

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
ORDINANCE**

**ORDINANCE NO. 020-2022**

**RE: AN ORDINANCE AUTHORIZING THE SALE OF A  
2005 STERLING 750 VACUUM/JETTER TRUCK**

---

**WHEREAS**, the Township of Upper is the owner, in fee, of a 2005 Sterling 750 Vacuum/Jetter Truck; and

**WHEREAS**, the Township has received an offer from the Township of Dennis to purchase said property; and

**WHEREAS**, after discussion and deliberation the Township Committee is of the opinion that the sale of said property will be in the best interest of both Townships; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee in the Township of Upper, County of Cape May and State of New Jersey as follows:

**SECTION 1:** The Township of Upper is hereby authorized to sell the property commonly known as a 2005 Sterling 750 Vacuum/Jetter Truck - VIN # 2FZAATDC45AN60982 (hereinafter referred to as "Vehicle"), to the Township of Dennis for the price of Ten Thousand Dollars (\$10,000.00) in accordance with N.J.S.A. 40A:12-13(b)(1).

**SECTION 2:** The Vehicle authorized to be sold together with the price thereof shall be posted at Township Hall and advertisement of the sale shall be made in a newspaper circulating in the Township within 5 days following enactment of this ordinance. Offers for the Vehicle may thereafter be made to the Township Committee for 20 days following said advertisement. The Township Committee may reconsider this ordinance not later than 30 days after enactment and thereafter advertise the Vehicle for public sale pursuant to N.J.S.A. 40A:12-13(a). The Township Clerk shall file with the Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publication of the foregoing advertisements.

**SECTION 3:** The Vehicle shall be sold "AS IS" and "WHERE IS." The Vehicle is sold without warranty of any kind, including, but not limited to, any warranty of merchantability and/or fitness for a particular purpose. The Township of Upper promises that no

one else has any legal rights in the Vehicle, and further warrants that there are no liens or encumbrances on the Vehicle, and the Township's title to the Vehicle is clear and merchantable.

**SECTION 4:** Upon receipt of payment, the Township of Upper shall provide a Bill of Sale and transfer the Vehicle title to the Township of Dennis. The Township of Dennis will be the owner thereof with complete responsibility to insure, register, and maintain the Vehicle.

**SECTION 5:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

ATTEST:

\_\_\_\_\_  
BARBARA L. YOUNG, Township Clerk

\_\_\_\_\_  
CURTIS T. CORSON, JR., 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 8<sup>TH</sup> DAY OF AUGUST, 2022 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 12<sup>TH</sup> DAY OF SEPTEMBER, 2022 AT 4:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

Legislative History:

Introduced: August 8, 2022

Publication: August 11, 2022

Newspaper(s): The Press of Atlantic City

Second Reading & Public Hearing: September 12, 2022

Final Adoption: September 12, 2022

Final Publication Date: September 15, 2022

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on September 12, 2022 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on September 15, 2022.

---

BARBARA L. YOUNG, Township Clerk