

1. 02/10/2016 Draft Agenda

Documents:

[02 10 2016 DRAFT AGENDA \(PDF\).PDF](#)

2. 16-41

Documents:

[16-41 \(PDF\).PDF](#)

3. 16-42

Documents:

[16-42 \(PDF\).PDF](#)

4. 16-43

Documents:

[16-43 \(PDF\).PDF](#)

5. 16-44

Documents:

[16-44 \(PDF\).PDF](#)

6. 16-45

Documents:

[16-45 \(PDF\).PDF](#)

7. 16-46

Documents:

[16-46 \(PDF\).PDF](#)

8. 16-47

Documents:

[16-47 \(PDF\).PDF](#)

9. 16-48

Documents:

[16-48 \(PDF\).PDF](#)

10. 16-49

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[16-49 \(PDF\).PDF](#)

11. 16-50

Documents:

[16-50 \(PDF\).PDF](#)

12. 16-51

Documents:

[16-51 \(PDF\).PDF](#)

13. 16-52

Documents:

[16-52 \(PDF\).PDF](#)

14. 16-53

Documents:

[16-53 \(PDF\).PDF](#)

15. 16-54

Documents:

[16-54 \(PDF\).PDF](#)

16. 2/10/2016 Vouchers

Documents:

[2 10 2016 VOUCHERS \(PDF\).PDF](#)

17. 2016-01 Public Hearing

Documents:

[2016-01 PUBLIC HEARING \(PDF\).PDF](#)

18. 2016-02 Public Hearing

Documents:

[2016-02 PUBLIC HEARING \(PDF\).PDF](#)

19. 2016-03

Documents:

[2016-03 \(PDF\).PDF](#)

20. 2016-03A

Documents:

[2016-03A \(PDF\).PDF](#)

21. 2016-03B

Documents:

[2016-03B \(PDF\).PDF](#)

22. 2016-03C

Documents:

[2016-03C \(PDF\).PDF](#)

**AGENDA
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 10, 2016
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

SUNSHINE STATEMENT

WORKSHOP

Sign Ordinance

APPROVAL OF MINUTES – January 27, 2016

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Special Events Requests: (All events subject to final plan review by the Special Events Committee)

- Request from Indie Street Films, in cooperation with the Count Basie Theatre and Red Bank RiverCenter, to hold a film festival from Weds. July 6, 2016 through Sun. July 10, 2016.
- Request from Riverfest Music & Food Festival to amend their request previously approved on August 12, 2015 regarding their festival to be held on June 3, 4 & 5, 2016 to include a Wine & Beer Café with all proceeds going to Red Bank Parks & Recreation Department.
- Request from St. Anthony of Padua Church to close Herbert Street from 10am to 3pm on Sat. June 11, 2016 in conjunction with a procession for the Feast of St. Anthony beginning at 10am from St. James School on Peters Place and crossing Maple Avenue to their Chestnut Street parish with picnic to follow.
- Request from Red Bank Street Fair to hold their event on Sun. September 11, 2016 from 11am to 5pm on Broad and Monmouth streets.
- Request from Monmouth Day Care to hold their 7th annual Touch a Truck event in the Red Bank Middle School Parking Lot from 10am to 2pm.
- Request from Red Bank RiverCenter for the following events:
 - Red Bank Restaurant Week, February 21-March 3, 2016
 - Red Bank Wedding Walk, March 20, 2016
 - Red Bank Farmers Market, May 8-November 20, 2016
 - Streetlife Performances Saturdays, June 4, 11, 18, 25, July 2, 9, 16, 23, 30, August 6, 13, 20, 27
 - 5th Annual International Food & Beer Festival, April 24, 2016 with a rain date of May 1, 2016
 - Sidewalk Sale/Celebrate Red Bank, July 23, 2016-July 31, 2016
 - 7th Annual Red Bank Guinness Oyster Festival, September 25, 2016 with a rain date of October 2, 2016
 - Girls Night Out, October 20, 2016
 - 23rd Annual Holiday Express Concert/Town Lighting & Santa Express, November 25, 2016.
 - Holiday Christmas Scavenger Hunt, November 25, 2016-December 21, 2016
 - Holiday Horse & Carriage Rides, Saturdays, November 25-December 24
 - Holiday Harmonies, Saturdays, November 25-December 24

Request from Local Smoke Barbecue to install temporary “Coming Soon” 72” x 32” sign through April 1, 2016 in the corner of their lot located at 244 West Front Street to promote their new business.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

ORDINANCES – First Reading

2016-03 An Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Pertaining to Signs

ORDINANCES – Public Hearing and Final Adoption

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.

RESOLUTIONS

- 16-41 A Resolution Authorizing Water/Sewer Refund Due to a Billing Error.
- 16-42 A Resolution Authorizing Tax Refund Totaling \$1,369.74 Due to a Wrongly Applied Payment.
- 16-43 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Lolich Red Bank and Mark Development, Inc., for Walgreens, 395 Broad Street, Block 120, Lot 53.09, upon the Posting of a Two-Year Maintenance Bond.
- 16-44 A Resolution Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations Within the Borough of Red Bank.
- 16-45 A Resolution Authorizing the Award of Fair and Open Contract for Professional Services—
Conflict Public Defender.
- 16-46 A Resolution Amending the 2016 Temporary Appropriations.
- 16-47 A Resolution Amending Resolution 16-19 Regarding Change Order No. 6 and Final Related to the Contract with Black Rock Enterprises, LLC for the 2014 Road Program.
- 16-48 A Resolution Authorizing Change Order No. 4 Related to the Contract with Lucas Construction Group, Inc. for the 2015 Road Program.
- 16-49 A Resolution to Approve the Hiring of Diana Muhlausen as Part Time Senior Secretary in the Planning & Zoning Office.
- 16-50 A Resolution to Awarding Contract to CivicPlus for Web Hosting (CMS) and Reverse 911 Emergency Notification System.
- 16-51 A Resolution Authorizing Payments to Court-Appointed Masters for Professional Services Rendered
- 16-52 A Resolution Releasing the Performance Guarantee, Accepting the Maintenance Guarantee and Authorizing Final Payment to Black Rock Enterprises, LLC for the 2014 Road Program.
- 16-53 A Resolution Authorizing the Acceptance of the Performance Guarantee and Inspection Escrow Posted by the BHE Corporation.
- 16-54 A Resolution Appointing James N. Butler, Jr. Esquire, as Municipal Prosecutor for the Borough of Red Bank.

PROCLAMATIONS

PAYMENT OF VOUCHERS

- 15-xx A Resolution for Payment of Bills Amounting to \$4,634,119.54.

