

1. Draft Agenda 1/27/2016

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[DRAFT AGENDA 1 27 2016 \(PDF\).PDF](#)

2. 1/27/2016 Vouchers

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[1 27 2016 VOUCHERS \(PDF\).PDF](#)

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**AGENDA
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JANUARY 27, 2016
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

SUNSHINE STATEMENT

SUSPEND REGULAR ORDER OF BUSINESS

16-27 A Resolution Recognizing Red Bank Patrolmen Thomas Doremus, Cevin Albert and Tanner Shea with the Life Saving Award.

Monmouth County Engineering Presentation on Bergen Place and Broad Street project

RESUME REGULAR ORDER OF BUSINESS

WORKSHOP

Finding of the Blue Ribbon Panel on Charter School Expansion Application

Hiring of Park & Recreation Administrative Assistant

APPROVAL OF MINUTES – January 13, 2016

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Requests for membership to the Red Bank Volunteer Fire Department:

- Suzanne Reigelmann—Liberty Hose Company
- Matthew Szura—Navesink Hook and Ladder Company

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

ORDINANCES – First Reading

2016-01 A Bond Ordinance Providing an Appropriation of \$1,825,000 for Water Plant Improvements at Chestnut Street and Tower Hill for and by the Borough of Red Bank, in the County of Monmouth, New Jersey and Authorizing the Issuance of \$1,825,000 Bond or Notes of the Borough for Financing Part of the Appropriation.

2016-02 A Bond Ordinance Providing for Acquisition and Installation of Water and Sewer Utility Meters by the Water/Sewer Utility of the Borough of Red Bank, in the County of Monmouth, State of New Jersey; Appropriating \$1,900,000 Therefore and Authorizing the Issuance of \$1,900,000 Bonds or Notes to Finance the Cost Thereof.

ORDINANCES – Public Hearing and Final Adoption

RESOLUTIONS

16-28 A Resolution Authorizing Tax Credits/Refunds Totaling \$70,768.72 due to Judgments of the Tax Court of New Jersey.

16-29 A Resolution Authorizing Tax Credits/Refunds Totaling \$13,658.46 due to Judgments of the Tax Court of New Jersey.

16-30 A Resolution Authorizing Agreement with Interfaith Neighbors, Inc. for 2016 Nutrition Program for Red Bank Senior Center.

16-31 A Resolution Authorizing Change Order No. 3 Related to the Contract with Lucas Construction Group Inc. for the 2015 Road Improvement Program.

16-32 A Resolution Authorizing and Directing the Planning Board to Undertake an Investigation to Determine whether the Delineated Area of Block 31, Lot. 2.01 (White Street Parking Lot) Satisfies the Criteria for Designation as a Non-Condensation Redevelopment Area.

16-33 A Resolution Authorizing the Advertisement for Bids for the Purchase and Installation of Proprietary Goods (Water Meters) Pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1.

16-34 A Resolution Authorizing Transfer of Current Fund Appropriation Reserves.

16-35 A Resolution Amending the 2016 Temporary Appropriations

16-36 A Resolution Authorizing Payment to Special Regional Master Richard Reading for Professional Services Rendered.

PROCLAMATIONS

PAYMENT OF VOUCHERS

15-xx A Resolution for Payment of Bills Amounting to \$ 806,984.78.

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION—Contract Negotiations (Conflict Public Defender)

ADJOURNMENT

DRAFT

Bill List 1/27/ 2016

Borough of Red Bank

Current Operating Fund	1	Computer Checks	\$ 148,664.09
		Revenue \$	
		Manual Checks(1)	\$ 383,182.05
		Manual Checks(2)	
		Manual Checks(3)	
		Subtotal	\$ 531,846.14
Grant Fund	2	Computer Checks	\$ 140.63
		Manual Checks(1)	\$ 23,010.09
		Manual Checks(2)	
		Subtotal	\$ 23,150.72
Capital Fund	C4	Computer Checks	
		Manual Checks(1)	\$ 5,232.50
		Manual Checks(2)	
		MCIA-Manual M-15	
		Subtotal	\$ 5,232.50
Water Operating	5	Computer Checks	\$ 2,222.48
		Manual Checks(1)	\$ 124,382.29
		Manual Checks-Projects(1)	
		Manual Checks(2)	
		Project Checks	
		Subtotal	\$ 126,604.77
Water Capital Fund	W6	Computer Checks	
		Manual Checks(1)	
		Manual Checks(2)	
		Subtotal	\$ -

