

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

ORDINANCE NO. 16-19

1st Reading 11-29-16 Date to Mayor 12-14-16

2nd Reading & Public Hearing 12-13-16 Date Returned _____

Date Adopted: _____ Date Resubmitted to Council _____

12-13-16 Approved as to Form of Legality

Effective Date: _____
1-2-17 Township Attorney

ORDINANCE APPROPRIATING \$440,000 FROM THE CAPITAL SURPLUS FUND FOR THE ACQUISITION OF VARIOUS EQUIPMENT IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X					
Keyes-Maloney	X					X
Steward	X				X	
Wollert				X		
Schroth	X					

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X				X	
Keyes-Maloney	X					
Steward	X					X
Wollert	X					
Schroth	X					

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

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

ORDINANCE NO. 16-19

ORDINANCE APPROPRIATING \$440,000 FROM THE
CAPITAL SURPLUS FUND FOR THE ACQUISITION OF
VARIOUS EQUIPMENT IN AND BY THE TOWNSHIP OF
EWING, IN THE COUNTY OF MERCER, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
EWING, IN THE COUNTY OF MERCER, NEW JERSEY AS FOLLOWS:

Section 1. \$440,000 is hereby appropriated from the Capital Surplus Fund for the acquisition of various equipment, consisting of a generator for the Municipal Complex at Jake Garzio Drive, the acquisition and installation of a kids water playground and filtration system for Ewing Senior and Community Center and upfit of the mobile command post for the Police Department, including all related costs and expenditures incidental thereto, in and by the Township of Ewing, in the County of Mercer, New Jersey (the "Township").

Section 2. 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 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Re: TOWNSHIP OF EWING, NEW JERSEY
\$440,000 FULLY FUNDED ORDINANCE
ACQUISITION OF VARIOUS EQUIPMENT

- 31 Certified copy of the minutes of the meeting of the Township Council held on ___/___/___ showing introduction of the ordinance.
- 32 Affidavit of Publication in local newspaper following introduction of the ordinance.
- 33 Certified copy of the minutes of the meeting of the Township Council held on ___/___/___ showing public hearing and final adoption of the ordinance.
- 34 Affidavit of Publication in local newspaper following final adoption of the ordinance.
- 35 Clerk's Certificate.

BELOW FOR McMANIMON, SCOTLAND & BAUMANN, LLC USE ONLY

Posted: ___/___/___ Useful Life: N/A Reviewed By: _____
Mayor's Approval: ___/___/___

Amends/Amended By: Ord. # _____ F/A: ___/___/___
Amendment: _____

Supplements/Supplemented By: Ord. # _____ F/A: ___/___/___
Original Appropriation/Authorization: \$ _____ /\$ _____

Authorization for CFO to Sell Notes: _____ Yes X No
Resolution Authorizing CFO to Sell Notes: F/A ___/___/___

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 _____, 2016 at _____ o'clock _____.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Kim 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 _____, 2016 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 _____, 2016.

Kim 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 _____, 2016 at _____ o'clock ____m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Kim 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 _____, 2016 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 _____, 2016.

Kim Macellaro, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Kim 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 _____, 2016 and finally adopted by the governing body on _____, 2016 and, where necessary, approved by the Mayor on _____, 2016.

3. On _____, 2016, 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 _____, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the Township this _____ day of _____, 2016.

Kim Macellaro, Clerk

[SEAL]

NOTICE OF PENDING ORDINANCE AND SUMMARY

The 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 _____, 2016. 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 _____, 2016 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 ordinance follows:

Title: "ORDINANCE APPROPRIATING \$440,000 FROM THE CAPITAL SURPLUS FUND FOR THE ACQUISITION OF VARIOUS EQUIPMENT IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY."

Purpose: \$440,000 is appropriated from the Capital Surplus Fund for the acquisition of various equipment, consisting of a generator for the Municipal Complex at Jake Garzio Drive, the acquisition and installation of a kids water playground and filtration system for Ewing Senior and Community Center and upfit of the mobile command post for the Police Department, including all related costs and expenditures incidental thereto,

Appropriation: \$440,000

Bonds/Notes Authorized: N/A

Grant Appropriated: N/A

Section 20 Costs: N/A

Useful Life: N/A

Kim Macellaro, Clerk

ORDINANCE STATEMENT AND SUMMARY

The 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 _____, 2016. 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 ordinance follows:

Title: "4ORDINANCE APPROPRIATING \$440,000 FROM THE CAPITAL SURPLUS FUND FOR THE ACQUISITION OF VARIOUS EQUIPMENT IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY."

Purpose: \$440,000 is appropriated from the Capital Surplus Fund for the acquisition of various equipment, consisting of a generator for the Municipal Complex at Jake Garzio Drive, the acquisition and installation of a kids water playground and filtration system for Ewing Senior and Community Center and upfit of the mobile command post for the Police Department, including all related costs and expenditures incidental thereto,

Appropriation: \$440,000

Bonds/Notes Authorized: N/A

Grant Appropriated: N/A

Section 20 Costs: N/A

Useful Life: N/A

Kim Macellaro, Clerk

November 21, 2016

DIRECT DIAL # 973/622-5280

Joanna Mustafa
Chief Financial Officer
Township of Ewing
2 Jake Garzio Drive
Ewing, NJ 08628

Re: \$440,000 Capital Surplus Ordinance

Dear Joanna:

In accordance with your request, I have prepared and enclose herewith a form of ordinance appropriating moneys from the Capital Surplus Fund for the acquisition of various equipment. 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 ordinance and it should be sent to Trenton and filed 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 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 Ordinance and Summary, and copies of the ordinance should be made available to anyone who requests them of the Clerk after introduction.**

The ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the first publication of the ordinance together with the Notice of Pending 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 and to ask pertinent questions. After the public hearing, the ordinance can be finally adopted by the affirmative vote of a majority of the members of the governing body present,

assuming a quorum. **After final adoption, the 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 its proper adoption. 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.

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,

Beth

Elizabeth Manuel

Enclosures

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