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION—

ADJOURNMENT

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-41

**A RESOLUTION AUTHORIZING WATER/SEWER REFUND
DUE TO BILLING ERROR**

offered the following resolution and moved its adoption:

WHEREAS, overpayments were made by Langlie Schneider and/or Greg Barich, 16 Harrison Avenue, Red Bank, on their water/sewer account due to a billing error; and

WHEREAS, Ashlesha Deshpande, Tax Collector, has verified that the payment was made in error; and

WHEREAS, the Tax Collector hereby recommends said overpayments totaling \$341.88 be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that it does hereby authorize the aforementioned refund in the amount of \$341.88.

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: February 10, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-42

**A RESOLUTION AUTHORIZING TAX REFUND TOTALING \$1,369.74
DUE TO WRONGLY APPLIED PAYMENT**

offered the following resolution and moved its adoption:

WHEREAS, a mortgage company incorrectly submitted a payment with the name of the wrong property owner's account and has asked that the payment be refunded so it can be reissued in the name of the account of the correct property owner; and

WHEREAS, Ashlesha Deshpande, Tax Collector has verified proof of the incorrect payment and hereby recommends said payments totaling \$1,369.74 be refunded to Lereta, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank that it does hereby authorize the following refunds to Lereta Inc.:

BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B80 L13.01	232 James Parker Blvd.	Hassam Riyazali	1Q-2016	\$ 1,369.74
		TOTAL		\$ 1,369.74

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: February 10, 2016

RESOLUTION NO. 16-43

**RESOLUTION OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AUTHORIZING THE RELEASE OF A SITE IMPROVEMENT
PERFORMANCE GUARANTEE POSTED BY LOLICH RED BANK
AND MARK DEVELOPMENT, INC., FOR WALGREENS,
395 BROAD STREET, BLOCK 120, LOT 53.09,
UPON THE POSTING OF A TWO-YEAR MAINTENANCE BOND**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank required the posting of a performance guarantee for the installation of certain site improvements in regard to the approvals given for Walgreens, 395 Broad Street, Block 120, Lot 53.09, in the Borough of Red Bank; and

WHEREAS, the Borough Engineer has received a request from the developer for the release of the performance guarantee; and

WHEREAS, the Borough Engineer has inspected the site and has determined that all bonded site improvements have been completed in substantial compliance with the Board approvals; and

WHEREAS, the Borough Engineer has recommended the release of the performance guarantee posted by Lolich Red Bank and Mark Development, Inc., in the amount of \$306,410.00, consisting of Irrevocable Standby Letter of Credit No. 7221 in the amount of \$275,769.00 issued by Santander Bank dated August 7, 2014, and a cash bond in the amount of \$30,641.00 for the site improvements for Walgreens, 395 Broad Street, Block 120, Lot 53.09, in the Borough of Red Bank, upon the posting of a two-year maintenance bond for fifteen (15%) percent Cost of Improvements (paper bond) in the amount of \$38,302.00 or existing cash bond on file in the amount of \$30,641.00, and conditioned upon the payment of all outstanding fees due the municipality, including, but not limited to, engineering and attorneys' fees, as well as the reimbursement of any outstanding construction inspection fees prior to the release of any performance guarantees.

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 governing body does hereby authorize the release of the performance guarantee posted by Lolich Red Bank and Mark Development, Inc., in the amount of \$306,410.00, consisting of Irrevocable Standby Letter of Credit No. 7221 in the amount of \$275,769.00 issued by Santander Bank dated August 7, 2014, and a cash bond in the amount of \$30,641.00 for the site improvements for Walgreens, 395 Broad Street, Block 120, Lot 53.09, in the Borough of Red Bank, upon the posting of a two-year maintenance bond for fifteen (15%) percent Cost of Improvements (paper bond) in the amount of \$38,302.00 or existing cash bond on file in the amount of \$30,641.00, and conditioned upon the payment of all outstanding fees

due the municipality, including, but not limited to, engineering and attorneys' fees, as well as the reimbursement of any outstanding construction inspection fees prior to the release of any performance guarantees.

2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Borough Engineer and the Applicants, Lolich Red Bank and Mark Development, Inc.

Seconded by Councilman Zipprich 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

CERTIFICATION

I, PAMELA HUGHES BORGHI, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Red Bank at a meeting held on the 27th day of January **2016**.

PAMELA HUGHES BORGHI, RMC
Borough Clerk, Borough of Red Bank

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-44**

**A RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH
MOSQUITO CONTROL DIVISION TO CONDUCT
AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF RED BANK**

offered the following resolution and moved its adoption:

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq., has elected through its Mosquito Control Division to perform all acts necessary for the elimination of Mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the Governing Body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Red Bank is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this Governing Body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Governing Body of the Borough of Red Bank hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard or both with the understanding that:
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. The County will notify the Police Department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this Resolution to the Monmouth County Mosquito Control Division, 1901 Wayside Road, Tinton Falls, NJ 07724, Attn: Victoria Thompson, Acting Superintendent and to the Chief of Police.

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: February 10, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-45**

**RESOLUTION AUTHORIZING THE AWARD OF FAIR AND OPEN CONTRACTS
FOR PROFESSIONAL SERVICES—Conflict Public Defender**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank has solicited proposals through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq., which requires that award of contract for “Professional Services” through the fair and open process must be made by resolution authorizing the award of said contract and must be publicly advertised; and

WHEREAS, the Borough of Red Bank has a need to acquire the services of a Conflict Public Defender; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the following business entity have submitted a proposal indicating they will provide the legal services for amounts specified in the 2016 Municipal Budget:

Conflict Public Defender: Law Offices of Santiago & Associates, PC

WHEREAS, funds have been made available in the Annual Municipal Budget of the Borough of Red Bank to support these services.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) The following appointments are hereby ratified and confirmed for the year 2016.

Conflict Public Defender: Law Offices of Santiago & Associates, PC
- 2) The amounts charged for these services will be determined in accordance with the contracts dated as of January 1, 2016 and in effect through December 31, 2016.
- 3) The said contracts were awarded without public bidding as “Professional Services” under the provisions of said Local Public Contracts Law.
- 4) A copy of this Resolution shall be published in the Asbury Park Press within ten (10) days of its passage.

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign and deliver on behalf of the Borough the contract for these professional services which is contingent upon the negotiation, execution and award of a final contract between the appointee and the Borough, to the extent necessary under the laws of the Borough and the State of New Jersey;

BE IT FURTHER RESOLVED that the Clerk cause notice of this action to be printed once in an official newspaper of the 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: February 10, 2016

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on February 10, 2016.

