

RESOLUTION 2017-59

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE TOWNSHIP OF BARNEGAT, IN THE COUNTY OF OCEAN, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, IN THE COUNTY OF OCEAN, NEW JERSEY, as follows:

SECTION 1. In anticipation of the collection of taxes for the fiscal year that commenced January 1, 2017 whether levied or to be levied in such fiscal year, and in anticipation of other revenues for such fiscal year, the Township of Barnegat, in the County of Ocean, New Jersey (the "Township") hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes of the Township in an aggregate principal amount not to exceed \$3,000,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated "Tax Anticipation Note of 2017, Series A", together with such other designation as may be determined by the Chief Financial Officer of the Township. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at any one time shall not exceed \$19,321,266 which is within the gross borrowing power (as certified by the Chief Financial Officer) of the Township, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the Township. On February 7, 2017, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the Township in accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Clerk of the Township, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. All Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer's signature upon the Tax Anticipation Notes shall be conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

SECTION 4. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of Tax Anticipation Notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipation Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the Township. The power and obligation of the Township to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be unlimited and the Township shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the Township for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate or amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the Township, and shall be under the seal of the Township and attested by the Clerk of the Township. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect immediately.

I, MICHELE RIVERS, the undersigned Clerk of the Township of Barnegat, in the County of Ocean, New Jersey, hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Committee of the Township at its meeting held on February 7, 2017.

(SEAL)

Michele Rivers, Township Clerk

EXHIBIT A

CERTIFICATE OF CHIEF FINANCIAL OFFICER

I, Thomas Lombarski, the Chief Financial Officer of the Township of Barnegat, in the County of Ocean, New Jersey (the "Township"), DO HEREBY CERTIFY, in accordance with N.J.S.A. 40A:4-66, and with respect to the Township's fiscal year that commenced January 1, 2017, as follows:

1. The gross borrowing power in respect to tax anticipation notes of such fiscal year, being 30% of the tax levy of the next preceding fiscal year for all purposes, plus 30% of the amount of miscellaneous revenues realized in cash during the next preceding fiscal year, is \$19,321,266.

2. The amount of notes outstanding in anticipation of the collection of taxes of such fiscal year is \$0.

3. The net borrowing power of the Township, being the excess of the first over the second of the two above amounts, is \$19,321,266.

IN WITNESS WHEREOF, I have hereunto set my hand as Chief Financial Officer of the Township this 7th day of February, 2017.

Name: Thomas Lombarski
Title: Chief Financial Officer