

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 010-2020

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER,
IN THE COUNTY OF CAPE MAY, NEW JERSEY,
APPROPRIATING \$2,000,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE
COST THEREOF.**

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 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Upper, in the County of Cape May, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,000,000, and further including the aggregate sum of \$100,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Department of Public Works:</u>			
i) Acquisition of a backhoe, a utility body pickup with extended cab, pickup trucks with extended cab with plow, a bat-wing mower, an automated trash truck and a leaf truck, including all related costs and expenses incidental thereto.	\$935,000	\$888,250	5 years
ii) Acquisition of a vehicle lift and an air compressor (tow behind), including all related costs and expenses incidental thereto.	<u>\$41,000</u>	<u>\$38,950</u>	15 years
TOTAL:	<u>\$976,000</u>	<u>\$927,200</u>	
b) <u>Recreation Facilities:</u>			
Acquisition of digital display signs and the construction of a Caldwell Park press box and grandstand, including all related costs and expenses incidental thereto. And further including all work and materials necessary therefor and incidental thereto.	<u>\$100,000</u>	<u>\$95,000</u>	10 years
c) <u>Public Safety Equipment:</u>			
(i) Acquisition of a Kubota for the beach, including all related costs and expenses incidental thereto.	\$15,000	\$14,250	5 years
(ii) Acquisition of a portable light tower with generator, including all related costs and expenses incidental thereto.	\$70,000	\$66,500	15 years
(iii) Acquisition of portable radios, including all related costs and expenses incidental thereto.	<u>\$25,000</u>	<u>\$23,750</u>	10 years
TOTAL:	<u>\$110,000</u>	<u>\$104,500</u>	
d) <u>Engineering:</u>			
(i) The Harbor Road Boat Ramp Project, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	<u>\$400,000</u>	<u>\$380,000</u>	10 years

e) Emergency Medical Services:

(i) Acquisition of an ambulance and a remount for an ambulance, including all related costs and expenditures incidental thereto.	\$384,000	\$364,800	5 years
(ii) Acquisition of a power load stretcher, including all related costs and expenditures incidental thereto.	<u>\$30,000</u>	<u>\$28,500</u>	15 years
TOTAL:	<u>\$414,000</u>	<u>\$393,300</u>	
GRAND TOTAL:	<u>\$2,000,000</u>	<u>\$1,900,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation 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 chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) 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 7.017 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof 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. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,900,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 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 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond 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

Legislative History:

Introduced: October 13, 2020

Publication: October 16, 2020

Newspaper(s): The Press of Atlantic City

Second Reading and Public Hearing: November 9, 2020

Final Adoption: November 9, 2020

Final Publication Date: November 12, 2020

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on November 9, 2020 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on November 12, 2020.


BARBARA L. YOUNG, Township Clerk

DEBT STATEMENT CERTIFICATE

I, Barbara L. Young, Clerk of the Township of Upper, in the County of Cape May, New Jersey (herein called the "Township"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the Township that was prepared as of October 13, 2020 by Barbara A. Ludy, who was then chief financial officer of the Township and filed in my office on October 13, 2020, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on October 20, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Township this 20th day of October, 2020.


Barbara L. Young, Clerk

(SEAL)

State of New Jersey
Department of Community Affairs
Supplemental Debt Statement

Local Government: Upper Township Prepared As Of: 10/13/2020

Budget Year Ending December 31 (Month D-D) 2020 (Year)

Name: Barbara Ludy

Title: Chief Financial Officer

Address: P O Box 205
Tuckahoe, NJ 08250

Phone: 609-628-2806

Email: treasurer@uppertownship.com
N-0816

CFO Cert #: _____

Barbara Ludy, Being duly sworn, deposes and says: Deponent is the Chief Financial Officer of Upper Township here and in the statement hereinafter mentioned called the local unit. The Supplemental Debt Statement annexed hereto and hereby made a part hereof is a true statement of the debt condition of the local unit as of the date therein stated and is computed as provided by the Local Bond Law of New Jersey.