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-47

RESOLUTION AMENDING RESOLUTION 16-19 REGARDING CHANGE ORDER NO. 6 AND FINAL RELATED TO THE CONTRACT WITH BLACK ROCK ENTERPRISES, LLC. FOR THE 2014 ROAD IMPROVEMENT PROGRAM

offered the following resolution and moved its adoption:

WHEREAS, Resolution 16-19 was previous adopted on January 13, 2016 to authorize change order No. 6 and Final, dated January 4, 2016 to a contract with Black Rock Enterprises, LLC for the 2014 Road Improvement Program; and

WHEREAS, the amount of a total net cost decrease of \$123,514.65 that was authorized was incorrect and should have read \$102,029.65;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Change Order No. 6 and final to the 2014 Road Improvement Program is hereby approved with a supplementary price decrease of \$102,029.65; 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 Councilwoman Schwabenbauer 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: February 10, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-48

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 4
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 Program project; and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 4, dated February 1, 2016, to the aforementioned Project, related to miscellaneous reductions and extras reflecting as-built quantities, all as specified in the contract document related to this change order; and

WHEREAS, the contract change creates a net zero price change to the contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Change Order No. 4 to the 2015 Road Program, dated February 1, 2016, is hereby approved with no supplementary price change to the contract.

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: February 1, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-49

A RESOLUTION TO APPROVE THE HIRING OF DIANA MUHLAUSEN AS PART TIME SENIOR SECRETARY IN THE PLANNING & ZONING OFFICE

offered the following resolution and moved its adoption:

WHEREAS, the Borough Administrator has advised that it is desirable to fill the position of Part Time Senior Secretary in the Planning & Zoning Office; and

WHEREAS the Administrator has recommended that Diana Muhlausen be appointed to the position of Part Time Senior Secretary in the Planning & Zoning Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the hiring of Diana Muhlausen as Part Time Senior Secretary in the Planning & Zoning Office is hereby approved effective February 16, 2016 pending completion of physical and background investigation.

BE IT FURTHER RESOLVED that Ms. Muhlausen shall be compensated at a rate of \$15.45 per hour.

Seconded

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: February 10, 2016

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on February 10, 2016.

Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-50**

**A RESOLUTION AWARDING CONTRACT TO CIVICPLUS FOR
WEBSITE HOSTING (CMS) AND REVERSE 911 EMERGENCY NOTIFICATION SYSTEM**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank sought proposals for an all-inclusive Content Management System (CMS) and Emergency Notification System for the Borough of Red Bank for a contract period of three years; and

WHEREAS, the Borough received three responses to the request for proposals.

1. E-Gov Strategies
2. CivicPlus
3. CivicA (Granicus)

WHEREAS, CivicPlus was the only submission that was fully compliant with the specifications in all material aspects; and

WHEREAS, the Information Technology Director and the Education Technology Committee has reviewed all of the proposals for the Project and, pursuant to a report dated February 5, 2016, recommends that the award of the contract be made to CivicPlus as the lowest responsible bidder in the amount of \$45,849.00; and

WHEREAS, the Borough Council finds that it would be in the best interests of the Borough of Red Bank to award a contract for such services to CivicPlus, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the contract for a CMS and Emergency Notification System is hereby awarded to CivicPlus for 45,849.00 for a term of three years.

BE IT FURTHER RESOLVED that award of this contract is contingent upon approval by and compliance with any and all applicable regulations and requirements of the State of New Jersey and/or the United States of America, or any of their agencies, to the extent any such approval or compliance is applicable;

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized and requested to sign and deliver these contracts on behalf of the Borough of Red Bank;

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to CivicPlus, 302 S. 4th Street Suite 500, Manhattan, Kansas 66502 and 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: February 10, 2016

RESOLUTION NO. 16-51

**RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, AUTHORIZING PAYMENTS TO
COURT-APPOINTED MASTERS 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 has appointed Frank Banisch of Banisch Associates, Inc. the Local Planning Master for the Borough of Red Bank; 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, which costs shall be ongoing during the pendency of the affordable housing litigation; and

WHEREAS, the court requires each municipality for which a Local Planning Master to pay the fees of the Local Planning master attributable to such municipality, which costs shall be ongoing during the pendency of the affordable housing litigation; and

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 authorize payment of the Borough's portion of the fees of court-appointed 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 on an ongoing basis, as such fees are accrued and invoiced as provided by the Court.

2. That the Mayor and Council authorize payment of the Borough's fees for court-appointed Local Planning Master Frank Banisch of Banisch Associates, Inc. for professional services rendered pursuant to Court Order, on an ongoing basis, as such fees are accrued and invoiced as provided by the Court.

3. That a certified copy of this resolution be forwarded to Gluck Walrath, LLP, Special Regional Master Richard Reading and Local Planning Master Frank Banisch of Banisch Associates, Inc.

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: February 10, 2016

RESOLUTION NO. 16-52

RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, RELEASING THE PERFORMANCE GUARANTEE, ACCEPTING THE MAINTENANCE GUARANTEE AND AUTHORIZING FINAL PAYMENT TO BLACK ROCK ENTERPRISES, LLC FOR THE 2014 ROAD PROGRAM

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank required the posting of a performance guarantee pursuant to its contract with Black Rock Enterprises, LLC for the 2014 Road Program; and

WHEREAS, the Black Rock Enterprises, LLC posted the Performance Guarantee which consists of a bond, # XXXX issued by COMPANY in the amount of \$DOLLARS ; and

WHEREAS, the Borough Engineer has received a request from Black Rock Enterprises, LLC for final payment under the contract and for the release of the performance guarantee; and

WHEREAS, the Borough Engineer has inspected the improvements and has determined that all of the bonded improvements have been completed in substantial compliance with the terms of the contract; and

WHEREAS, the Borough Engineer has recommended the final payment be made to Black Rock Enterprises, LLC in the amount of \$57,717.16; and

WHEREAS, the Borough Engineer has recommended the release of the performance guarantee conditioned on the posting of a Maintenance Guarantee in the amount of \$429,485.78, representing 25% of the original contract price, to run for a period of two years. Deposit of the new maintenance guarantee shall be made prior to the release of the original performance guarantee.

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 governing body does hereby authorize the release of the Performance Guarantee posted by Black Rock Enterprises LLC in the amount of \$XXX.
2. That the governing body does hereby accept the Maintenance Guarantee, Number 2186840, issued by North American Specialty Insurance Company, in the amount of \$429,485.78, which is 25% of the Final Contract Price.
3. That the governing body does hereby authorize the final payment under the 2014 Road Program contract to Black Rock Enterprises, LLC in the amount of \$57,717.16.
4. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Borough Engineer, and Black Rock Enterprises, LLC.

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: February 10, 2016

CERTIFICATION

I, PAMELA HUGHES BORGHI, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Red Bank at a meeting held on the 10th day of February 2016.

