

Mayor Nolan offered the following Ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**ORDINANCE NO. O-12-22
BOROUGH OF HIGHLANDS**

**AN ORDINANCE PROVIDING FUNDING FOR THE
RECONSTRUCTION AND REPAVING OF BAYSIDE DRIVE FROM
MARIE AVENUE TO MATTHEWS STREET FOR THE BOROUGH OF
HIGHLANDS AND APPROPRIATING \$137,000 FOR SUCH PURPOSE.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Highlands, in the County of Monmouth, New Jersey, authorizes the reconstruction and repaving of Bayside Drive from Marie Avenue to Mathews Street for the Borough of Highlands to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$137,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from a settlement with Exxon Mobile Corporation in the amount of \$137,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Highlands may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Seconded by Mr. Francy and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Redmond, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Nolan

NAYES: None
ABSENT: None
ABSTAIN: None

DATE: October 17, 2012

Carolyn Cummins, Borough Clerk

Introduction: October 17, 2012

Publication: November 26, 2012

Publication: October 26, 2012

P.H./Adoption: December 5, 2012

Publication: December 14, 2012

I hereby certify this to be a true copy of Ordinance O-12-22 adopted by the Governing Body of the Borough of Highlands on December 5, 2012.

Borough Clerk/Deputy Clerk

(TO BE PUBLISHED WITH THE ORDINANCE, IN FULL OR BY TITLE, AND POSTED WITH THE ORDINANCE, IN FULL, AFTER INTRODUCTION AND AT LEAST SEVEN DAYS PRIOR TO THE PUBLIC HEARING)

AN ORDINANCE PROVIDING FUNDING FOR THE RECONSTRUCTION AND REPAVING OF BAYSIDE DRIVE FROM MARIE AVENUE TO MATTHEWS STREET FOR THE BOROUGH OF HIGHLANDS AND APPROPRIATING \$137,000 FOR SUCH PURPOSE.

NOTICE OF PENDING ORDINANCE

The ordinance, the title of which is published herewith, was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, held on October 17, 2012. It will be further considered for final passage after public hearing thereon, at a meeting of said Borough Council to be held in the Municipal Building, 171 Bay Avenue in said Borough on November 7, 2012 at ____ o'clock P.M., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in the Municipal Building said Borough to the members of the general public who shall request the same. The purpose of said ordinance is to make an appropriation in the amount of \$137,000 for the reconstruction and repaving of Bayside Drive from Marie Avenue to Matthews Street.

/s/ Carolyn Cummins
Borough Clerk

**(TO BE PUBLISHED WITH THE ORDINANCE, IN FULL OR BY TITLE, AFTER
FINAL PASSAGE)**

**AN ORDINANCE PROVIDING FUNDING FOR THE
RECONSTRUCTION AND REPAVING OF BAYSIDE
DRIVE FROM MARIE AVENUE TO MATTHEWS STREET
FOR THE BOROUGH OF HIGHLANDS AND
APPROPRIATING \$137,000 FOR SUCH PURPOSE**

ADOPTED: _____, 2012

APPROVED: _____ 2012

Mayor

ATTEST:

/s/ Carolyn Cummins
Borough Clerk

NOTICE OF ADOPTION

The ordinance, the title of which is published herewith, was duly and finally adopted by the Borough Council of the Borough of Highlands, New Jersey on November 7, 2012.

/s/ Carolyn Cummins
Borough Clerk

Re: BOROUGH OF HIGHLANDS

\$137,000 RECONSTRUCTION AND REPAVING OF BAYSIDE DRIVE

N/A Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Clerk's office as well as in Trenton.

N/A Down Payment Certificate.

_____ Certified copy of the minutes of the meeting of the Borough Council held _____
_____ showing introduction of the ordinance.

_____ Affidavit of Publication in local newspaper following introduction of the ordinance.

_____ Certified copy of the minutes of the meeting of the Borough Council held _____
_____ showing public hearing and final adoption of the ordinance.

_____ Affidavit of Publication in local newspaper following final adoption of the ordinance.

_____ Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

EXTRACT from the minutes of a _____ meeting of the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey held at the Municipal Building in the _____ on _____ at _____ o'clock _ .m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Carolyn Cummins, Borough Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on _____ has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this _____ day of _____, 2012.

Carolyn Cummins, Borough Clerk

(SEAL)

EXTRACT from the minutes of a _____ meeting of the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey held at the Municipal Building in the _____ on _____ at ____ o'clock __m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Carolyn Cummins, Borough Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on _____ has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this _____ day of _____, 2012.

Carolyn Cummins, Borough Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Carolyn Cummins, Borough Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey (herein called the "Local Unit"). In this capacity I have the responsibility to maintain the minutes of the meetings of the governing body of the Local Unit and the records relative to all ordinances and resolutions of the Local Unit. The representations made herein are based upon the records of the Local Unit.

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Local Unit on first reading on _____ and finally adopted by the governing body on _____, and where necessary approved by the Mayor on _____.

3. On _____ a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Local Unit at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them;

4. A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on _____. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a

referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this _____ day of _____, 2012.

Carolyn Cummins, Borough Clerk

[SEAL]