

WEST DEPTFORD TOWNSHIP

RESOLUTION #2018-194

**RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD PROVIDING FOR THE
DECLARATION OF OFFICIAL INTENT UNDER TREASURY REGULATION SECTION 1.150-2
TO REIMBURSE PRIOR EXPENDITURES RELATED TO VARIOUS SYSTEM
IMPROVEMENTS**

Adopted: July 18, 2018

WHEREAS, the Township of West Deptford, New Jersey (the "Township") intends to issue debt obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and that will be used to finance various preliminary expenditures/capital improvements in connection with the redevelopment project –RiverWinds Redevelopment Project (the debt obligations herein referred to as "Project Debt Obligations" herein referred to as the "Project");

WHEREAS, the Township intends to finance the Project, in part, with the Project Debt Obligations but may pay for certain costs of the Project ("Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Township which are not borrowed funds;

WHEREAS, the Township desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Township prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141-150 of the Code.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Township as follows:

Section 1. The Township reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Township's official intent to reimburse the Township for expenditure of Project Costs by the Township paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations, in accordance with Treasury Regulation Section 150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$500,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulation Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Project Debt Obligations used to reimburse the Township for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds",


including "sinking funds", "pledged funds", or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulation Section 1.148-1) of the Project Debt Obligations or another issue of debt obligations of the Township, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulation Section 1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of: (i) the date the expenditure from a source other than the Project Debt Obligations is paid; or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulation Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution will take effect immediately.

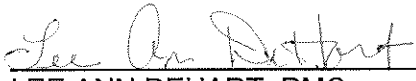
ADOPTED at the meeting of the Township Committee of the Township of West Deptford held on July 18, 2018.

TOWNSHIP OF WEST DEPTFORD



DENICE DICARLO, Mayor

ATTEST:



LEE ANN DEHART, RMC

RECORDED VOTE

AYE

NO


ABSTAIN

ABSENT

Keir
Mehaffey
Reid
Robinson
DiCarlo

CERTIFICATION

I, Lee Ann DeHart, Registered Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on July 18, 2018.



LEE ANN DEHART, RMC

[SEAL]