PAMELA HUGHES BORGHI, RMC
Borough Clerk, Borough of Red Bank

RESOLUTION NO. 16-53

**RESOLUTION OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AUTHORIZING THE ACCEPTANCE OF THE PERFORMANCE GUARANTEE AND
INSPECTION ESCROW POSTED BY BHE CORPORATION**

offered the following resolution and moved its adoption:

WHEREAS, the Planning Board of the Borough of Red Bank required the posting of a performance guarantee pursuant to its approval of Application No. P11486 submitted by BHE Corporation for property located at 14 Wharf Avenue also known as Block 10, Lots 4&5 on the tax map of the Borough of Bay Head; and

WHEREAS, by letter dated February 3, 2016, the Borough Engineer recommended the posting of a Performance Guarantee in the amount of \$36,990.00, and an inspection escrow in the amount of \$2,666.00 for the improvements authorized by Resolution 2015-11 of the Planning Board; and

WHEREAS, the Director of the Borough’s Department of Planning and Zoning has requested authorization to accept the performance guarantee and the inspection escrow posted by the Developer.

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 governing body does hereby authorize the Director of the Borough’s Planning and Zoning Department to accept the performance guarantee and inspection escrow posted by the Developer for the project authorized by Planning Board Resolution 2015-11.

2. That a certified copy of this resolution be forwarded to BHE Corporation and the Borough Engineer.

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: February 10, 2016

CERTIFICATION

I, PAMELA HUGHES BORGHI, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Red Bank at a meeting held on the 10th day of February 2016.

PAMELA HUGHES BORGHI, RMC
Borough Clerk, Borough of Red Bank

RESOLUTION NO. 16-54

**RESOLUTION OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
APPOINTING JAMES N. BUTLER, JR., ESQUIRE,
AS MUNICIPAL PROSECUTOR FOR THE BOROUGH OF RED BANK**

offered the following resolution and moved its adoption:

WHEREAS, there exists a need for legal services as Prosecutor for the Borough of Red Bank;
and

WHEREAS, it is the desire of the Mayor, with the advice and consent of the Borough Council, to
appoint James Butler, Jr., Esquire, as Municipal Prosecutor for the Borough of Red Bank; and

WHEREAS, the Borough Administrator has determined and certified in writing that the
anticipated value of the contract will exceed \$17,500; and

WHEREAS, although the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the
award of contracts for "Professional Services" without competitive bids, the Borough issued a request for
proposals for professional service contracts in compliance with Ch. 19, P.L. 2004; and

WHEREAS, all proposals were to be submitted to the Office of the Borough Clerk by December
15, 2015; and

WHEREAS, James N. Butler, Jr., Esq. submitted such a proposal and was previously appointed
as Conflict Municipal Prosecutor; and

WHEREAS, the appointed Municipal Prosecutor has withdrawn from such position and the
Borough has determined that James N. Butler, Jr., Esq. has the ability and expertise to perform the legal
services required by the Borough for the position of Municipal Prosecutor; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this
contract, which certification is annexed hereto; and

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

1. That James N. Butler, Jr., Esq., is hereby appointed as Municipal Prosecutor for the
Borough of Red Bank for a term commencing immediately and ending December 31, 2016.

2. The Mayor is hereby authorized to execute and the Borough Clerk to attest to,
respectively, an agreement with James N. Butler, Jr., Esq. in accordance with the provisions of this
resolution.

3. This contract is awarded pursuant to a fair and open public solicitation process in
compliance with Ch. 19, P.L. 2004 and a notice of this action shall be printed once in the official
newspaper of the Borough of Red Bank.

4. That a copy of the written determination of value by the Borough Administrator shall
be placed on file with this resolution.

5. That a certified copy of this resolution shall be provided by the Borough Clerk to the
Chief Financial Officer, James N. Butler, Jr., Esq.

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: February 10, 2016

CERTIFICATION

I, PAMELA HUGHES BORGHI, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Red Bank at a meeting held on the 10th day of February, 2016.

PAMELA HUGHES BORGHI, RMC
Borough Clerk, Borough of Red Bank

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-

A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,634,119.54

offered the following resolution and moved its adoption:

BE IT RESOLVED by the Mayor and Council that the bills be paid as on the attached check registers totaling \$4,634,119.54.

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: February 9, 2016

Bill List FEB 10 2016

Borough of Red Bank

Current Operating Fund	1	Computer Checks	\$ 3,699,291.07
		Revenue \$	
		Manual Checks(1)	\$ 406,837.48
		Manual Checks(2)	
		Manual Checks(3)	
		Subtotal	\$ 4,106,128.55
Grant Fund	2	Computer Checks	\$ 1,620.63
		Manual Checks(1)	\$ 10,751.69
		Manual Checks(2)	
		Subtotal	\$ 12,372.32
Capital Fund	C4	Computer Checks	\$ 40,482.27
		Manual Checks(1)	\$ 4,062.50
		Manual Checks(2)	
		MCIA-Manual M-15	
		Subtotal	\$ 44,544.77
Water Operating	5	Computer Checks	\$ 50,476.22
		Manual Checks(1)	\$ 105,799.50
		Manual Checks-Projects(1)	
		Manual Checks(2)	\$ 341.88
		Project Checks	\$ 10,100.42
		Subtotal	\$ 166,718.02
Water Capital Fund	W6	Computer Checks	\$ 145,485.06
		Manual Checks(1)	
		Manual Checks(2)	\$ 57,717.16
		Subtotal	\$ 203,202.22
Parking Capital Fund	P8	Computer Checks	\$ 7,359.66
		Manual Checks(1)	
		Manual Checks(2)	

Subtotal	\$	7,359.66
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Parking Operating

9	Computer Checks	\$	791.76
	Manual Checks(1)	\$	7,583.63
	Manual Checks(2)		
	Subtotal	\$	8,375.39

Park & Rec Trust

21	Computer Checks	\$	299.20
	Manual Checks(1)		
	Manual Checks(2)		
	Subtotal	\$	299.20

Trust

T12	Computer Checks	\$	2,468.18
	Manual Checks(1)	\$	9,997.50
	Manual Checks(2)		
	Subtotal	\$	12,465.68

TTL

T13	Computer Checks		
	Manual Checks(1)		
	Manual Checks(2)		
	Subtotal	\$	-

RCA

T14	Computer Checks		
	Manual Checks(1)	\$	217.68
	Manual Checks(2)		
	Subtotal	\$	217.68

Animal

15	Computer Checks	\$	3,858.36
	Manual Checks(1)		

manual Checks(2)		
Subtotal	\$	3,858.36

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	\$	21,464.74
Manual Checks(project)		
Subtotal	\$	21,464.74

MCI

Computer Checks	\$	47,112.95
Manual Checks(1)		

Manual Checks(2)

MCIA M-15 CAPITAL

Subtotal	\$	47,112.95
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Total Computer Checks	\$	3,999,245.36
Total Revenue \$	\$	-
Total Manual Checks(1)	\$	545,249.98
Total Manual Checks(2)	\$	58,059.04
Total Manual Checks(3)	\$	-
Water Projects	\$	10,100.42
Escrow Projects	\$	21,464.74