Parking Capital Fund

P8	Computer Checks	
	Manual Checks(1)	
	Manual Checks(2)	
	Subtotal	\$ -

Parking Operating

9	Computer Checks	
	Manual Checks(1)	\$ 13,205.44
	Manual Checks(2)	
	Subtotal	\$ 13,205.44

Park & Rec Trust

21	Computer Checks	
	Manual Checks(1)	
	Manual Checks(2)	
	Subtotal	\$ -

Trust

T12	Computer Checks	\$ 3,100.00
	Manual Checks(1)	\$ 9,545.00
	Manual Checks(2)	
	Subtotal	\$ 12,645.00

TTL

T13	Computer Checks	\$ 4,629.62
	Manual Checks(1)	
	Manual Checks(2)	
	Subtotal	\$ 4,629.62

RCA

T14	Computer Checks	
	Manual Checks(1)	\$ 228.35
	Manual Checks(2)	
	Subtotal	\$ 228.35

Animal

15	Computer Checks	\$	27.60
	Manual Checks(1)		
	manual Checks(2)		
	Subtotal	\$	27.60

Law Enforcement

16	Computer Checks		
	Manual Checks(1)		
	manual Checks(2)		
	Subtotal	\$	-

Unemployment

T17	Computer Checks		
	Manual Checks(1)		
	Manual Checks(2)		
	Subtotal	\$	-

Coah

T18	Computer Checks		
	Manual Checks(1)		
	manual Checks(2)		
	Subtotal	\$	-

Online Liens

T19	Computer Checks		
	Manual Checks(1)		
	Manual Checks(2)		
	Subtotal	\$	-

Escrow

E20	Computer Checks		
	Manual Checks(2)		
	Billed with Project ID	\$	78,627.65
	Manual Checks(project)		
	Subtotal	\$	78,627.65

MCIA

Computer Checks	\$ 10,786.99
Manual Checks(1)	
Manual Checks(2)	
MCIA M-15 CAPITAL	
Subtotal	\$ 10,786.99

Total Computer Checks	\$ 169,571.41
Total Revenue \$	\$ -
Total Manual Checks(1)	\$ 558,785.72
Total Manual Checks(2)	\$ -
Total Manual Checks(3)	\$ -
Water Projects	\$ -
Escrow Projects	\$ 78,627.65

Total Manual Checks(1)	\$	558,785.72
Total Manual Checks(2)	\$	-
Total Manual Checks(3)	\$	-
Total Computer Checks	\$	248,199.06
PAYROLL ACCOUNTS #T-22	\$	3,330.44

Minus Void Checks

Check Register Total	\$	810,315.22
PAYROLL ACCOUNTS #T-22	\$	(3,330.44)
Grand Total	\$	806,984.78

Range of Checking Accts: First to Last Range of Check Dates: 01/14/16 to 01/27/16
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CAPITAL ACCOUNT CAPITAL ACCOUNT-SSB					
2085	01/14/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	5,232.50		8688

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	5,232.50	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	5,232.50	0.00

