

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 009-2022

**BOND ORDINANCE OF THE TOWNSHIP OF UPPER,
COUNTY OF CAPE MAY, NEW JERSEY, CANCELLING
CERTAIN FUNDED APPROPRIATION BALANCES
HERETOFORE PROVIDED FOR VARIOUS CAPITAL
PROJECTS AND REAPPROPRIATING SUCH FUNDED
APPROPRIATION BALANCES FOR OTHER CAPITAL
PROJECTS**

BE IT ORDAINED by the Township Committee of the Township of Upper, County of Cape May, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The following funded appropriations remaining as a balances in Bond Ordinances #012-2018, duly adopted on September 24, 2018, as amended by #006-2020, duly adopted on July 13, 2020; #020-2019, duly adopted on December 9, 2019; and #010-2020, duly adopted on November 9, 2020, as amended by #003-2021, duly adopted on March 8, 2021 (collectively, the "Ordinances") heretofore adopted by the Township Committee of the Township of Upper, County of Cape May, New Jersey ("Township"), together with the amount of \$19,500 from the Capital Improvement Fund made available for said Ordinances, are no longer necessary for the various purposes set forth below and are hereby cancelled:

Ordinance Number	Improvement Description	Amount to be Cancelled
Section 3(b)(i) of Ordinance #012-2018	Various improvements, including the acquisition and installation of a bandstand, sound system and a pole building for Amanda's Field.	\$60,000
Section 3(b)(i) of Ordinance #012-2018, as re-appropriated by Ordinance #006-2020	Security cameras at the recreation facilities.	\$3,000
Section 3(c)(ii) of Ordinance #012-2018	Acquisition of property at the Community Center, as more specifically described as Block 382, Lots 11.01 and 11.02 on the tax maps of the Township.	\$489,500 (includes \$14,500 from the Capital Improvement Fund)
Section 3(d)(i) of Ordinance #012-2018	The paving project for various roads, Sam's Gulf remediation and bulkhead replacement.	\$110,000
Section 3(a)(i) of Ordinance #020-2019	The acquisition of a side-arm packer.	\$8,700
Section 3(e)(i) of Ordinance #020-2019	The acquisition of portable radios.	\$12,500
Section 3(f) of Ordinance #020-2019	The acquisition of a utility vehicle.	\$21,300
Section 3(a)(i) of Ordinance #010-2020	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.	\$33,000
Section 3(a)(ii) of Ordinance #010-2020	The acquisition of a vehicle lift and an air compressor (tow behind).	\$4,000
Section 3(b)(i) of Ordinance #010-2020	Acquisition of digital display signs and the construction of a Caldwell Park press box and grandstand.	\$35,000
Section 3(c)(i) of Ordinance #010-02020	Acquisition of a Kubota for the beach.	\$1,500
Section 3(c)(ii) of Ordinance #010-2020, as amended by Ordinance #003-2021	Acquisition of portable light towers with generator.	\$21,500
Section 3(c)(iii) of Ordinance #010-2020, as amended by Ordinance #003-2021	Acquisition of portable radios.	\$70,000 (includes \$3,500 from the capital improvement fund)

Section 3(e)(ii) of Ordinance #010-2020	Acquisition of a power load stretcher.	\$30,000 (includes \$1,500 from the capital improvement fund)
Total:		<u>\$200,000</u>

Section 2. The amount of \$900,000, which represents the funded appropriations cancelled from the Ordinances described in Section 1 hereof in the amount of \$880,500, together with the amount of \$19,500 from the Capital Improvement Fund originally made available from the Ordinances, is hereby re-appropriated from said Ordinances for the following:

Purpose	Amount
The acquisition of a drain truck, including all related costs and expenditures incidental thereto.	\$530,000
The acquisition and installation of football lighting, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$200,000
Repairs/construction of Gandy and Train Station roofs, including all work and materials necessary therefor and incidental thereto.	\$80,000
The acquisition of a beach truck, including all related costs and expenditures incidental thereto.	\$40,000
The acquisition of an EMS truck, including all related costs and expenditures incidental thereto.	<u>\$50,000</u>
Total:	<u>\$900,000</u>

Section 3. The remaining funded and unfunded appropriation balances as authorized by the Ordinances shall be unaffected by this ordinance and shall remain available for the uses set forth therein.

Section 4. The period of usefulness of the purposes referred to in Section 2, within the limitations of the Local Bond Law and according to the reasonable lives thereof, is not less than 11.05 years.

Section 5. If required, the Capital Budget shall be amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

Section 6. The improvements authorized hereby are not current expenses and are general improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 7. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 8. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: March 28, 2022

Date of Final Adoption: May 9, 2022

ATTEST:

BARBARA L. YOUNG, Township Clerk

CURTIS T. CORSON, JR., Mayor

Legislative History:

Legislative History:

Introduced: March 28, 2022

Publication: April 1, 2022

Newspaper(s): Press of Atlantic City

Second Reading & Public Hearing: May 9, 2022

Final Adoption: May 9, 2022

Final Publication Date: May 12, 2022

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on May 9, 2022 and notice of adoption was thereafter published pursuant to law in Press of Atlantic City on May 12, 2022.

BARBARA L. YOUNG, Township Clerk