Total Manual Checks(1)	\$	545,249.98
Total Manual Checks(2)	\$	58,059.04
Total Manual Checks(3)	\$	-
Total Computer Checks	\$	4,030,810.52
PAYROLL ACCOUNTS #T-22	\$	48,670.08

Minus Void Checks

Check Register Total	\$	4,682,789.62
PAYROLL ACCOUNTS #T-22	\$	(48,670.08)
Grand Total	\$	4,634,119.54

Range of Checking Accts: First to Last Range of Check Dates: 01/28/16 to 02/10/16
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					
2086	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	4,062.50		8712
2087	02/10/16	B0213 BLUE PLANET HOME TECHNOLOGIES	14,390.00		8728
2088	02/10/16	L0101 LUCAS CONSTRUCTION GROUP INC	26,092.27		8728

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	3	0	44,544.77	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	3	0	44,544.77	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK					
4579	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	346,842.53		8707
4580	01/28/16	B0010 VERIZON	13.10		8713
4581	01/28/16	B0185 BROADVIEW NETWORKS	844.78		8713
4582	01/28/16	J0045 JCP&L	12,086.28		8713
4583	01/28/16	L0036 AVAYA (NY)	253.23		8713
4584	01/28/16	M0205 MONMOUTH TELECOM	118.38		8713
4585	01/28/16	P0022 POSTMASTER-RED BANK	85.00		8713
4586	01/28/16	U0050 US BANK	38,491.52		8713
4587	02/04/16	A0223 AT&T (BOX 105068)	160.40		8719
4588	02/04/16	B0010 VERIZON	3,044.29		8719
4589	02/04/16	D0201 DIRECT ENERGY BUSINESS	730.29		8719
4590	02/04/16	N0021 NEW JERSEY NATURAL GAS CO	4,167.68		8719
4591	02/10/16	160004 NORTH SPRINGS CO LLC	70,768.72		8725
4592	02/10/16	91309 National Parts Supply	0.00	02/10/16 VOID	0
4593	02/10/16	91309 National Parts Supply	843.65		8725
4594	02/10/16	A0017 GENE J ANTHONY ESQ	634.37		8725
4595	02/10/16	A0028 AMERICAN WEAR INDUST.UNIFORM	1,099.31		8725
4596	02/10/16	A0050 ATHLETES ALLEY	139.16		8725
4597	02/10/16	A0056 AUTOMATED DATA PROCESSING LLC	1,494.89		8725
4598	02/10/16	A0066 AIR BRAKE & EQUIPMENT	383.16		8725
4599	02/10/16	A0114 ALLIED OIL COMPANY	10,622.95		8725
4600	02/10/16	A0150 APRUZZESE,MCDERMOTT,MASTRO	1,249.25		8725
4601	02/10/16	B0084 BEACON AWARDS & SIGNS	50.00		8725
4602	02/10/16	B0170 BECKER TREE SERVICE	3,325.00		8725
4603	02/10/16	BG0203 BEAU BROADLEY	49.12		8725
4604	02/10/16	C0032 CHESAPEAKE EXTERMINATING	0.00	02/10/16 VOID	0
4605	02/10/16	C0032 CHESAPEAKE EXTERMINATING	0.00	02/10/16 VOID	0
4606	02/10/16	C0032 CHESAPEAKE EXTERMINATING	1,310.00		8725
4607	02/10/16	C0037 CITY CENTRE PLAZA LLC	676.00		8725
4608	02/10/16	C0060 SHORE BUSINESS SOLUTIONS	613.05		8725
4609	02/10/16	C0328 CRANEY INTERPRETING	110.00		8725
4610	02/10/16	C0332 CONCEPT PRINTING INC	440.00		8725
4611	02/10/16	C0335 GLENN CARTER	678.00		8725
4612	02/10/16	D0103 DEAN'S FLOWER INC.	180.00		8725
4613	02/10/16	D0118 JOHN J DRUCKER JR.	19.99		8725
4614	02/10/16	D0181 DCRP-NJ DIV PENSION/BENEFITS	375.56		8725
4615	02/10/16	D0200 DE LAGE LANDEN	199.83		8725
4616	02/10/16	D0331 DELISA DEMOLITION INC	81,509.81		8725
4617	02/10/16	E0012 ELECTRO MAINTENANCE INC	1,530.00		8725

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK Continued					
4618	02/10/16	E0038 EMR POWER SYSTEMS LLC	1,100.00		8725
4619	02/10/16	E0050 EVIDENT CRIME SCENE PRODUCTS	690.35		8725
4620	02/10/16	F0104 FINS AND FEATHERS	297.00		8725
4621	02/10/16	G0021 GREENLEAF LANDSCAPING	9,560.00		8725
4622	02/10/16	G0033 GALE GROUP	49.48		8725
4623	02/10/16	G0093 GENERAL CODE	2,580.00		8725
4624	02/10/16	G0161 IVAN GRILLI	1,065.60		8725
4625	02/10/16	H0079 TED HALL	975.00		8725
4626	02/10/16	H0113 HOFFMAN SERVICES INC	1,540.00		8725
4627	02/10/16	H0193 THOMAS HALL ESQ P.C	1,013.70		8725
4628	02/10/16	H0196 CHARLES HOFFMANN	40.70		8725
4629	02/10/16	I0024 INDEPENDENT ENGINE CO	400.00		8725
4630	02/10/16	J0020 JERSEY ELEVATOR CO INC	209.99		8725
4631	02/10/16	J0044 JOHNNY ON THE SPOT	110.80		8725
4632	02/10/16	K0073 KYOCERA MITA AMERICA INC(PA)	469.30		8725
4633	02/10/16	K0081 GREGORY KOWALCYZK	310.00		8725
4634	02/10/16	L0006 LANIGAN ASSOCIATES	1,375.85		8725
4635	02/10/16	M0048 MON CTY BOARD OF TAXATION	1,438,834.22		8725
4636	02/10/16	M0309 MID-ATLANTIC TRUCK CENTER	1,466.00		8725
4637	02/10/16	M0325 MSC INDUSTRIAL SUPPLY CO	1,065.31		8725
4638	02/10/16	N0022 NJ FIRE EQUIPMENT CO	3,466.32		8725
4639	02/10/16	N0037 NJ LEAGUE OF MUNICIPALITIES	25.00		8725
4640	02/10/16	N0154 NEW JERSEY PLANNING OFFICIALS	370.00		8725
4641	02/10/16	N0213 NJPHCC	97.00		8725
4642	02/10/16	P0037 POWERHOUSE SIGN WORKS	335.00		8725
4643	02/10/16	P0164 EUGENIA POULOS	20.00		8725
4644	02/10/16	R0012 RED BANK REGIONAL BOE	730,050.42		8725
4645	02/10/16	R0013 RED BANK BOARD OF EDUCATION	1,291,424.50		8725
4646	02/10/16	R0081 RED BANK SELF STORAGE	515.00		8725
4647	02/10/16	R0188 RED BANK DINER	17.85		8725
4648	02/10/16	S0027 SEABOARD WELDING SUPPLY INC	66.50		8725
4649	02/10/16	S0029 SHREWSBURY OFFICE SUPPLY	1,422.01		8725
4650	02/10/16	S0035 TREAS.ST.NJ MARRIAGE LICENSE F	1,400.00		8725
4651	02/10/16	S0273 KELLY C.SENKELESKI	90.00		8725
4652	02/10/16	S0303 STEVE'S OUTBOARD SERVICE	1,455.00		8725
4653	02/10/16	S0319 SHORE CONCRETE SURFACING LLC	3,968.00		8725
4654	02/10/16	T0096 TRIANGLE COMMUNICATIONS	4,209.00		8725
4655	02/10/16	T0127 TREAS.STATE OF NJ 1992/GT	15,545.80		8725
4656	02/10/16	T0145 TREAS.ST OF NEW JERSEY (370)	5.00		8725
4657	02/10/16	T0177 TOUCH-UP AUTO SERVICE	150.00		8725
4658	02/10/16	T0205 TANEUM	114.00		8725
4659	02/10/16	V0002 VE RALPH & SONS	962.49		8725
4660	02/10/16	W0025 WEIGHTS & MEASURES FUND	200.00		8725
4661	02/10/16	W0037 GEORGE WALL LINCOLN MERCURY	1,753.27		8725
4662	02/10/16	W0075 W.B.MASON CO INC	173.79		8725

