u>	

Section Two. Section 6(b) of The Original Bond Ordinance is hereby amended to read as follows:

“The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.79 years.”

Section Three. The appropriation and the amount of bonds or notes for the purposes described in Section 3(a) of the Original Bond Ordinance are hereby decreased by \$190,000 and \$180,500, respectively, to \$1,946,500 and \$1,849,175, respectively.

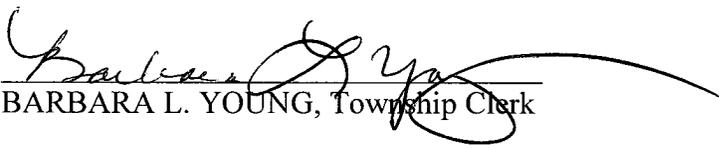
Section Four. The appropriation and the amount of bonds or notes for the purposes described in Section 3(b) of the Original Bond Ordinance are hereby increased by \$90,000 and \$85,500, respectively, to \$990,000 and \$940,500, respectively, such amounts representing a portion of the aggregate appropriation and a portion of the aggregate authorization for the purposes described in Section 3(a) of the Original Bond Ordinance.

Section Five. The appropriation and the amount of bonds or notes for the purposes described in Section 3(e) of the Original Bond Ordinance are hereby increased by \$100,000 and \$95,000, respectively, to \$235,000 and \$223,250, respectively.

Section Six. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section Seven. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ATTEST:


BARBARA L. YOUNG, Township Clerk


RICHARD PALOMBO, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE **8th DAY OF SEPTEMBER, 2015** AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE **13th DAY OF OCTOBER, 2015** AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Legislative History:

Introduced: September 8, 2015

Publication: September 11, 2015

Newspaper(s): Press of Atlantic City

Second Reading & Public Hearing: October 13, 2015

Final Adoption: October 13, 2015

Final Publication Date: October 19, 2015

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on October 13, 2015 and notice of adoption was thereafter published pursuant to law in The Press of Atlantic City on October 19, 2015.


BARBARA L. YOUNG, Township Clerk

Introduction of Ordinance No. 012-2015

EXTRACT from the minutes of a Regular meeting of the Township Committee of the Township of Upper, in the County of Cape May, New Jersey held at the Municipal Building, 2100 Tuckahoe Road, Petersburg, NJ in the Township on **September 8, 2015** at 7:30 o'clock p.m.

PRESENT: Barr
Coggins
Pierson
Young
Palombo

ABSENT:

[Attach appropriate minutes hereto]

14. Introduction and first reading of Ordinance No. 012-2015 RE: AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE. Motion by Jeff Pierson, second by John Coggins, to introduce Ordinance 012-2015 with a public hearing and final adoption scheduled for October 13, 2015. During roll call vote all five Committeemen voted in the affirmative.

CERTIFICATE

I, Barbara L. Young, Clerk of the Township of Upper, in the County of Cape May, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on **September 8, 2015** 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 corporate seal
of the Township this **9th** day of **November, 2015**.


Barbara L. Young, Township Clerk

(SEAL)



Township of Upper
 P.O. Box 205
 Tuckahoe, NJ 08250
 (609) 628-2011 ext. 200
 clerk@uppertownship.com

UPPER TOWNSHIP PROOF OF INSERTION

State of New Jersey
 County of Cape May

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 ORDINANCE
 ORDINANCE NO. 012-2015**

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 Upper, in the County of Cape May, State of New Jersey, on **September 8, 2015**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Upper Township Municipal Building, 2100 Tuckahoe Road, Petersburg, New Jersey 08270, in the Township on **October 13, 2015 at 7:30 o'clock 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: "AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE."

Purposes:
 A) Section 3 of Bond Ordinance #005-2013, as amended by Ordinance #015-2013 and Ordinance #004-2014, finally adopted April 8, 2013, as amended December 16, 2013 and April 14, 2014, respectively, (the "Original Bond Ordinance") of the Township of Upper, in the County of Cape May, New Jersey (the "Township"), is amended to read as follows (certain appropriations and debt authorizations have been reallocated among the various purposes, as indicated below, such that the total appropriation and debt authorization are not changed):

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a) Acquisition of various vehicles and equipment, consisting of trash trucks and containers, a dump snow plow and spreader, mowers, a mini-dump truck with utility box and snow plow, a utility body pick-up truck, a utility body pick-up truck with snow plow, a pick-up truck, a loader bucket, road patching equipment, an equipment trailer and a pickup truck, improvements to an existing loader and the acquisition and installation of carpeting at the Township Hall meeting room, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$1,246,500	\$1,849,175	5 years
b) The Paving Project, consisting of milling of existing surface and overlay of 2 inch bituminous surface course with ancillary work, including concrete curb and sidewalk, signs and drainage work, the reconstruction of the municipal parking lot and road condition inventory, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$990,000	\$940,500	10 years
c) The replacement of the boat ramp, consisting of engineering work, permits and the installation of a new pier and floating docks, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$125,000	\$118,750	10 years
d) Recreational field improvements, consisting of fencing, irrigation, baseball dugouts, the sewer pump station, the restroom building and sports field and baseball field lighting, improvements to Golden Oak Playground and the construction of a concession stand, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$216,000	\$205,200	15 years
e) Replacement of the Town Hall roof, repairs to the Public Works Building and the Rescue Squad Building and the acquisition and installation of an ADA door opener, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$235,000	\$223,250	10 years
f) The Building/Facility Security Project, consisting of the acquisition and installation of web enable cameras and recording equipment at Township Hall, the Community Center, Caldwell Park and Amanda's Field and the installation of bullet-resistant windows at Town Hall, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,000	\$95,000	10 years
g) Acquisition of various equipment, consisting of an emergency generator for the Rescue Squad, a vehicle fueling system and a vehicle lift, including all related costs and expenditures incidental thereto.	\$83,000	\$78,850	15 years
h) Acquisition of portable radios for the Public Works Department and the Rescue Squad, including all related costs and expenditures incidental thereto.	\$46,000	\$43,700	10 years
i) Acquisition of a portable tent for use as an emergency shelter, including all related costs and expenditures incidental thereto.	\$6,500	\$6,175	5 years
TOTALS	\$3,748,000	\$3,560,600	

