

BOROUGH OF RED BANK  
COUNTY OF MONMOUTH  
RESOLUTION NO. 12-226

A RESOLUTION AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-54 FOR THE REPAIR, REHABILITATION, RECONSTRUCTION AND/OR REPLACEMENT OF PUBLIC PROPERTY DAMAGED BY HURRICANE SANDY

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

**WHEREAS**, the Local Budget Law, constituting Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law"), authorizes, inter alia, municipalities to adopt resolutions authorizing special emergency appropriations to cover the cost of extraordinary expenses associated with the repair and reconstruction of streets, roads or bridges or other public property damaged by flood or hurricane where such expense was not foreseen at the time of the adoption of the municipality's budget; and

**WHEREAS**, by Executive Order No. 104, dated October 27, 2012, Governor Christie declared a State of Emergency for the State of New Jersey due to the impact of Hurricane Sandy; and

**WHEREAS**, the Borough sustained flooding and damage to public property as a result of Hurricane Sandy; and

**WHEREAS**, the damage sustained by the Borough due to Hurricane Sandy requires the repair, rehabilitation, reconstruction and/or replacement of, among other things, streets, roads, bridges, or other public property located in the Borough ("Project"); and

**WHEREAS**, the Project is currently estimated to cost \$454,000, which amount was not foreseen at the time of the adoption of the Borough's budget; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:4-54*, the Borough Council is now desirous of creating a special emergency appropriation to provide funding for the Project.

**NOW, THEREFORE, BE IT RESOLVED 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 THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING):**

**Section 1.** Pursuant to *N.J.S.A. 40A:4-54*, the Borough Council does hereby authorize a special emergency appropriation in an amount not to exceed \$454,000 to fund the estimated costs of the Project (collectively, the "Appropriation").

**Section 2.** The Appropriation shall be funded through the issuance of a special emergency note pursuant to *N.J.S.A. 40A:4-55*.

**Section 3.** All resolutions or parts thereof, inconsistent herewith, are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 4.** This resolution shall take effect immediately upon adoption this 5th day of December, 2012.

Seconded by Ms. Lee 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: December 5, 2012

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on December 5, 2012.

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Pamela Borghi, Municipal Clerk