

**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 09-255**

**A RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE RED BANK YARD SALE, IN ACCORDANCE WITH N.J.S.A. 40A:5-29**

Mr. DuPont offered the following resolution and moved its adoption:

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 allows for acceptance of contributions, and requires that the contributions be utilized in accordance with the contributor's conditions, as long as they are lawful;

**WHEREAS**, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for the Red Bank Yard Sale in accordance with N.J.S.A. 40A:4-39;

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Seconded by Mr. Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	( x )	( )	( )	( )
Mr. Zipprich	( x )	( )	( )	( )
Mr. DuPont	( x )	( )	( )	( )
Ms. Horgan	( x )	( )	( )	( )
Ms. Lee	( x )	( )	( )	( )
Mr. Murphy	( x )	( )	( )	( )

Dated: November 9, 2009