CURRENT -VALLEY	CURRENT OPERATING-VALLEY BK	Amount Paid	Reconciled/Void	Ref Num
4537	01/14/16 B0019 BOROUGH OF RED BANK,PAYROLL AC	362,299.21		8689
4538	01/15/16 B0010 VERIZON	3,024.76		8690
4539	01/21/16 C0244 COMCAST	153.26		8694
4540	01/21/16 J0045 JCP&L	17,348.71		8694
4541	01/21/16 V0023 VERIZON WIRELESS (NEWARK)	356.11		8694
4542	01/22/16 91309 National Parts Supply	46.50		8699
4543	01/22/16 A0017 GENE J ANTHONY ESQ	44.61		8699
4544	01/22/16 A0050 ATHLETES ALLEY	2,003.36		8699
4545	01/22/16 A0099 ANTHONY'S AUTO BODY	3,235.07		8699
4546	01/22/16 B0040 BUTCH'S CAR WASH CO.	932.00		8699
4547	01/22/16 B0178 BYRNES O'HERN LLC	0.00	01/22/16 VOID	0
4548	01/22/16 B0178 BYRNES O'HERN LLC	11,730.45		8699
4549	01/22/16 C0026 CENTRAL TOWING & RECOVERY	87.00		8699
4550	01/22/16 C0037 CITY CENTRE PLAZA LLC	255.00		8699
4551	01/22/16 C0191 CALVARY BAPTIST CHURCH	400.00		8699
4552	01/22/16 D0331 DELISA DEMOLITION INC	41,333.33		8699
4553	01/22/16 F0159 FIRE ENGINEERING (BOX4364)	29.00		8699
4554	01/22/16 G0078 GAGLIANO & COMPANY	1,487.50		8699
4555	01/22/16 I0045 IAFC MEMBERSHIP	259.00		8699
4556	01/22/16 L0043 MICHAEL R LECKSTEIN ESQ	350.00		8699
4557	01/22/16 M0017 MC GINNIS PRINTING	4,380.00		8699
4558	01/22/16 M0040 MONMOUTH BUILDING CENTER	26.99		8699
4559	01/22/16 M0048 MON CTY BOARD OF TAXATION	1,521.07		8699
4560	01/22/16 M0064 MUNICIPAL CLERKS ASSOC OF NJ	100.00		8699
4561	01/22/16 M0070 MUNICIPAL INFORMATION SYSTEMS	3,093.75		8699
4562	01/22/16 N0009 NAVESINK HOOK AND LADDER	400.00		8699
4563	01/22/16 N0037 NJ LEAGUE OF MUNICIPALITIES	295.00		8699
4564	01/22/16 P0140 RESERVE ACCOUNT	200.00		8699
4565	01/22/16 R0031 REALTY APPRAISAL CO.	49,000.00		8699
4566	01/22/16 R0042 RED BANK HOUSING AUTHORITY	400.00		8699
4567	01/22/16 R0174 RR DONNELLEY	1,102.50		8699
4568	01/22/16 S0028 STAFFORD TIRE CENTER INC	356.00		8699
4569	01/22/16 S0029 SHREWSBURY OFFICE SUPPLY	257.90		8699
4570	01/22/16 T0004 T&M ASSOCIATES	8,445.00		8699
4571	01/22/16 T0158 TRINITY EPISCOPAL CHURCH	400.00		8699
4572	01/22/16 U0046 UNITED METHODIST CHURCH	400.00		8699
4573	01/22/16 V0052 VFIS	8,598.64		8699
4574	01/22/16 W0001 WATCHUNG SPRING WATER CO	11.60		8699
4575	01/22/16 W0037 GEORGE WALL LINCOLN MERCURY	144.90		8699
4576	01/22/16 W0075 W.B.MASON CO INC	0.00	01/22/16 VOID	0
4577	01/22/16 W0075 W.B.MASON CO INC	0.00	01/22/16 VOID	0
4578	01/22/16 W0075 W.B.MASON CO INC	7,337.92		8699

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	39	3	531,846.14	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	39	3	531,846.14	0.00
DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK					
2979	01/27/16	130012 JAMES & SUELLEN SIMS	260.00		8701
2980	01/27/16	150089 JOSEPH DURSO	27,904.21		8701
2981	01/27/16	150096 HAMILTON BUILDING LLC	435.06		8701
2982	01/27/16	150097 ROSEMARY KIEL	260.00		8701
2983	01/27/16	150101 MARJORIE FORINO	56.00		8701
2984	01/27/16	150104 JENNIFER & PATRICK HUSSEY	212.00		8701
2985	01/27/16	150107 SCOTT BUTTFIELD	92.00		8701
2986	01/27/16	150109 STATION PLACE @ RED BANK LLC	32,712.00		8701
2987	01/27/16	95094 MARIANI PROPERTIES LLC	67.00		8701
2988	01/27/16	B0178 BYRNES O'HERN LLC	108.00		8701
2989	01/27/16	K0022 KEVIN E KENNEDY ESQ	60.00		8701
2990	01/27/16	L0043 MICHAEL R LECKSTEIN ESQ	653.40		8701
2991	01/27/16	T0004 T&M ASSOCIATES	0.00	01/27/16 VOID	0
2992	01/27/16	T0004 T&M ASSOCIATES	0.00	01/27/16 VOID	0
2993	01/27/16	T0004 T&M ASSOCIATES	15,807.98		8701
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	13	2	78,627.65	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	13	2	78,627.65	0.00
DOG LICENSE AC DOG LICENSE A/C-SSB					
1789	01/27/16	N0115 NJ ST.DEPT.HEALTH & SENIOR	27.60		8706
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	27.60	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	27.60	0.00
GRANT FUND-VNB GRANT FUND-VALLEY NATIONAL					
1062	01/14/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	23,010.09		8687
1063	01/27/16	X0003 XEROX CORPORATION	140.63		8702
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	23,150.72	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	23,150.72	0.00
MCIA LEASE MCIA NON CASH MEMO ONLY					
637	01/27/16	A0036 A.R. COMMUNICATIONS	1,153.02		8703
638	01/27/16	T0096 TRIANGLE COMMUNICATIONS	9,633.97		8703