	Net Debt as per Annual Debt Statement	Decrease (Since December 31, last past)	Increase	Net Debt
Bonds and Notes for School Purposes	\$0.00	\$	\$	\$0.00
Bonds and Notes for Self-Liquidating Purposes	\$0.00	\$	\$	\$0.00
Other Bonds and Notes	\$14,421,180.78	\$4,510,000.00	\$	\$9,911,180.78
2 Net Debt at the time of this statement is				\$9,911,180.78

The amounts and purposes separately itemized of the obligations about to be authorized, and any deductions which may be made on account of each such item are: (see Note "C" below)

Bond Ordinance	Purposes	Amount	Deduction	Net
010-2020	Various Capital Improvements	\$1,900,000.00	\$	\$1,900,000.00
		\$1,900,000.00	\$0.00	\$1,900,000.00

4 The net debt of the local unit determined by the addition of the net debt amounts stated in items 2 and 3 above is: \$11,811,180.78

5 Equalized valuation basis (the average of the equalized valuations of real estate, including improvements and the assessed valuation of class II railroad property of the local unit for the last 3 preceding years) as stated in the Annual Debt Statement or the revision thereof last filed.

	Year		
(1)	2017	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$1,911,502,115.00
(2)	2018	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$1,934,302,309.00
(3)	2019	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$1,976,278,669.00

6 Equalized Valuation Basis – Average of (1), (2) and (3)..... \$1,940,694,364.33

7 Net Debt (Line 4 Above) expressed as a percentage of such equalized valuation basis (Line 6 above) is: 0.609%

Notes

- A If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of N.J.S.A. 40A:2-7 or other section of law providing such exception.
- B This form is also to be used in the bonding of separate (not Type I) school districts as required by N.J.S.A. 18A:24-16, and filed before the school district election. In such case pages 3 and 4 should be completed to set forth the computation supporting any deduction in line 3 above.
- C Only the account of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should not be included nor shown as a deduction.

**COMPUTATION AS TO INDEBTEDNESS FOR IMPROVEMENT OR EXTENSION OF AN
EXISTING MUNICIPAL PUBLIC UTILITY, N.J.S.A. 40A:2-7(h); NJSA 40A:2-47(a)**

- 1. Annual Debt Statement, excess in revenues of utility
- 2. Less Interest and principal computed as provided in N.J.S.A. 40A:2-47(a) for all obligations authorized but not issued to the extent not already charged to income in the annual debt statement.
- 3. Excess revenue prior to authorizing proposed obligations = (column 1 minus column 2)
- 4. Interest and principal calculated for proposed obligations N.J.S.A. 40A:2-47(a)
 - (a) Interest for one year at 4 1/2%
 - (b) First installment of serial bonds legally issuable
 - (c) Total charges (Items (a) and (b))

	1	2	3	4(a)	4(b)	4(c)
Municipal Public Utility	ADS Excess in Revenues of Utility	Less Interest and Principal	Excess Revenue	Interest for One Year	1 st Installment of Serial Bonds Legally Issuable	Total Charges

Note: If line 3 equals or exceeds line 4, obligations may be authorized under the provisions of N.J.S.A. 40A:2-7(h) as limited by N.J.S.A. 40A:2-47(a).

**COMPUTATION OF SCHOOL INDEBTEDNESS AND DEDUCTIONS
UNDER PROVISIONS OF N.J.S.A. 18A: 24-17**

N.J.S.A. 18A:24-19 (Lines 1 to 7)

1	Average of equalized valuations (page 1, line 3)	\$1,940,694,364.33
2	Gross School District Debt outstanding and authorized but not issued (not including proposed issue)	\$
3	Less: Sinking funds held for payment of School Debt, by Sinking Fund Commission	\$
4	Net debt for school purposes (line 2, minus line 3)	\$0.00
5	Debt deduction for school purposes' % (as per line below)	% \$
	(a) 2½% Kindergarten or Grade 1 through Grade 6	
	(b) 3 % Kindergarten or Grade 1 through Grade 8	
	(c) 3½% Kindergarten or Grade 1 through Grade 9	
	(d) 4 % Kindergarten or Grade 1 through Grade 12	
6	Available debt deduction (excess, if any, of line 5 over line 4)	\$0.00
7	School Bonds about to be authorized	\$
Note: Omit lines 8 to 13, if line 6 equals or exceeds line 7. or if shown on line 17		

N.J.S.A. 18A:24-22 (Lines 8 to 13)

