



# NOTICE

The Bond Ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Atlantic Highlands, New Jersey, held on February 11, 2009. It will be further considered for final passage after public hearing thereon at a meeting of said Borough Council to be held at the Municipal Building, 100 First Avenue, Atlantic Highlands, New Jersey, in said Borough on March 11, 2009 at 7:00 o'clock p.m. and during the week prior to and up to and including the date of such meeting, copies of said Bond Ordinance will be made available at the Municipal Clerk's Office to the members of the general public who shall request the same.

Dwayne M. Harris  
Municipal Clerk

## ORDINANCE 04-2009

### **BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 12-2006 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, NEW JERSEY ON JULY 12, 2006.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Atlantic Highlands, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing An Appropriation of \$1,705,000 for Various Improvements for and by the Borough of Atlantic Highlands in the County of Monmouth, New Jersey and, Authorizing the Issuance of \$1,619,750 Bonds or Notes of the Borough For Financing Part Of The Appropriation," finally adopted on July 12, 2006 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. (a) The Ordinance is hereby amended by (a) deleting the reference of "\$1,705,000" for the appropriation and estimated cost and substituting in lieu therefor "\$2,696,000".

(b) Sentence two of Section 1 of the Ordinance is hereby amended in full as follows:

“For the said Improvements there is hereby appropriated the amount of \$2,696,000, such sum includes the sum of (a) 300,000 expected to be received from a New Jersey Department of Transportation Bikeway Grant, (b) \$125,000 expected to be received from a County of Monmouth Open Space Grant, (c) \$566,000 expected to be received from a Federal TEA - 21 Grant and (d) \$85,250 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”).”

(c) Section 3(a) of the Ordinance with respect to Improvements to Bayshore Bike Trail/Wagner Creek is hereby amended by deleting the reference of \$710,000 for the appropriation and estimated cost and substituting in lieu therefor “\$1,701,000.”

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions 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 is on file with the Municipal Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,619,750.

Section 4. All other provisions of the Ordinance shall remain unchanged.

Section 5. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.