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
<p>MCIA LEASE MCIA NON CASH MEMO ONLY Continued</p>					
Checking Account Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
		Paid	Void		
	Checks:	2	0	10,786.99	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	10,786.99	0.00
<p>PAYROLL PAYROLL ACCOUNT</p>					
1919	01/20/16	B0211 BOSTON MUTUAL LIFE INSURANCE C	223.72		8692
1920	01/20/16	A0314 AFLAC	3,106.72		8693
Checking Account Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
		Paid	Void		
	Checks:	2	0	3,330.44	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	3,330.44	0.00
<p>PKINGOP2RIVER PARKING OPERATING TWO RIVER BK</p>					
1120	01/14/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	13,205.44		8684
Checking Account Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
		Paid	Void		
	Checks:	1	0	13,205.44	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	13,205.44	0.00
<p>TRUST ACCOUNT TRUST ACCOUNT-SSB</p>					
4832	01/14/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	9,545.00		8685
4833	01/22/16	M0370 MTAG CUST FOR FIG CAPITAL INV	1,300.00		8698
4834	01/27/16	M0370 MTAG CUST FOR FIG CAPITAL INV	1,800.00		8704
Checking Account Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
		Paid	Void		
	Checks:	3	0	12,645.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	12,645.00	0.00
<p>TTL REDEMPTION TAX LIEN REDEMPTION</p>					
3334	01/22/16	IN0370 MTAG CUST.FOR FIG CAPITAL INV	12.35		8697
3335	01/22/16	M0370 MTAG CUST FOR FIG CAPITAL INV	839.72		8697
3336	01/27/16	IN0370 MTAG CUST.FOR FIG CAPITAL INV	62.53		8705
3337	01/27/16	M0370 MTAG CUST FOR FIG CAPITAL INV	3,715.02		8705
Checking Account Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
		Paid	Void		
	Checks:	4	0	4,629.62	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	4	0	4,629.62	0.00
<p>TWO RIVERS RCA WITH MANALAPAN</p>					
1776	01/14/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	228.35		8686
Checking Account Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
		Paid	Void		
	Checks:	1	0	228.35	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	228.35	0.00
<p>WATER OPERATING WATER OPERATING SSB</p>					
9124	01/14/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	34,282.18		8683

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
WATER OPERATING WATER OPERATING SSB			Continued		
9125	01/15/16	B0010 VERIZON	340.77		8691
9126	01/21/16	C0244 COMCAST	124.85		8695
9127	01/21/16	J0045 JCP&L	5,732.91		8695
9128	01/21/16	N0014 NJ AMERICAN WATER COMPANY	78,287.55		8695
9129	01/21/16	V0051 VERIZON COMM. (TX)	72.03		8695
9130	01/22/16	T0171 TREAS,ST OF NJ/NJDEP(410)	5,542.00		8696
9131	01/27/16	K0073 KYOCERA MITA AMERICA INC(PA)	158.48		8700
9132	01/27/16	M0024 MGL PRINTING SOLUTIONS	964.00		8700
9133	01/27/16	P0140 RESERVE ACCOUNT	1,100.00		8700

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	10	0	126,604.77	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	10	0	126,604.77	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	79	5	810,315.22	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	79	5	810,315.22	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	5-01	79,235.46	0.00	0.00	79,235.46
	5-05	86,434.42	0.00	0.00	86,434.42
	5-09	<u>5,781.87</u>	<u>0.00</u>	<u>0.00</u>	<u>5,781.87</u>
Year Total:		171,451.75	0.00	0.00	171,451.75
	6-01	452,610.68	0.00	0.00	452,610.68
	6-05	40,170.35	0.00	0.00	40,170.35
	6-09	<u>7,423.57</u>	<u>0.00</u>	<u>0.00</u>	<u>7,423.57</u>
Year Total:		500,204.60	0.00	0.00	500,204.60
	C-04	5,232.50	0.00	0.00	5,232.50
	G-01	2,783.98	0.00	0.00	2,783.98
	G-02	<u>20,366.74</u>	<u>0.00</u>	<u>0.00</u>	<u>20,366.74</u>
Year Total:		23,150.72	0.00	0.00	23,150.72
	M-13	10,786.99	0.00	0.00	10,786.99
	T-12	12,645.00	0.00	0.00	12,645.00
	T-13	4,629.62	0.00	0.00	4,629.62
	T-14	228.35	0.00	0.00	228.35
ANIMAL CONTROL TRUST FUND	T-15	27.60	0.00	0.00	27.60
PAYROLL FUND BUDGET	T-22	<u>3,330.44</u>	<u>0.00</u>	<u>0.00</u>	<u>3,330.44</u>
Year Total:		20,861.01	0.00	0.00	20,861.01
Total of All Funds:		<u>731,687.57</u>	<u>0.00</u>	<u>0.00</u>	<u>731,687.57</u>

