

**TOWNSHIP OF EWING  
THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 15-04**

1st Reading 2-24-15

Date to Mayor 3/11/15

2nd Reading & Public Hearing 3/10/15

Date Returned 3/12/15

Date Adopted:  
3/10/15

Date Resubmitted to Council \_\_\_\_\_

Approved as to Form of Legality

Effective Date:  
3/30/15

\_\_\_\_\_  
Township Attorney

BOND ORDINANCE AMENDING SECTION 3(A) AND 6(B) OF BOND ORDINANCE NUMBERED 14-06 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED MAY 27, 2014 PROVIDING FOR THE ACQUISITION OF CERTAIN VEHICLES AND EQUIPMENT IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT, THE USEFUL LIFE OF THE PROJECT AND THE AVERAGE USEFUL LIFE

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
<b>Baxter</b>	X					
<b>Schroth</b>	X					
<b>Steward</b>	X					X
<b>Wollert</b>	X				X	
<b>Keyes-Maloney</b>	X					

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
<b>Baxter</b>	X					
<b>Schroth</b>	X					
<b>Steward</b>	X					X
<b>Wollert</b>	X				X	
<b>Keyes-Maloney</b>	X					

By \_\_\_\_\_ Date \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected \_\_\_\_\_  
Mayor

Reconsidered  
By Council \_\_\_\_\_ Override Vote YEA \_\_\_\_\_ NAY \_\_\_\_\_

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Municipal Clerk

BOND ORDINANCE AMENDING SECTION 3(A) AND 6(B) OF BOND ORDINANCE NUMBERED 14-06 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED MAY 27, 2014 PROVIDING FOR THE ACQUISITION OF CERTAIN VEHICLES AND EQUIPMENT IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT, THE USEFUL LIFE OF THE PROJECT AND THE AVERAGE USEFUL LIFE

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

Section One. Section 3(a) (second paragraph) of Bond Ordinance numbered 14-06 of the Township of Ewing, in the County of Mercer, New Jersey (the "Township"), finally adopted May 27, 2014, is hereby amended in its entirety to read as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
Acquisition of various equipment and vehicles, including an air compressor, a mower, fencing, bleachers and dual wheel Ford F350 pickup trucks with snow plows and salters, including all related costs and expenditures incidental thereto.	\$247,000	\$234,650	5 years"

Section Two. Section 6(b) of Bond Ordinance numbered 14-06 of the Township, finally adopted May 27, 2014, 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 9.88 years."

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





EXTRACT from the minutes of a \_\_\_\_\_ meeting of the Township Council of the Township of Ewing, in the County of Mercer, New Jersey held at the \_\_\_\_\_ in the Township on \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Kim J. Macellaro, Clerk of the Township of Ewing, in the County of Mercer, 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 \_\_\_\_\_, 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 \_\_\_\_\_ day of  
\_\_\_\_\_, 2015.

\_\_\_\_\_  
Kim J. Macellaro, Clerk

(SEAL)

EXTRACT from the minutes of a \_\_\_\_\_ meeting of the Township Council of the Township of Ewing, in the County of Mercer, New Jersey held at the \_\_\_\_\_ in the Township on \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Kim J. Macellaro, Clerk of the \_\_\_\_\_ of Township, in the County of Ewing , 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 \_\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Kim J. Macellaro, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Kim J. Macellaro, Clerk of the Township of Ewing, in the County of Mercer, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Township of Ewing, in the County of Mercer, 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 \_\_\_\_\_, 2015 and finally adopted by the governing body on \_\_\_\_\_, 2015 and, where necessary, approved by the Mayor on \_\_\_\_\_, 2015.

3. On \_\_\_\_\_, 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 \_\_\_\_\_, 2009. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Kim J. Macellaro, Clerk

[SEAL]

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 Ewing, in the County of Mercer, State of New Jersey, on \_\_\_\_\_, 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 \_\_\_\_\_, in the Township on \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_.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: "BOND ORDINANCE AMENDING SECTION 3(A) AND 6(B) OF BOND ORDINANCE NUMBERED 14-06 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED MAY 27, 2014 PROVIDING FOR THE ACQUISITION OF CERTAIN VEHICLES AND EQUIPMENT IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT, THE USEFUL LIFE OF THE PROJECT AND THE AVERAGE USEFUL LIFE"

Purposes:

A) Section 3(a) (second paragraph) of Bond Ordinance numbered 14-06 of the Township of Ewing, in the County of Mercer, New Jersey (the "Township"), finally adopted May 27, 2014, is amended in its entirety to read as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
Acquisition of various equipment and vehicles, including an air compressor, a mower, fencing, bleachers and dual wheel Ford F350 pickup trucks with snow plows and salters, including all related costs and expenditures incidental thereto.	\$247,000	\$234,650	5 years"

B) Section 6(b) of Bond Ordinance numbered 14-06 of the Township, finally adopted May 27, 2014 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 9.88 years."

