

**TOWNSHIP OF OCEAN
COUNTY OF MONMOUTH**

No. 2170

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2127 ADOPTED ON NOVEMBER 9, 2009, PROVIDING FOR VARIOUS IMPROVEMENTS IN ORDER TO MORE FULLY DESCRIBE THE IMPROVEMENTS AND EQUIPMENT AUTHORIZED THEREBY, AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Township of Ocean, in the County of Monmouth, New Jersey (the "Township") adopted Bond Ordinance No. 2127 on November 9, 2009 (the "Bond Ordinance") authorizing various improvements; and

WHEREAS, the Bond Ordinance is the subject of a prerogative writ action known as Ocean Open Government v. Ocean Township, Docket No. MON-L-4495-09PW, which, among other things, alleges that the Bond Ordinance does not adequately describe the improvements and equipment authorized therein; and

WHEREAS, the Township has determined that the improvements authorized by the Bond Ordinance should be set forth in greater detail without changing the aggregate appropriation or debt authorization for said purposes, by amendment of the Bond Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the TOWNSHIP COUNCIL of the TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 3 (a) of Bond Ordinance No. 2127 shall be amended in its entirety to read as follows:

Section 3 (a). The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

(i) the acquisition of Public Works equipment and vehicles, including two (2) automated trash trucks; replacement of roof top chiller at Town Hall; and the acquisition of one (1) mason dump truck, with a total appropriation and estimated cost of \$794,000, estimated maximum amount of bonds or notes therefor of \$754,300, and an average period of usefulness of 10.47 years;

(ii) the acquisition of computers, monitors, servers and other computer related items, with a total appropriation and estimated cost of \$60,020, estimated maximum amount of bonds or notes therefor of \$57,018, and an average period of usefulness of 5 years;

(iii) the acquisition of equipment for the Police Department, including MobilVision digital mobile video recording systems and police digital radio system, with a total appropriation and estimated cost of \$635,010, estimated maximum amount of bonds or notes therefor of \$603,259, and an average period of usefulness of 15 years;

(iv) recreation improvements, including the resurfacing of tennis courts, with a total appropriation and estimated cost of \$28,177, estimated maximum amount of bonds or notes therefor of \$22,927, and an average period of usefulness of 15 years; and

(v) roadway improvements, including reconstruction of various streets, with a total appropriation and estimated cost of \$486,720, estimated maximum amount of bonds or notes therefor of \$193,298, New Jersey Department of Transportation grant funds of \$283,250, and an average period of usefulness of 10 years.

Section Two. The appropriation (\$2,003,927), debt authorization (\$1,630,802) and other authorizations of the Bond Ordinance remain unchanged and are ratified hereunder.

Section Three. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Four. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve					
Motion to Second					
Approved					
Opposed					
Not Voting/Recuse					
Absent/Excused					

CERTIFICATION

*I hereby certify that this is a true copy of a Ordinance introduced by the Township of Ocean Governing Body at their meeting held on **July 6, 2011.***

 Vincent Buttiglieri, RMC/CMC
 Township Clerk