Project Description	Project No.	Project Total
Insp - KJD Realty LLC	PI10648	697.35
Inspection 224 Maple LLC	PI10691	1,407.07
Inspection - 100 NSR, LLC	PI10806	948.75
Inspection A&B Prop	PI10816	422.25
Inspection 199 Broad LLC	PI10942	196.50
inspection Rivermedical Center	PI11160	339.21
Insp - River Development	PI7107	362.25
R Bank Capital LLC	PR10489	213.75
Review=Hamilton Bldg. LLC	PR10864	435.06
Review - Dr.Gregory A. Greco	PR11410	949.01
Review Total Storage Concepts	PR11423	5,617.10
Review Chocolates of Red Bank	PR11588	202.50
SFC Enterprises,Inc	PR11603	225.45
Review Teak Ventures, LLC.	PR11637	225.45
Bond- Station Place at RB LLC	ZB10411	32,712.00
BOND-JOSEPH DURSO	ZB11024	27,904.21
Insp-Home & Land Dev. %Farkouh	ZI11323	1,775.74
Inspection Grandview @ Navesin	ZI8332	876.75
Review Sims	ZR 11179	260.00
Review 55 West Front Street LL	ZR 11233	60.00
Review - Scott Buttfield	ZR10528	92.00
Review Hussey	ZR11091	212.00
Review Kiel	ZR11186	260.00
Review Forino	ZR11210	56.00
Review Mariani Properties,LLC	ZR11353	67.00
Review Meadowlands Ventures,LL	ZR11480	128.25
Review Fabricant	ZR11568	500.00

Project Description	Project No.	Project Total
Review Tudor village Apartment	ZR11571	1,482.00
Total Of All Projects:		<u>78,627.65</u>

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-27**

**RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, RECOGNIZING RED BANK
PATROLMEN THOMAS DOREMUS, CEVIN ALBERT AND
TANNER SHEA WITH THE LIFE SAVING AWARD**

offered the following resolution and moved its adoption:

WHEREAS, Patrolman Thomas Doremus, Cevin Albert and Tanner Shea are deeply deserving of being recognized with a Life Saving Award after saving the life of a Borough resident; and

WHEREAS, On January 1, 2016, the Patrolmen responded to a medical alarm activation at a residence on Wall Street; and

WHEREAS, the Patrolmen spoke with the resident through the locked apartment door and learned that there was a fire inside the apartment and the resident was trapped and could not escape on his own due to a medical condition; and

WHEREAS, observing the heavy smoke condition, and unaware of the severity of the fire, Patrolmen Doremus and Albert crawled into the apartment locating the resident beside a burning mattress and carried him to safety while Patrolman Shea crawled through the rest of the apartment searching for other occupants; and

WHEREAS, these officers risked their own personal health and safety in order to assist a resident who may not have survived the incident without their efforts; and

WHEREAS, the quick thinking and prompt actions of the Patrolmen are an inspiration to their fellow officers and the Chief of Police of the Borough of Red Bank has recommended that Patrolmen Thomas Doremus, Cevin Albert and Tanner Shea each receive a Life Saving Award in recognition of their exemplary service.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. That the Mayor and Council wish to commend Patrolmen Thomas Doremus, Cevin Albert and Tanner Shea for their heroic actions and bestow upon each Patrolman the Life Saving Award.

2. That a certified copy of this resolution be forwarded to Patrolman Thomas Doremus, Patrolman Cevin Albert and Patrolman Tanner Shea.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-28

**A RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS TOTALING \$70,768.72
DUE TO JUDGMENTS OF THE TAX COURT OF NEW JERSEY**

offered the following resolution and moved its adoption:

WHEREAS, on various properties, overpayments have occurred due to a judgment of the Tax Court of New Jersey; and

WHEREAS, Ashlesha Deshpande, tax collector has verified proof of payment and hereby recommends said overpayments totaling \$70,768.72 be credited/refunded; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank that it does hereby authorize the following credits/refunds:

BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B97 L46.01	6 Newman Springs Road	A&B Property Holdings	2012	\$ 12,260.35
			2013	\$ 12,630.18
			2014	\$ 13,348.91
		TOTAL		\$ 38,239.44
BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B97 L46.02	6 Newman Springs Road	A&B Property Holdings	2012	\$ 10,429.55
			2013	\$ 10,744.16
			2014	\$ 11,355.57
				\$ 32,529.28

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Tax Collector.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-29**

**A RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS TOTALING \$13,658.46
DUE TO JUDGMENTS OF THE TAX COURT OF NEW JERSEY**

offered the following resolution and moved its adoption:

WHEREAS, on various properties, overpayments have occurred due to a judgment of the Tax Court of New Jersey; and

