

ORDINANCE O-23-27

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF HOWELL, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Township Council of the Township of Howell, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Township of Howell (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

(a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$5,390,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;

(b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and

(c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

SCHEDULE A - EQUIPMENT LIST

Township of Howell

| Equipment | Useful Life (Years) | Lease Term (Years) | Estimated Cost |
|---|------------------------|-----------------------|--------------------|
| Hook Truck | 15 | 10 | \$ 565,000 |
| Roll Off Truck | 15 | 10 | 311,000 |
| (10) Police Interceptors - 2022 Allocation | 5 | 5 | 650,000 |
| (10) Police Interceptors - 2023 Allocation | 5 | 5 | 650,000 |
| John Deere Dozer with CAB | 15 | 10 | 150,000 |
| Mason Dump Truck | 5 | 5 | 115,000 |
| (2) Mowers | 15 | 10 | 135,000 |
| (2) Leaf Boxes | 15 | 10 | 270,000 |
| (2) Heavy Duty Trucks | 5 | 5 | 700,000 |
| Skid Steer | 15 | 10 | 135,000 |
| Forklift | 15 | 10 | 40,000 |
| (3) Variable Message Board | 10 | 10 | 75,000 |
| Asphalt Saw | 15 | 10 | 41,000 |
| Sign Printer Replacement | 5 | 5 | 21,000 |
| Fire Bureau Pickup Truck Replacement | 5 | 5 | 56,000 |
| Fire Bureau Tablet Upgrade for SDL & Spillman | 5 | 5 | 54,500 |
| (34) In-car Digital Video Recorders | 5 | 5 | 325,000 |
| Avaya Phone Line Upgrade | 10 | 10 | 125,000 |
| Furniture - Dispatch | 5 | 5 | 125,000 |
| Cradlepoint Modems (In-car) | 5 | 5 | 75,000 |
| (10) Laptops for Patrol Cars | 7 | 7 | 72,300 |
| TH Network Disaster Recovery Replacement | 5 | 5 | 50,000 |
| (35) E-ticket Printers | 5 | 5 | 40,000 |
| PD CCTV Upgrade (Server & Camera) | 5 | 5 | 35,000 |
| (5) Radars for Patrol Cars | 5 | 5 | 20,000 |
| (50) Desktop Computers | 5 | 5 | 64,200 |
| Total | | | \$4,900,000 |

NOTICE

The Ordinance published herewith was introduced and passed upon first reading at a regular meeting of the governing body of the Township of Howell, New Jersey, held on August 15, 2023. It will be further considered for final passage after public hearing thereon at a meeting of the governing body to be held at the Municipal Building, 4567 Route 9 North, 2nd Floor, Howell, New Jersey, in said Township on September 12, 2023 at 7 p.m. and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

Introduction:

| COUNCIL | MOTION | 2ND | AYES | NAYS | ABSTAIN | ABSENT |
|-------------------------------|--------|-----|------|------|---------|--------|
| <i>Councilwoman Fischer</i> | | | X | | | |
| <i>Councilman Gasior</i> | X | | X | | | |
| <i>Councilman Nadel</i> | | X | X | | | |
| <i>Deputy Mayor O'Donnell</i> | | | X | | | |
| <i>Mayor Berger</i> | | | X | | | |

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held August 15, 2023. WITNESS my hand this 16th day of August 2023.



DIANE FESTINO, Municipal Clerk

Adoption:

| COUNCIL | MOTION | 2ND | AYES | NAYS | ABSTAIN | ABSENT |
|-------------------------------|--------|-----|------|------|---------|--------|
| <i>Councilwoman Fischer</i> | | X | X | | | |
| <i>Councilman Gasior</i> | X | | X | | | |
| <i>Councilman Nadel</i> | | | X | | | |
| <i>Deputy Mayor O'Donnell</i> | | | X | | | |
| <i>Mayor Berger</i> | | | | | | X |

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on September 12, 2023.



DIANE FESTINO, Municipal Clerk

STATEMENT

The Ordinance published herewith has been finally adopted on September 12, 2023 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.

Diane Festino, RMC
Municipal Clerk