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	81	3	4,106,128.55	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	81	3	4,106,128.55	0.00

DEVELESCROW	DEVELOPERS ESCROW-COMMERCE BK			
2994	02/10/16	150092 100 NSR LLC	10,851.36	8727

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK Continued					
2995	02/10/16	150103 CATHERINE & GEORGE TENNERALLI	83.31		8727
2996	02/10/16	150105 RICHARD & COLLEEN FISCHER	128.00		8727
2997	02/10/16	K0022 KEVIN E KENNEDY ESQ	240.00		8727
2998	02/10/16	T0004 T&M ASSOCIATES	0.00	02/10/16 VOID	0
2999	02/10/16	T0004 T&M ASSOCIATES	0.00	02/10/16 VOID	0
3000	02/10/16	T0004 T&M ASSOCIATES	10,162.07		8727
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	5	2	21,464.74	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	5	2	21,464.74	0.00
DOG LICENSE AC DOG LICENSE A/C-SSB					
1790	02/10/16	A0028 AMERICAN WEAR INDUST.UNIFORM	39.75		8732
1791	02/10/16	F0071 FRA TECHNOLOGIES INC	600.00		8732
1792	02/10/16	G0112 GARDEN STATE VETERINARY	513.61		8732
1793	02/10/16	H0114 ASSOCIATED HUMANE SOCIETIES	1,790.00		8732
1794	02/10/16	M0024 MGL PRINTING SOLUTIONS	340.00		8732
1795	02/10/16	M0202 MONMOUTH COUNTY SPCA	575.00		8732
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	3,858.36	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	3,858.36	0.00
GRANT FUND-VNB GRANT FUND-VALLEY NATIONAL					
1064	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	10,751.69		8736
1065	02/10/16	B0121 BOROUGH OF EATONTOWN	1,480.00		8738
1066	02/10/16	X0002 XEROX FINANCIAL SERVICES	140.63		8738
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	3	0	12,372.32	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	12,372.32	0.00
MCIA LEASE MCIA NON CASH MEMO ONLY					
639	02/10/16	A0036 A.R. COMMUNICATIONS	1,215.25		8729
640	02/10/16	B0212 BEYER FORD LLC	34,193.50		8729
641	02/10/16	G0003 GARDEN STATE HIGHWAY PROD INC	6,230.00		8729
642	02/10/16	P0037 POWERHOUSE SIGN WORKS	1,520.00		8729
643	02/10/16	S0287 SHI INTERNATIONAL CORP	154.20		8729
644	02/10/16	T0096 TRIANGLE COMMUNICATIONS	3,800.00		8729
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	47,112.95	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	47,112.95	0.00
PARKSRECTRUST PARKS & REC TRUST-TWO RIVER					
1017	02/10/16	J0044 JOHNNY ON THE SPOT	299.20		8733