WHEREAS, Ashlesha Deshpande, tax collector has verified proof of payment and hereby recommends said overpayments totaling \$13,658.46 be credited/refunded; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank that it does hereby authorize the following credits/refunds:

BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B36 L23.02	170 Monmouth Street	JMH Realty	2013	\$ 1,022.65
			2014	\$ 1,899.61
		TOTAL		\$ 2,922.26
BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B36 L23.03	170 Monmouth Street	JMH Realty	2013	\$ 939.39
			2014	\$ 1,744.66
		TOTAL		\$ 2,684.05
BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B36 L23.04	170 Monmouth Street	JMH Realty	2013	\$ 939.39
			2014	\$ 1,744.66
		TOTAL		\$ 2,684.05
BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B36 L23.05	170 Monmouth Street	JMH Realty	2013	\$ 939.39
			2014	\$ 1,744.66
		TOTAL		\$ 2,684.05
BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B36 L23.06	170 Monmouth Street	JMH Realty	2013	\$ 939.39
			2014	\$ 1,744.66
		TOTAL		\$ 2,684.05

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Tax Collector.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-30

**A RESOLUTION AUTHORIZING AGREEMENT WITH INTERFAITH NEIGHBORS, INC.,
FOR 2016 NUTRITION PROGRAM FOR RED BANK SENIOR CENTER**

offered the following resolution and moved its adoption:

WHEREAS, Interfaith Neighbors, Inc. has for several years operated a nutrition project at the Senior Citizen Center of the Borough of Red Bank, 80 Shrewsbury Avenue; and

WHEREAS, Interfaith Neighbors, Inc. has proposed an agreement for the year 2016, beginning January 1, 2016, as set forth in a "Lease Agreement" on file in the office of the Borough Clerk; and

WHEREAS, the Borough of Red Bank appreciates this service provided by Interfaith Neighbors, Inc., and desires to authorize the proposed agreement for the year 2016.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to execute the proposed "Lease Agreement" with Interfaith Neighbors, Inc., a non-profit corporation providing nutritional services in cooperation with the Monmouth County Office on Aging for the 2015 Nutrition Program at the Red Bank Senior Center, Shrewsbury Avenue.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this Resolution to Interfaith Neighbors, Inc., 810 Fourth Avenue, Asbury Park, New Jersey 07712-5982, Attn: Joseph Marmora, Executive Director and to Jacqueline Reynolds, Director of the Red Bank Senior Center.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-31

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 3
RELATED TO THE CONTRACT WITH LUCAS CONSTRUCTION GROUP INC.
FOR THE 2015 ROAD IMPROVEMENT PROGRAM**

offered the following resolution and moved its adoption:

WHEREAS, the Borough previously entered into a contract with Lucas Construction Group Inc. for the 2015 Road Improvement Program: and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 3, dated January 7, 2016, to the aforementioned Project, in order to address actual field quantities needed for completion of the project; and

WHEREAS, these contract changes yield a total net cost increase of \$82,743.01;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Change Order No. 3 to the 2015 Road Improvement Program, dated January 7, 2016, is hereby approved with a supplementary price increase of \$82,743.01; and

BE IT FURTHER RESOLVED that, to the extent applicable, this resolution is further contingent upon the Chief Financial Officer's Certification of Sufficient Funds as well as expiration of the twenty day estoppel period for any and all bonded funds for this project.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-32**

**RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING
BOARD TO UNDERTAKE AN INVESTIGATION
TO DETERMINE WHETHER THE DELINEATED AREA
OF BLOCK 31, LOT 2.01 (WHITE STREET PARKING LOT)
SATISFIES THE CRITERIA FOR DESIGNATION AS A NON-
CONDEMNATION REDEVELOPMENT AREA**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank's ("the Borough")'s Redevelopment Engineer, CME Associates, produced a Scoping Report for White Street Parking Improvements recommending that the Borough commence the redevelopment process and potentially enter into a public-private partnership that could cover the costs associated with the development of a parking garage while generating additional revenue for the Borough; and

WHEREAS, as the Borough's designated Redevelopment Engineer appointed during the Borough's reorganization meeting, CME Associates is prepared to proceed with further analysis; and

WHEREAS, N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law ("LRHL"), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the Borough to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether a delineated area is an area in need of redevelopment ("Redevelopment Area") according to the criteria set forth under N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to P.L. 2013, c. 159, the LRHL was amended to provide for Redevelopment Areas to be delineated as Non-Condemnation Redevelopment Areas where the use of eminent domain is not to be authorized by the municipality, nor is such a process necessary in this instance as the entirety of Block 31, Lot 2.01 is owned by the Borough; and