8	Excess of line 7 over line 6	\$0.00
9	Municipal Debt Limit (3½% of line 1 above)	\$67,924,302.75
10	Net Debt	\$9,911,180.78
11	Available Municipal Borrowing Margin (excess, if any, of line 9 over line 10)	\$58,013,121.97
12	Use of Municipal Borrowing Margin (line 8 not exceeding line 11)	\$0.00
13	Remaining Municipal Borrowing Margin after authorization of proposed School Bonds (line 11 minus line 12)	\$58,013,121.97
Note: Omit lines 14 to 16, if line 11 equals or exceeds line 8, or if shown on line 17		

N.J.S.A. 18A:24-24 (lines 14 to 16)

14	Amount of line 7	\$
15	Amount of Deduction:	
	(a) Amount of line 6	\$0.00
	(b) Amount of line 11	\$58,013,121.97
	Total	\$58,013,121.97
16	Excess of line 14 over line 15	\$0.00

Computation of Regional School Indebtedness

	1	2	3	4	5
Municipality	Average Equalized Valuations 40A:2-43		Apportionment of Previous Bonds Issued or Authorized	Amount Apportionment of Proposed Bond Issue	Total Apportionment of Previous Bonds Issued or Authorized plus Apportionment Proposed Bond Issue (Column 3 plus 4)
	Amount	Percentage			
		%			
Totals		%			

SPECIAL DEBT STATEMENT
BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(f)

1	Amount of accumulated debt incurring capacity under RS 40:1-16(d) as shown on the latest Annual Debt Statement.		\$
2	Obligations heretofore authorized in excess of debt limitation and pursuant to:		
	(a) N.J.S.A. 40A:2-7(d)	\$	
	(b) N.J.S.A. 40A:2-7(f)	\$	
	(c) N.J.S.A. 40A:2-7(g)	\$	
	Total		\$0.00
3	Available debt incurring capacity (N.J.S.A. 40A:2-7(f))		\$
4	Obligations about to be authorized pursuant to N.J.S.A. 40A :2-7(f) (If item 3 equals or exceeds item 4, obligations may be authorized)		\$

BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(g)

1	Total appropriations made in local unit budget for current fiscal year for payment of obligations of local unit included in Annual Debt Statement or revision thereof last filed as of preceding December 31, 2019		\$
2	Less the amount of such obligations which constitute utility and assessment obligations:		\$
3	Excess of item 1 over item 2:		\$0.00
4	Amount raised in the tax levy of the current fiscal year by the local unit for the payment of bonds or notes of any school district		\$
5	Amount equal to 2/3 of the sum of item 3 and item 4		\$0.00
6	(a) Amount of obligations heretofore authorized under N.J.S.A. 40A:2-7(g) in current fiscal year	\$	
	(b) Amount of authorizations included in 6(a) which were heretofore repealed	\$	
	(c) Excess of item 6(a) over item 6(b)		\$0.00
7	Excess of item 5 over item 6(c)		\$0.00
8	Obligations about to be authorized		\$
9	Borrowing capacity still remaining after proposed authorization		\$0.00

(item 7 less item 8) (If item 7 equals or exceeds item 8, obligations may be authorized)

From: [Barbara Ludy](#)
To: [Barbara Young](#); [Joanne Herron](#)
Subject: FW: Your Supplemental Debt Statement Submission has been received
Date: Tuesday, October 20, 2020 3:40:14 PM
Attachments: [0511_sds_2020_Submitted.pdf](#)

Here's confirmation that our Supplemental Debt Statement has been filed on FAST. I've also attached a copy here for your files.

Barbara

Barbara A. Ludy
Chief Financial Officer
Qualified Purchasing Officer
P.O. Box 205
Tuckahoe, NJ 08250
(609) 628-2806 - Direct
(609) 628-4212 - Fax
treasurer@uppertownship.com

From: DCA DoNotReply <DoNotReply@dca.nj.gov>
Sent: Tuesday, October 20, 2020 3:39 PM
To: Barbara Ludy <bludy@uppertownship.com>
Subject: Your Supplemental Debt Statement Submission has been received

SDS for Upper Township was submitted on/at 10/20/2020 3:36 PM This e-mail transmission may contain confidential or legally privileged information that is intended only for the individual or entity named in the e-mail address. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or reliance upon the contents of this e-mail is strictly prohibited. If you have received this e-mail transmission in error, please reply to the sender, so that the Upper Township can arrange for proper delivery, and then please delete the message. Thank You.

