

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
ORDINANCE NO. 2017-12**

**AN ORDINANCE CONFIRMING THE BOROUGH'S COMMITMENT TO
GUARANTEE REPAYMENT OF NEW JERSEY DEPARTMENT OF
CONSUMER AFFAIRS DOWNTOWN BUSINESS IMPROVEMENT ZONE
LOAN TO RED BANK RIVERCENTER IN THE EVENT THAT RED BANK
RIVERCENTER IS UNABLE TO MAKE THE REQUIRED PAYMENTS**

Councilman Ziprich offered the following ordinance and moved its adoption:

WHEREAS, Red Bank RiverCenter submitted an application to the New Jersey Department of Community Affairs ("NJDCA") for a no-interest loan for streetscape improvements to White Street and the English Plaza parking lot; and

WHEREAS, the NJDCA has requested that the Borough of Red Bank guarantee the loan in the event that the Red Bank RiverCenter is unable to repay the loan; and

WHEREAS, it is the desire of the governing body to guarantee said loan.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, as follows:

1. That the Governing Body does hereby authorize the Borough to guarantee the NJDCA Downtown Business Improvement Zone Loan Fund 2016 Application No. 2016-02155-0421 to Red Bank RiverCenter for streetscape improvements to White Street and the English Plaza parking lot if that RiverCenter is unable to make the required payments.
2. That, in the event of default by Red Bank RiverCenter upon the Downtown Business Improvement Zone Loan, the Governing Body of the Borough reserves the right to satisfy the Borough's guaranty through a pro rata and/or special property tax assessment upon properties within the Borough's Special Improvement District, in accordance with applicable and prevailing law.
3. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to any documents required by the NJDCA to effectuate the intent of this Ordinance.
4. That a certified copy of this Ordinance, together with a copy of the agreement between the parties, shall be forwarded to the Chief Financial Officer, the Red Bank RiverCenter and the NJDCA.

Seconded by Councilwoman Schwabenbauer and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	(X)	()	()	()
Councilman Ziprich	(X)	()	()	()
Councilwoman Horgan	(X)	()	()	()
Councilwoman Schwabenbauer	(X)	()	()	()
Councilman Taylor	(X)	()	()	()
Councilman Whelan	(X)	()	()	()

First Reading/Introduction: March 22, 2017

Second Reading/Public Hearing/Adoption: April 12, 2017