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PARKSRECTRUST PARKS & REC TRUST-TWO RIVER Continued					
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
		Paid	Void		
	Checks:	1	0	299.20	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	299.20	0.00
PAYROLL PAYROLL ACCOUNT					
1921	01/29/16	R0196 RED BANK BOROUGH PBA	1,600.00		8715
1922	01/29/16	C0334 CWA LOCAL 1075	2,670.32		8715
1923	01/29/16	B0018 BOROUGH OF RED BANK,CURRENT AC	43,465.84		8715
1924	01/29/16	B0068 BOROUGH OF REB BANK,UNEMPLOYEM	933.92		8715
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	4	0	48,670.08	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	4	0	48,670.08	0.00
PKING CAP 2RIVE PARKING CAPITAL TWO RIVER BK					
1009	02/10/16	L0101 LUCAS CONSTRUCTION GROUP INC	7,359.66		8730
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	1	0	7,359.66	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	7,359.66	0.00
PKINGOP2RIVER PARKING OPERATING TWO RIVER BK					
1121	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	7,042.71		8709
1122	02/04/16	V0040 VERIZON WIRELESS (PA25505)	540.92		8717
1123	02/10/16	A0028 AMERICAN WEAR INDUST.UNIFORM	159.00		8726
1124	02/10/16	A0056 AUTOMATED DATA PROCESSING LLC	420.14		8726
1125	02/10/16	G0023 Gardaworld	212.62		8726
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	5	0	8,375.39	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	5	0	8,375.39	0.00
TRUST ACCOUNT TRUST ACCOUNT-SSB					
4835	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	8,997.50		8710
4836	02/03/16	B0219 BOROUGH OF RED BANK-P&R TRUST	1,000.00		8716
4837	02/10/16	93288 AM-PM TOWING INC	140.00		8731
4838	02/10/16	A0099 ANTHONY'S AUTO BODY	525.00		8731
4839	02/10/16	C0026 CENTRAL TOWING & RECOVERY	105.00		8731
4840	02/10/16	D0334 ADRIENNE DOHERTY	40.70		8731
4841	02/10/16	I0091 4IMPRINT	1,152.48		8731
4842	02/10/16	L0097 L & M AUTO CENTER	190.00		8731
4843	02/10/16	M0312 M&M AUTO SERVICE	315.00		8731
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	9	0	12,465.68	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	9	0	12,465.68	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
TWO RIVERS RCA WITH MANALAPAN					
1777	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	217.68		8737
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	217.68	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	217.68	0.00
VOID VOID ACCOUNT					
1064	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	217.68	01/28/16 VOID	8711
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	0	1	0.00	217.68
	Direct Deposit:	0	0	0.00	0.00
	Total:	0	1	0.00	217.68
WATER CAPITAL WATER/SEWER CAPITAL-SSB					
1781	02/10/16	C0329 CFM CONSTRUCTION, INC	59,848.60		8734
1782	02/10/16	L0101 LUCAS CONSTRUCTION GROUP INC	85,636.46		8734
1783	02/10/16	B0175 BLACK ROCK ENTERPRISES LLC	57,717.16		8735
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	3	0	203,202.22	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	203,202.22	0.00
WATER OPERATING WATER OPERATING SSB					
9134	01/28/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	33,642.44		8708
9135	01/28/16	C0244 COMCAST	225.75		8714
9136	01/28/16	U0050 US BANK	67,283.48		8714
9137	01/28/16	V0028 VERIZON (P04648)	303.37		8714
9138	02/04/16	B0010 VERIZON	343.60		8718
9139	02/04/16	D0201 DIRECT ENERGY BUSINESS	1,448.20		8718
9140	02/04/16	N0014 NJ AMERICAN WATER COMPANY	586.30		8718
9141	02/04/16	N0021 NEW JERSEY NATURAL GAS CO	1,966.36		8718
9142	02/10/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	4,562.42		8720
9143	02/10/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	2,948.00		8721
9144	02/10/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	2,590.00		8722
9145	02/10/16	T0040 TREAS.ST OF NJ,DIV.REVENUE(417	12,490.00		8723
9146	02/10/16	91309 National Parts Supply	192.31		8724
9147	02/10/16	A0028 AMERICAN WEAR INDUST.UNIFORM	278.25		8724
9148	02/10/16	A0056 AUTOMATED DATA PROCESSING LLC	1,920.33		8724
9149	02/10/16	A0307 AB&S NEPTUNE	140.38		8724
9150	02/10/16	F0165 FINCH FUEL OIL CO INC	3,715.79		8724
9151	02/10/16	K0073 KYOCERA MITA AMERICA INC(PA)	134.19		8724
9152	02/10/16	M0098 MONMOUTH TRUCK EQUIPMENT	5,200.00		8724
9153	02/10/16	M0262 MIRACLE CHEMICAL COMPANY	3,582.00		8724
9154	02/10/16	O0047 ONE CALL CONCEPTS	100.44		8724
9155	02/10/16	P0092 PEIRCE EQUIPMENT CO	2,947.83		8724
9156	02/10/16	R0179 E RUNYTON T/A AQUATIC SERV	2,458.00		8724
9157	02/10/16	S0029 SHREWSBURY OFFICE SUPPLY	166.70		8724
9158	02/10/16	S0193 RIO SUPPLY INC	16,950.00		8724
9159	02/10/16	T0040 TREAS.ST OF NJ,DIV.REVENUE(417	200.00		8724
9160	02/10/16	160003 LANGLIE SCHNEIDER AND/OR	341.88		8739

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
Continued				
WATER OPERATING	WATER OPERATING	SSB		
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	27	0	166,718.02
	Direct Deposit:	0	0	0.00
	Total:	<u>27</u>	<u>0</u>	<u>166,718.02</u>
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	155	6	4,682,789.62
	Direct Deposit:	0	0	0.00
	Total:	<u>155</u>	<u>6</u>	<u>4,682,789.62</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	5-01	112,697.03	0.00	0.00	112,697.03
	5-05	48,070.00	0.00	0.00	48,070.00
	5-09	175.00	0.00	0.00	175.00
Year Total:		160,942.03	0.00	0.00	160,942.03
	6-01	3,993,431.52	0.00	0.00	3,993,431.52
	6-05	108,547.60	0.00	0.00	108,547.60
	6-09	8,200.39	0.00	0.00	8,200.39
Year Total:		4,110,179.51	0.00	0.00	4,110,179.51
	C-04	44,544.77	0.00	0.00	44,544.77
	G-01	3,623.56	0.00	0.00	3,623.56
	G-02	8,748.76	0.00	0.00	8,748.76
Year Total:		12,372.32	0.00	0.00	12,372.32
	M-11	6,230.00	0.00	0.00	6,230.00
	M-13	40,882.95	0.00	0.00	40,882.95
Year Total:		47,112.95	0.00	0.00	47,112.95
	P-08	7,359.66	0.00	0.00	7,359.66
	T-12	12,465.68	0.00	0.00	12,465.68
	T-14	217.68	0.00	0.00	217.68
ANIMAL CONTROL TRUST FUND	T-15	3,858.36	0.00	0.00	3,858.36
PARKS & REC TRUST	T-21	299.20	0.00	0.00	299.20
PAYROLL FUND BUDGET	T-22	48,670.08	0.00	0.00	48,670.08
Year Total:		65,511.00	0.00	0.00	65,511.00
	W-06	203,202.22	0.00	0.00	203,202.22
Total of All Funds:		4,651,224.46	0.00	0.00	4,651,224.46

Project Description	Project No.	Project Total
Perf Bond	PB10806	10,851.36
Insp - KJD Realty LLC	PI10648	460.41
Inspection A&B Prop	PI10816	208.94
Inspection 18Broad,LLC	PI11266	692.47
Inspection 48 Reckless,LLC	PI11300	676.91
Review Beattie Holdings/butch	PR 11413	383.75
Review - Lauria Properties, LL	PR10571	1,888.13
Review - Dr.Gregory A. Greco	PR11410	240.00
Review Total Storage Concepts	PR11423	3,055.31
Review Crossfit Red Bank Corp	PR11553	1,573.52
Review Henderson	PR11661	492.88
Review Greenleaf Holdings LLC	PR11684	729.75
WTR LINE-55 PETER PLACE	WTR0000079	2,948.00
WTR LINE-106 WALLACE STREET	WTR0000096	2,590.00
WTR LINE-86 CATHERINE STREET	WTR0000100	4,562.42
Review Fischer	ZR11086	128.00
Review Teneralli	ZR11125	83.31
Total of All Projects:		<u>31,565.16</u>

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

Councilwoman Schwabenbauer 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.

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

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

Dated: January 27, 2016

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on January 27, 2016.

Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough Council of the Borough of Red Bank, State of New Jersey, on January 27, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Borough's Municipal Building, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey, 07701, on February 10, 2016 at 6:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: 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

Purpose(s): For water plant improvements at Chestnut Street and Tower Hill.

Appropriation: \$1,825,000

Bonds/Notes Authorized: \$1,825,000

Gants (if any) Appropriated: None

Section 20 Costs: \$700,000

Useful Life: 30 years

PAMELA BORGHI
CLERK

This Notice is published pursuant to N.J.S.A. 40A:2-17.