This e-mail transmission may contain confidential or legally privileged information that is intended only for the individual or entity named in the e-mail address. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or reliance upon the contents of this e-mail is strictly prohibited. If you have received this e-mail transmission in error, please reply to the sender, so that the Upper Township can arrange for proper delivery, and then please delete the message. Thank You.

CERTIFICATE OF DOWN PAYMENT


I, Barbara A. Ludy, Chief Financial Officer of the Township of Upper, in the County of Cape May, New Jersey (the "Township") HEREBY CERTIFY that prior to the final adoption on November 9, 2020 of a bond ordinance entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF,

there was available as a down payment for the purposes authorized by the bond ordinance the sum of \$100,000, which amount was appropriated as a down payment by the bond ordinance and was made available from the following sources (strike out inapplicable language):

- a. by provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes;
- b. ~~from moneys then actually held by the Township and previously contributed for such purpose other than by the Township; or~~
- c. ~~by emergency appropriation.~~

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of October, 2020.



Barbara A. Ludy, Chief Financial Officer

EXTRACT from the minutes of a regular electronic 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 in the Township on October 13, 2020 at 7:30 o'clock p.m.

PRESENT:

Barr
Coggins
Corson
Young
Palombo

ABSENT:

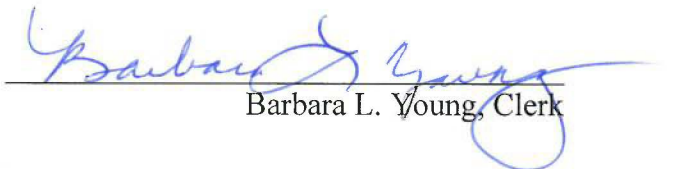
[Attach appropriate minutes hereto]

Introduction and first reading of Ordinance 010-2020 RE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. Motion by John Coggins, second by Edward Barr, to introduce Ordinance 010-2020 with a public hearing and final adoption scheduled for the November 9, 2020 electronic meeting. 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 October 13, 2020 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 3 day of December, 2020.


Barbara L. Young, 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. 010-2020
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 October 13, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held exclusively by electronic means, as set forth below, in the Township on November 9, 2020 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 bond 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: "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
a) Department of Public Works: i) Acquisition of a backhoe, a utility body pickup with extended cab, pickup trucks with extended cab with plow, a bat-wing mower, an automated trash truck and a leaf truck, including all related costs and expenses incidental thereto.	\$935,000	\$888,250	5 years
ii) Acquisition of a vehicle lift and an air compressor (tow behind), including all related costs and expenses incidental thereto.	\$41,000	\$38,950	15 years
TOTAL:	\$976,000	\$927,200	
b) Recreation Facilities: Acquisition of digital display signs and the construction of a Caldwell Park press box and grandstand, including all related costs and expenses incidental thereto. And further including all work and materials necessary therefor and incidental thereto.	\$100,000	\$95,000	10 years
c) Public Safety Equipment: (i) Acquisition of a Kubota for the beach, including all related costs and expenses incidental thereto. (ii) Acquisition of a portable light tower with generator, including all related costs and expenses incidental thereto. (iii) Acquisition of portable radios, including all related costs and expenses incidental thereto.	\$15,000 \$70,000 \$25,000	\$14,250 \$66,500 \$23,750	5 years 15 years 10 years
TOTAL:	\$110,000	\$104,500	
d) Engineering: (i) The Harbor Road Boat Ramp Project, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$400,000	\$380,000	10 years
e) Emergency/Medical Services: (i) Acquisition of an ambulance and a remount for an ambulance, including all related costs and expenditures incidental thereto. (ii) Acquisition of a power load stretcher, including all related costs and expenditures incidental thereto.	\$384,000 \$30,000	\$364,800 \$28,500	5 years 15 years
TOTAL:	\$414,000	\$393,300	
GRAND TOTAL:	\$2,000,000	\$1,900,000	

Appropriation: \$2,000,000
Bonds/Notes Authorized: \$1,900,000
Grants Appropriated: N/A
Section 20 Costs: \$100,000
Useful Life: 7.017 years


Please be advised, the November 9, 2020 Upper Township Committee meeting will be conducted exclusively by electronic means. The public will be able to attend the meeting and participate in public comment by utilizing a computer, tablet, or smartphone that has a microphone and speaker, or by dialing in on a telephone. The meeting will commence electronically on November 9, 2020 at 7:30 p.m. From your computer, tablet or smartphone: Please go to <https://www.gotomeet.me/UpperTownship-NJ/ut-public-meeting-room>. To dial in using your phone: United States: 1 (872) 240-3311 Access Code: 617 672 469 New to GoToMeeting? Get the app now and be ready when the first meeting starts: <https://global.gotomeeting.com/install/617672469> For any questions please contact the Clerk's Office at 609-628-2011 ext. 200.