- B) Section 6(b) of The Original Bond Ordinance is amended to read as follows:
 "The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.79 years."
- C) The appropriation and the amount of bonds or notes for the purposes described in Section 3(a) of the Original Bond Ordinance are hereby decreased by \$190,000 and \$180,500, respectively, to \$1,946,500 and \$1,849,175, respectively.
- D) The appropriation and the amount of bonds or notes for the purposes described in Section 3(b) of the Original Bond Ordinance are hereby increased by \$90,000 and \$85,500, respectively, to \$990,000 and \$940,500, respectively, such amounts representing a portion of the aggregate appropriation and a portion of the aggregate authorization for the purposes described in Section 3(a) of the Original Bond Ordinance.
- E) The appropriation and the amount of bonds or notes for the purposes described in Section 3(e) of the Original Bond Ordinance are hereby increased by \$100,000 and \$95,000, respectively, to \$235,000 and \$223,250, respectively.

Appropriation: \$0
 Bonds/Notes Authorized: \$0
 Grant Appropriated: N/A
 Section 20 Costs: \$0
 Useful Life: 7.79 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.
 Printer's Fee: \$159.12
 Pub. Date: September 11, 2015

Barbara L. Young, Township Clerk

Order No. 1339490

I, Joanne R. Herron, do hereby certify that an advertisement, of which the annexed is a true copy, was published in The Press of Atlantic City, a newspaper circulated in Upper Township, County and State aforesaid, issue(s) as follow(s) to wit:

September 11, 2015

Certified this 11th day of September, 2015

Joanne R. Herron, RMC
 Deputy Municipal Clerk

Adoption of Ordinance 012-2015

EXTRACT from the minutes of a Regular meeting of the Township Committee of the Township of Upper, in the County of Cape May, New Jersey held at the Municipal Building, 2100 Tuckahoe Road, Petersburg, NJ in the Township on **October 13, 2015** at 7:30 o'clock p.m.

PRESENT: Barr
Coggins
Young
Palombo

ABSENT: Pierson

[Attach appropriate minutes hereto]

3. Public hearing and final adoption of Ordinance No. 012-2015 RE: AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE. During the public hearing portion, there were no speakers. Motion by John Coggins, second by Hobie Young, to adopt Ordinance No. 012-2015. During roll call vote all four Committeemen present voted in the affirmative.

CERTIFICATE

I, Barbara L. Young, Clerk of the Township of Upper, in the County of Cape May, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on **October 13, 2015** 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 corporate seal of the Township this 9th day of **November, 2015.**


Barbara L. Young, Township Clerk

(SEAL)

UPPER TOWNSHIP PROOF OF INSERTION

State of New Jersey
County of Cape May

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE
ORDINANCE NO. 012-2015
BOND ORDINANCE STATEMENT AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Upper, in the County of Cape May, State of New Jersey on October 13, 2015 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. 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: "AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE."

Purposes:
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TOTALS	\$3,748,000	\$3,560,600	

B) Section 6(b) of The Original Bond Ordinance is amended to read as follows: "The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.79 years."
C) The appropriation and the amount of bonds or notes for the purposes described in Section 3(a) of the Original Bond Ordinance are hereby decreased by \$190,000 and \$180,500, respectively, to \$1,946,500 and \$1,849,175, respectively.
D) The appropriation and the amount of bonds or notes for the purposes described in Section 3(b) of the Original Bond Ordinance are hereby increased by \$90,000 and \$85,500, respectively, to \$990,000 and \$940,500, respectively, such amounts representing a portion of the aggregate appropriation and a portion of the aggregate authorization for the purposes described in Section 3(a) of the Original Bond Ordinance.
E) The appropriation and the amount of bonds or notes for the purposes described in Section 3(e) of the Original Bond Ordinance are hereby increased by \$100,000 and \$95,000, respectively, to \$235,000 and \$223,250, respectively.

Appropriation: \$0
Bonds/Notes Authorized: \$0
Grant Appropriated: N/A
Section 20 Costs: \$0
Useful Life: 7.79 years

Barbara L. Young, Township Clerk
Order No. 1343933

Printer's Fee: \$151.98
Pub. Date: October 19, 2015

I, Joanne R. Herron, do hereby certify that an advertisement, of which the annexed is a true copy, was published in The Press of Atlantic City, a newspaper circulated in Upper Township, County and State aforesaid, issue(s) as follow(s) to wit:

October 19, 2015

Certified this 19th day of October, 2015


Joanne R. Herron, RMC
Deputy Municipal Clerk

CLERK'S CERTIFICATE

I, Barbara L. Young, Clerk of the Township of Upper, in the County of Cape May, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Township of Upper, in the County of Cape May, State of New Jersey (herein called the "Township"). In this 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 ordinances and resolutions of the Township. The representations made herein are based upon the records of the Township.

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Township on first reading on September 8, 2015 and finally adopted by the governing body on October 13, 2015 and, where necessary, approved by the Mayor on October 13, 2015.

3. On September 11, 2015 a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Township at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them.

4. 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.

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on October 19, 2015. No protest signed by any person against making the 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 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this 9th day of November, 2015.


Barbara L. Young, Township Clerk

[SEAL]