Appropriation: N/A

Bonds/Notes Authorized: N/A

Grant Appropriated: N/A

Section 20 Costs: N/A

Useful Life: 9.88 years

Kim J. Macellaro, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

## BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Ewing, in the County of Mercer, State of New Jersey on \_\_\_\_\_, 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: "BOND ORDINANCE AMENDING SECTION 3(A) AND 6(B) OF BOND ORDINANCE NUMBERED 14-06 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED MAY 27, 2014 PROVIDING FOR THE ACQUISITION OF CERTAIN VEHICLES AND EQUIPMENT IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT, THE USEFUL LIFE OF THE PROJECT AND THE AVERAGE USEFUL LIFE"

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Appropriation: N/A

Bonds/Notes Authorized: N/A

Grant Appropriated: N/A

Section 20 Costs: N/A

Useful Life: 9.88 years

Kim J. Macellaro, Clerk

February 10, 2015

DIRECT DIAL # 973/622-5028

Joanna Mustafa  
Township of Ewing  
2 Jake Garzio Drive  
Ewing, New Jersey 08628

**Re: Amending Bond Ordinance**

Dear Joanna:

In accordance with your request, I have prepared and enclose herewith a form of ordinance amending bond ordinance #14-06. The ordinance should be adopted in accordance with the procedure set forth below for your convenience.

In order to comply with the capital budget regulations, the ordinance contains a provision amending the capital budget to the extent of any inconsistency with the bond ordinance and it should be sent to Trenton and filed with the Division of Local Government Services prior to final adoption of the ordinance along with the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget. It will not be necessary to publish the resolution.

The ordinance may be introduced and read by title only and adopted by a majority of the members of the governing body present, assuming a quorum. **After introduction, the Notice of Pending Bond Ordinance and Summary must be published in the local newspaper, a form of which I have enclosed for your use. Also, the ordinance should be posted on the bulletin board customarily used for notices, together with the Notice of Pending Bond Ordinance and Summary, and copies of the ordinance should be made available to anyone who requests them of the Clerk after introduction.**

**The bond ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the publication of the Notice of Pending Bond Ordinance and Summary.** If the ordinance has been posted and copies made available as indicated above, the ordinance can be read at the second hearing by title only. If the ordinance posting procedure has not been followed, the ordinance must be read in full at the second hearing. After the ordinance is read for the second time, the governing body should hold a public hearing and should give all members of the public a chance to be heard on the ordinance. After the public hearing, the ordinance can be finally adopted by the affirmative vote of not less than two-thirds of the full membership of the governing body. **After final adoption, the Bond Ordinance Statement and Summary must be published, a copy of which I have enclosed for your use.** Note that if the approval of an officer is required to make the ordinance effective, the

ordinance must be approved by that officer, or passed over veto, before it is published after final adoption.

After the ordinance is finally adopted, it will be necessary for us to establish a record of proceedings documenting the proper adoption of the bond ordinance. In order to do this, we will need one completely executed set of the documents enumerated on the attached checklist. By copy of this letter, I am sending the Clerk a copy of the checklist along with a copy of the ordinance. With the exception of the Affidavits of Publication, I am also sending the Clerk the necessary certificates to be completed, executed and returned to us along with the necessary attachments to provide us with this documentation. It should be noted that the Clerk's Certificate must be executed no sooner than 21 days following the final publication in order to attest that there has been no protest within the statutory twenty-day protest period.

If you or the Clerk have any questions about the form of the ordinance, the adoption procedure or the form of the certificates, please call me.

Thank you for this opportunity to have been of assistance.

Very truly yours,

**Edward J. McManimon, III**

Edward J. McManimon, III

Enclosures

cc: Kim J. Macellaro, Clerk, w/encl.  
Maeve E. Cannon, Esq., w/encl.  
Warren A. Broudy, C.P.A., w/encl.