Barbara L. Young, Clerk
This Notice is published pursuant to N.J.S.A. 40A:2-17.
Printers Fee: \$86.28
Pub. Date: October 16, 2020
Order No. 0000154012-01

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 16, 2020

Certified this 16th day of October, 2020.


Joanne R. Herron, RMC
Deputy Municipal Clerk

EXTRACT from the minutes of a regular electronic 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 in the Township on November 9, 2020 at 7:30 o'clock p.m.

PRESENT:

Barr
Coggins
Corson
Hayes
Palombo

ABSENT:

[Attach appropriate minutes hereto]

Public hearing and final adoption of Ordinance 010-2020 RE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. During the public hearing portion there were no speakers. Motion by John Coggins, second by Barr to adopt Ordinance No. 010-2020. During roll call vote four Committee members voted in the affirmative. Kimberly Hayes abstained.

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 November 9, 2020 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 3 day of December, 2020.


Barbara L. Young, 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. 010-2020

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 November 9, 2020 and the 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 statement. Copies of the full bond 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: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
a) Department of Public Works:			
i) Acquisition of a backhoe, a utility body pickup with extended cab, pickup trucks with extended cab with plow, a bat-wing mower, an automated trash truck and a leaf truck, including all related costs and expenses incidental thereto.	\$935,000	\$888,250	5 years
ii) Acquisition of a vehicle lift and an air compressor (tow behind), including all related costs and expenses incidental thereto.	\$41,000	\$38,950	15 years
TOTAL:	\$976,000	\$927,200	
b) Recreation Facilities:			
Acquisition of digital display signs and the construction of a Caldwell Park press box and grandstand, including all related costs and expenses incidental thereto. And further including all work and materials necessary therefor and incidental thereto.	\$100,000	\$95,000	10 years
c) Public Safety Equipment:			
(i) Acquisition of a Kubota for the beach, including all related costs and expenses incidental thereto.	\$15,000	\$14,250	5 years
(ii) Acquisition of a portable light tower with generator, including all related costs and expenses incidental thereto.	\$70,000	\$66,500	15 years
(iii) Acquisition of portable radios, including all related costs and expenses incidental thereto.	\$25,000	\$23,750	10 years
TOTAL:	\$110,000	\$104,500	
d) Engineering:			
(i) The Harbor Road Boat Ramp Project, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$400,000	\$380,000	10 years
e) Emergency Medical Services:			
(i) Acquisition of an ambulance and a remount for an ambulance, including all related costs and expenditures incidental thereto.	\$384,000	\$364,800	5 years
(ii) Acquisition of a power load stretcher, including all related costs and expenditures incidental thereto.	\$30,000	\$28,500	15 years
TOTAL:	\$414,000	\$393,300	
GRAND TOTAL:	\$2,000,000	\$1,900,000	

Appropriation: \$2,000,000
Bonds/Notes Authorized: \$1,900,000
Grants Appropriated: N/A
Section 20 Costs: \$100,000
Useful Life: 7.017 years

Printer Fee \$143.64
Pub Date: November 12, 2020

Barbara L. Young, Clerk
Order # 0000155632

I, Barbara L. Young, 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:

November 12, 2020

Certified this 12th day of November, 2020.

Barbara L. Young, RMC
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 a bond ordinance passed by the governing body of the Township on first reading on October 13, 2020 and finally adopted by the governing body on November 9, 2020 and, where necessary, approved by the Mayor on November 9, 2020.

3. On November 10, 2020, a copy of the bond ordinance and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond 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 bond ordinance were made available to all who requested them.

4. A certified copy of the bond 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 bond ordinance, a copy of which is attached hereto, was duly published on November 12, 2020. 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 bond 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 3 day of December, 2020.


Barbara L. Young, Clerk

[SEAL]