

**Ord. #12-2008**

**ORDINANCE AMENDING ORDINANCE NUMBERED  
16-2007 OF THE TOWNSHIP OF MOUNT OLIVE, IN  
THE COUNTY OF MORRIS, NEW JERSEY FINALLY  
ADOPTED APRIL 10, 2007 IN ITS ENTIRETY IN  
ORDER TO AMEND THE SOURCES OF FUNDING FOR  
THE ACQUISITION OF PROPERTY**

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

Section One. Bond Ordinance numbered 16-2007 of the Township of Mount Olive, in the County of Morris, New Jersey (the "Township"), finally adopted April 10, 2007 is hereby amended in its entirety to read as follows:

"ORDINANCE APPROPRIATING \$1,878,000 FROM GRANTS AND OTHER AVAILABLE FUNDS FOR THE ACQUISITION OF BLUE ATLAS IN AND BY THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Section 1. \$1,878,000 is hereby appropriated, \$962,500 of which will be funded by a Green Acres Grant, \$900,000 of which will be funded by a Morris County Grant and \$15,500 of which will be funded from the Open Space Trust for the acquisition of Blue Atlas in and by the Township of Mount Olive, in the County of Morris, New Jersey (the "Township"), including all related costs and expenditures incidental thereto.

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 as provided by the Local Bond Law."

Section 4. 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 5. This ordinance shall take effect as provided by the Local Bond Law.

ATTEST:

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Raymond T. Perkins  
Council President

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Lisa M. Lashway  
Township Clerk



Re: TOWNSHIP OF MOUNT OLIVE

ORDINANCE AMENDING ORDINANCE #16-2007  
(\$1,878,000 FULLY FUNDED ORDINANCE FOR THE  
ACQUISITION OF PROPERTY)

- 11 Certified copy of the minutes of the meeting of the Township Council held on \_\_\_/\_\_\_/\_\_\_ showing introduction of the ordinance.
- 12 Affidavit of Publication in local newspaper following introduction of the ordinance.
- 13 Certified copy of the minutes of the meeting of the Township Council held on \_\_\_/\_\_\_/\_\_\_ showing public hearing and final adoption of the ordinance.
- 14 Affidavit of Publication in local newspaper following final adoption of the ordinance.
- 15 Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

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**BELOW FOR McMANIMON & SCOTLAND, L.L.C. 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 Mount Olive, in the County of Morris, New Jersey held at the \_\_\_\_\_ in the Township on \_\_\_\_\_, 2008 at \_\_\_\_\_ o'clock \_\_\_\_m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

#### CERTIFICATE

I, Lisa Lashway, Clerk of the Township of Mount Olive, in the County of Morris, 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 \_\_\_\_\_, 2008 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 \_\_\_\_\_, 2008.

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Lisa Lashway, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Lisa Lashway, Clerk of the Township of Mount Olive, in the County of Morris, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Township of Mount Olive, in the County of Morris, 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 \_\_\_\_\_, 2008 and finally adopted by the governing body on \_\_\_\_\_, 2008 and, where necessary, approved by the Mayor on \_\_\_\_\_, 2008.

3. On \_\_\_\_\_, 2008, 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 \_\_\_\_\_, 2008. 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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Lisa Lashway, 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 Mount Olive, in the County of Morris, State of New Jersey, on \_\_\_\_\_, 2008. 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 \_\_\_\_\_, 2008 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 Amending Ordinance Numbered 16-2007 of the Township of Mount Olive, in the County of Morris, New Jersey Finally Adopted April 10, 2007 in its Entirety in Order to Amend the Sources of Funding for the Acquisition of Property."

Purpose: To amend Bond Ordinance Numbered 16-2007 in its entirety in order to amend the sources of funding for the acquisition of Blue Atlas in and by the Township of Mount Olive, in the County of Morris, New Jersey, including all related costs and expenditures incidental thereto.

Appropriation: \$1,878,000

Bonds/Notes Authorized: \$0

Grants Appropriated: A \$962,500 Green Acres Grant and a \$900,000 Morris County Grant.

Section 20 Costs: N/A

Useful Life: N/A

Lisa Lashway, Clerk

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

## ORDINANCE STATEMENT AND SUMMARY

The ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Mount Olive, in the County of Morris, State of New Jersey on \_\_\_\_\_, 2008 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 ordinance follows:

Title: "Ordinance Amending Ordinance Numbered 16-2007 of the Township of Mount Olive, in the County of Morris, New Jersey Finally Adopted April 10, 2007 in its Entirety in Order to Amend the Sources of Funding for the Acquisition of Property."

Purpose: To amend Bond Ordinance Numbered 16-2007 in its entirety in order to amend the sources of funding for the acquisition of Blue Atlas in and by the Township of Mount Olive, in the County of Morris, New Jersey, including all related costs and expenditures incidental thereto.

Appropriation: \$1,878,000

Bonds/Notes Authorized: \$0

Grants Appropriated: A \$962,500 Green Acres Grant and a \$900,000 Morris County Grant

Section 20 Costs: N/A

Useful Life: N/A

Lisa Lashway, Clerk

# McMANIMON & SCOTLAND, L.L.C.

## ATTORNEYS AT LAW

TELEPHONE  
(973) 622-1800

ONE RIVERFRONT PLAZA, FOURTH FLOOR  
NEWARK, NEW JERSEY 07102-5408

FAX (973) 622-7333  
FAX (973) 622-3744

February 14, 2008

DIRECT DIAL # 973/622-5028

Sherry Jenkins,  
Chief Financial Officer  
Township of Mount Olive  
204 Flanders-Drakestown Road  
Mount Olive, NJ 07828

### **Re: \$1,878,000 Fully Funded Ordinance**

Dear Sherry:

In accordance with your request, I have prepared and enclose herewith an ordinance amending ordinance #16-2007 in its entirety in order to amend the sources of funding for the acquisition of Blue Atlas. 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. 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,

*Edward J. McManimon, III*

Edward J. McManimon, III

Enclosures

cc: Lisa Lashway, Clerk, w/encl.  
John Dorsey, Esq., w/encl.  
Gary Higgins, C.P.A., w/encl.