

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 13-169

**A RESOLUTION OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH,
NEW JERSEY, EXPRESSING ITS INTENTION TO REIMBURSE ITSELF FOR
CERTAIN EXPENDITURES RELATING TO VARIOUS CAPITAL IMPROVEMENTS
OUT OF THE PROCEEDS OF BONDS AND/OR BOND ANTICIPATION
NOTES TO BE HEREAFTER ISSUED BY THE BOROUGH**

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

WHEREAS, The Borough Council of the Borough of Red Bank, in the County of Monmouth, New Jersey ("Borough"), has determined to undertake a capital project consisting of Various Improvements to the Boys and Girls Club including, but not limited to, Roof Replacement and Mold Removal (collectively, the "Project"); and

WHEREAS, the Borough intends to incur expenditures for the costs of preparation, design, planning, acquisition, construction and installation of the Project including, without limitation, expenditures to certain of its consultants, architects, engineers, attorneys and others for services rendered in connection with the Project; and

WHEREAS, the Borough intends to pay such expenditures using temporarily available funds in anticipation of reimbursing such expenditures from the proceeds of Bonds to be issued by the Borough at a future date; and

WHEREAS, in accordance with the requirements of the Internal Revenue Code of 1986, as amended ("Code"), and the regulations promulgated thereunder including, without limitation, Income Tax Regulation §1.150-2(e), the Borough now desires to express its intention to reimburse itself for such expenditures out of the proceeds of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AS FOLLOWS:

Section 1. The Borough hereby declares its reasonable expectation to reimburse the expenditures paid by the Borough to pay the costs of the Project prior to the date of issuance of the Bonds and/or Bond Anticipation Notes including, without limitation, expenditures to certain of its consultants, engineers, architects, attorneys and others for services rendered in connection with the Project, out of the proceeds of the Bonds and/or Bond Anticipation Notes which are to be issued by the Borough after the date of this Resolution.

Section 2. The Borough intends that the expenditures made by or on behalf of the Borough with respect to the Project are to be financed with the proceeds of the Bonds and/or Bond Anticipation Notes.

Section 3. The expenditures to be incurred by the Borough to pay the costs of the Project prior to the date of issuance of the Bonds will initially be paid from Borough funds which are not permanently available for the Project.

Section 4. This Resolution is to be retained by the Borough and made publicly available for inspection at the offices of the Borough from the date hereof through the date of issuance of the Bonds.

Section 5. The Borough authorizes and directs the Chief Financial Officer to designate the "original expenditures" in a written "reimbursement allocation", within the meanings of Income

Tax Regulation §1.150-2(c)(2), that evidences the Borough's use of proceeds to reimburse an original expenditure on the date of issue of the Bonds.

Section 6. All resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 7. This resolution shall take effect immediately upon adoption.

Seconded by Mr. Murphy 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: July 10, 2013