WHEREAS, the Borough's governing body desires to authorize its planning consultant, Maser Consulting ("Maser"), to assist the Planning Board in its preliminary investigation of Block 31, Lot 2.01 (White Street Parking Lot) to help guide its determination whether the delineated area is qualified as a Non-Condemnation Redevelopment Area in need of redevelopment pursuant to the criteria set forth under N.J.S.A. 40A:12A-5 and 40A:12A-3.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Red Bank in the County of Monmouth, State of New Jersey, as follows:

1. The Planning Board is hereby authorized and requested to undertake a preliminary investigation of Block 31, Lot 2.01 (White Street Parking Lot) to determine whether the delineated area of investigation constitutes an "area in need of redevelopment" for non-condemnation purposes according to the criteria set forth in N.J.S.A. 40A:12A-5 and 40A:12A-3.

2. Maser is hereby authorized to assist the Planning Board in its preliminary investigation of the delineated area of investigation, and to begin preparation of a Redevelopment Plan in the event the Planning Board recommends that all or some of the delineated area of investigation constitutes an “area in need of redevelopment.”
3. The Borough Administrator, Maser, and Borough Attorney are each hereby authorized and directed to take any necessary and appropriate actions in connection with the investigation of the delineated area of investigation, and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents necessary to undertake the investigation as being hereby ratified and confirmed.
4. This Resolution shall become effective immediately upon adoption.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-33**

**RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS
FOR THE PURCHASE AND INSTALLATION OF PROPRIETARY GOODS
(WATER METERS) PURSUANT TO N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank's (the "Borough") Water Utility is in need of new water meters to replace its existing antiquated water meters; and

WHEREAS, N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1 authorize the advertisement for bids for goods and services on a proprietary basis provided that the goods are of a specialized nature and necessary for the conduct of the affairs of the local unit; and

WHEREAS, after extensive investigation and research of meter systems and contacting other Municipal Water Departments, the Borough has determined that that it is in need of a proprietary water meter system and software (Neptune T-10 E-Coder Meters and R900 system Data Collection Hardware & Software);

WHEREAS, the purpose to which (Neptune T-10 E-Coder Meters and R900 system Data Collection Hardware & Software) will be used has the following unique characteristics that are only capable of meeting the Borough's needs:

- Neptune Meters are not dependent on internet which results in substantial savings in monthly usage.
- Neptune Meters utilize all bronze body and do not utilize plastic thereby reducing costs for current and future installation costs as well as providing recyclable material at the end of its useful life.
- Neptune Meters are capable of operating simultaneously in walk-by using a hand held device, drive-by mobile equipment or by a fully fixed radio antennae system without the need for reprogramming of meters.

WHEREAS, the proprietary nature of (Neptune T-10 E-Coder Meters and R900 system Data Collection Hardware & Software) is necessary for the conduct of the Borough's affairs for the following reasons:

- Neptune Meters are compatible with the Borough Financial software which is important for its use in billing and recordkeeping
- Upgrades of this system software are compatible with current versions of installed data collection software and hardware and do not require replacement of equipment
- The Borough is making a substantial investment in upgrading water meters and it is necessary to have one brand of meter throughout the Borough which utilizes one

common software, replacement parts and is compatible with the reading and billing system

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Red Bank that the Borough Administrator be and is hereby authorized and directed to advertise, as required by law, in the Borough's officially designated newspapers an Invitation for Bidders for sealed proposals to be received by the Borough Administrator for the Borough's installation and purchase of the proprietary water meter product (Neptune T-10 E-Coder Meters and R900 system Data Collection Hardware & Software). All bidders shall be provided with specifications for the proprietary water meter equipment and software. Sealed proposals for purchase and installation will be opened and read in public at Borough Hall, 90 Monmouth Street, Red Bank, New Jersey on a date to be determined by the Borough Administrator.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-34**

**A RESOLUTION AUTHORIZING TRANSFER OF
CURRENT FUND APPROPRIATION RESERVES**

offered the following resolution and moved its adoption:

WHEREAS, various 2015 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2015 Budget Appropriation Reserve in the last two months of 2015; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expended to be insufficient during the first three months of the succeeding year:

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH OF RED BANK that the transfers the 2015 Budget Appropriation Reserve as follows:

<u>GENERAL APPROPRIATIONS</u>	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
Insurance – Employee Group	\$ 20,000	
Police – O/E	\$ 1,000	
Telephone	\$ 10,000	
Engineering		\$ 20,000
Police – S&W		\$ 1,000
Street Lighting		\$ 10,000
<u>WATER SEWER FUND</u>		
Water – O/E	\$43,050	
Water Purchases		\$ 43,050

Seconded by and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-35**

A RESOLUTION AMENDING THE 2016 TEMPORARY APPROPRIATIONS

offered the following resolution and moved its adoption:

WHEREAS, the governing body previously adopted a resolution authorizing temporary appropriations for 2016 in accordance with N.J.S.A. 40:-19; and

WHEREAS, the governing body now wishes to rescind certain temporary appropriations for the 2016 and to make new appropriations to provide for the period between the adoption of the budget.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY, that the following amendments to the 2016 temporary appropriations be adopted.

