

**BOROUGH OF RED BANK  
ORDINANCE NUMBER 2008-18**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING  
BOND ORDINANCE NUMBER 2004-35 HERETOFORE  
FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE  
BOROUGH ON SEPTEMBER 28, 2004 ENTITLED, "BOND  
ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF  
THE SEWER MAIN ALONG MAPLE AVENUE BY THE  
WATER/SEWER UTILITY, BY AND IN THE BOROUGH OF RED  
BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY (THE "BOROUGH"); APPROPRIATING \$1,000,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000  
BONDS OR NOTES TO FINANCE PART OF THE COST  
THEREOF," AS PREVIOUSLY AMENDED AND  
SUPPLEMENTED BY BOND ORDINANCE NUMBER 2005-23  
FINALLY ADOPTED ON MAY 23, 2005, TO AMEND THE  
DESCRIPTION THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY** (not less than  
two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** Bond Ordinance Number 2004-35 finally adopted on September 28, 2004 by  
the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough")  
entitled, "BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE SEWER  
MAIN ALONG MAPLE AVENUE BY THE WATER/SEWER UTILITY, BY AND IN THE  
BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
(THE "BOROUGH"); APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$950,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF,"  
as previously amended and supplemented by bond ordinance number 2005-23 finally adopted  
May 23, 2005 (hereinafter collectively, the "Original Ordinance"), is hereby amended and  
supplemented to the extent and with the effect as follows:

**SECTION 2.** The description of the improvement or purpose contained in Section 3(a) of  
the Original Ordinance is hereby amended to read in its entirety as follows:

"(a) The improvement hereby authorized and purpose for the  
financing of which said obligations are to be issued is for: (i) the  
reconstruction of portions of the sewer main along Maple Avenue as  
required, including, but not limited to, from East Bergen to Waverly  
Place and Irving to Bodman Place; (ii) the replacement of the  
manhole on Linden Place, between Hudson Avenue and  
Washington Street as well as the televising of the pipe surrounding  
said manhole; (iii) the replacement of various sewer lines and/or slip  
lining of sewer lines on, as applicable, Dr. James Parker Boulevard,  
Maple Avenue from Waverly Place to Bodman Place and Harding  
Road, from Hudson Avenue ending forty (40) feet east along  
Harding Road; and (iv) the construction of a sanitary sewer pressure  
line on Locust Avenue, including, but not limited to, the acquisition of  
two (2) complete grinder pump assemblies, all in and by the  
Borough. Such improvement or purpose shall include, but is not  
limited to, the acquisition and installation of, as applicable, a sewer  
main, associated laterals, sewer pipes and all piping and valving  
associated therewith, cameras and wiring, site restoration, repaving

and landscaping, engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto. "

**SECTION 3.** The Capital Budget of the Water/Sewer Utility of the Borough is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

**SECTION 4.** The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

**SECTION 5.** Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

**SECTION 6.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING**  
**DATED: July 28, 2008**

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**CAROL A. VIVONA,**  
**Borough Clerk**

**ADOPTED ON SECOND READING**  
**DATED: August 11, 2008**

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**CAROL A. VIVONA,**  
**Borough Clerk**

Approved by the Mayor on this 11<sup>th</sup> day of August, 2008.

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**PASQUALE MENNA, Mayor**