Current Fund

Adopted

Sanitation – O/E

\$ 130,000

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-36**

**RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, AUTHORIZING PAYMENT TO
SPECIAL REGIONAL MASTER RICHARD READING
FOR PROFESSIONAL SERVICES RENDERED**

offered the following resolution and moved its adoption

WHEREAS, the Borough of Red Bank has filed a Declaratory Judgment Action entitled In the Matter of the Borough of Red Bank, docket number MON-L-2540-15 in which it seeks a determination that its preliminary housing plan complies with its Mount Laurel affordable housing obligations; and

WHEREAS, the court has appointed Richard Reading as the Regional Special Master to determine the regional need for affordable housing units within Region 4, consisting of Monmouth, Mercer and Ocean Counties; and

WHEREAS, the court is requiring all of the participating Monmouth County municipalities to share the expense of the Special Regional Master and has appointed a law firm involved in the litigation to distribute the bills; and

WHEREAS, the first bill has been distributed for September and October of 2015, the portion of the bills attributable to Monmouth County municipalities is \$10,200.00; and

WHEREAS, as one of 25 municipalities in Monmouth County, the Borough's allocation portion for the months of September and October of 2015 is \$408.00.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. That the Mayor and Council wish to authorize payment to the Special Regional Master Richard Reading for professional services rendered in conjunction with the review and evaluation of documents and methodologies for the calculation of municipal housing obligations within Monmouth County for September and October of 2015 for a total of \$408.00.

2. That a certified copy of this resolution be forwarded to Gluck Walrath, LLP and to Special Regional Master Richard Reading.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

ORDINANCE #2016-01

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,825,000 FOR WATER PLANT IMPROVEMENTS AT CHESTNUT STREET AND TOWER HILL FOR AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,825,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

offered the following ordinance on first reading and moved its introduction:

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

SECTION 1.

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Red Bank, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$1,825,000.. No down payment is 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") pursuant to N.J.S.A. 40A:2-11(c) as the bond ordinance authorizes obligations solely for an environmental infrastructure project, as defined in N.J.S.A. 58:11B-3, funded by loans from the New Jersey Environmental Infrastructure Trust or the State of New Jersey, acting by and through the Department of Environmental Protection.

SECTION 2.

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,825,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$1,825,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3.

(a) The Improvements authorized and the purposes for which obligations are to be issued is for water plant improvements at Chestnut Street and Tower Hill, including all structures and appurtenances, work or materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,825,000.

(c) The estimated cost of the Improvements is \$1,825,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the

purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5.

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 resolution 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, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6.

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 30 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,825,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$700,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7.

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9.

This Bond Ordinance 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 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 \$1,825,000.

SECTION 10.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: January 27, 2016

PAMELA BORGHI
Borough Clerk

ADOPTED ON SECOND READING
DATED: February 10, 2016

PAMELA BORGHI
Borough Clerk

APPROVAL BY THE MAYOR ON THIS __ DAY OF FEBRUARY, 2016.

PASQUALE MENNA, Mayor
Borough of Red Bank

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 27, 2016

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY
ORDINANCE NUMBER 2016-02**

**BOND ORDINANCE PROVIDING FOR ACQUISITION AND
INSTALLATION OF WATER AND SEWER UTILITY METERS BY
THE WATER/SEWER UTILITY OF THE BOROUGH OF RED
BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW
JERSEY; APPROPRIATING \$1,900,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR
NOTES TO FINANCE THE COST THEREOF**

offered the following ordinance on first reading and moved its introduction:

BE IT ORDAINED AND ENACTED 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 members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water/Sewer Utility of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$1,900,000 from the Water/Sewer Utility of the Borough, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water/Sewer Utility is self-liquidating.

SECTION 2. For the financing of said improvements described in Section 3 hereof, negotiable bonds of the Water/Sewer Utility of the Borough are hereby authorized to be issued in the aggregate principal amount of \$1,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$1,900,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for installation of water and sewer utility meters throughout the Borough and all other water and sewer related items as may be deemed necessary.

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,900,000.

(d) The estimated cost of said improvements or purposes is \$1,900,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes

authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. 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 the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Water/Sewer Utility is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution 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, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,900,000, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$700,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations

authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, 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 Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,900,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 2, 2016