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

PUBLIC NOTICE

BOND ORDINANCE STATEMENTS AND SUMMARIES

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of Red Bank, in the County of Monmouth, State of New Jersey on February 10, 2016 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: 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

Purpose(s): For water plant improvements at Chestnut Street and Tower Hill.

Appropriation: \$1,825,000

Bonds/Notes Authorized: \$1,825,000

Gants (if any) Appropriated: None

Section 20 Costs: \$700,000

Useful Life: 30 years

Pamela Borghi, Clerk

Ordinance # _____

**Re: BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

**\$1,825,000 FOR WATER PLANT IMPROVEMENTS
AT CHESTNUT STREET AND TOWER HILL**

_____ 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.

_____ 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 Red Bank, 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, PAMELA BORGHI, Clerk of the Borough of Red Bank, 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 _____, 2016.

PAMELA BORGHI, Clerk

(SEAL)

EXTRACT from the minutes of a _____ meeting of the
Borough Council of the Borough of Red Bank, 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, PAMELA BORGHI, Clerk of the Borough of Red Bank, 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 _____, 2016.

PAMELA BORGHI, Clerk

(SEAL)

CLERK’S CERTIFICATE

I, PAMELA BORGHI, Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Borough of Red Bank, 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 _____, 2016.

PAMELA BORGHI, Clerk

[SEAL]

**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

Councilwoman Schwabenbauer 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 Councilwoman Horgan and adopted on roll call by the following vote:

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

Dated: January 27, 2016

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on January 27, 2016.

Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the governing body of the Borough of Red Bank, in the County of Monmouth, State of New Jersey on January 27, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Borough's Municipal Building, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey 07701, February 10, 2016 at 6:30 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR 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

Purpose(s): Installation of water and sewer utility meters throughout the Borough

Appropriation: \$1,900,000

Bonds/Notes Authorized: \$1,900,000

Grants Appropriated None

Down Payment: None (Self-Liquidating)

Section 20 Costs: \$700,000

Useful Life: 15 years

**PAMELA BORGHI,
Borough Clerk**

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by Borough Council of the Borough of Red Bank, in the County of Monmouth, State of New Jersey on February 10, 2016 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR INSTALLATION FO 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

Purpose(s): Installation of water and sewer utility meters throughout the Borough

Appropriation: \$1,900,000

Bonds/Notes Authorized: \$1,900,000

Grants Appropriated None

Down Payment: None (Self-Liquidating)

Section 20 Costs: \$700,000

Useful Life: 15 years

**PAMELA BORGHI,
Borough Clerk**

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Borough Council of the Borough duly called and held on January 27, 2016 at 6:30 p.m. at the Borough's Municipal Complex and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the Borough Council 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 as of this ___ day of _____, 2016.

(SEAL)

**PAMELA BORGHI,
Borough Clerk**

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Borough Council of the Borough duly called and held on February 10, 2016 at 6:30 p.m. at the Borough's Municipal Complex and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the Borough Council 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 official seal of the Borough as of this ___ day of _____, 2016.

(SEAL)

**PAMELA BORGHI,
Borough Clerk**

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

**CERTIFICATE AS TO BOND ORDINANCE
ADOPTION PROCESS**

I, PAMELA BORGHINI, DO HEREBY CERTIFY that I am the Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Borough. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Borough and the records relative to all resolutions and ordinances of the Borough. The representations made herein are based upon the records of the Borough. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on January 27, 2016 and finally adopted on February 10, 2016 and approved by the Mayor on February 10, 2016.

2. After introduction, the bond ordinance was published as required by law on February __, 2016 in The Asbury Park Press.

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Borough at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Borough who requested copies, up to and including the time of further

consideration of the bond ordinance by the governing body. Copies of the bond ordinance were made available to all who requested same.

4. After final passage, the bond ordinance was duly approved by the Mayor of the Borough and published as required by law on February __, 2016 in The Asbury Park Press. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

5. The bond ordinance has not been amended, added to, altered, or repealed and said bond ordinance is now in full force and effect.

6. A certified copy of this bond ordinance and a copy of the amended capital budget form have been filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Borough is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Borough as of this __ day of _____, 2016.

PAMELA BORGHI,
Borough Clerk

(SEAL)

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

**CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT
FOR BOND ORDINANCE**

I, the undersigned, clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Eugenia Poulos, the Chief Financial Officer of the Borough as of January 27, 2016, that such Supplemental Debt Statement was filed in my office on January 27, 2016 and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on _____, 2016.

**PAMELA BORGHI,
Borough Clerk**

ORDINANCE NO. 2016-03

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 490,
PLANNING AND DEVELOPMENT REGULATIONS, PERTAINING TO SIGNS**

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

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County is hereby amended and supplemented as follows:

SECTION 1. §490-6, Definitions, is hereby amended to supplement or revise the following definitions:

EXEMPT DEVELOPMENT

Site plan and/or subdivision approval shall not be required prior to issuance of a development permit for the following:

- A. Construction, additions or alterations related to single-family or two-family detached dwellings on individual lots.
- B. Interior alterations which do not increase the required number of off-street parking spaces.
- C. Exterior alterations which are not otherwise restricted by this chapter and, in the opinion of the administrative officer:
 - (1) Do not materially change the means of access;
 - (2) Do not substantially change the architectural design or appearance of a structure; and
 - (3) Do not substantially increase the apparent size, shape or mass of a structure.
- D. Any change in occupancy which is not a change in use (as herein defined) and is not part of a development previously approved for shared parking pursuant to §490-98P(3) of this chapter.
- E. Any increase in the total number of employees, number of employees in any shift, or the number of vehicles to be stored or parked on the site not exceeding 25% of the amount existing at the time of passage of this chapter or as set forth at the time of a previous site plan approval.
- F. Construction or installation of underground facilities which do not alter the general use, appearance or grade of the site.
- G. Divisions of property, and conveyances so as to combine existing lots, which are not considered to be subdivisions in accordance with the definition of "subdivision" contained within this section.
- H. Erection of a sign classified as a Minor Sign, as defined in §490-104D of this chapter.
- I. Individual applications for accessory mechanical equipment, accessory storage structures and accessory uses not exceeding 100 square feet in area, whose operation and location conform to the design and performance standards of this chapter and whose installation is on a site already occupied by an active principal use for which site plan approval is not otherwise required.

GRAPHIC CONTENT OF SIGN

All words, letters, numbers, symbols, colors, shapes, etc., which appear on the sign face and are intended to convey a visual message. Total graphic content coverage of a sign shall be measured by computing the area of the smallest geometric figure which can encompass all words, letters, figures, logos and other elements of the sign message. The use of decorative light fixtures to illuminate the sign shall not be included in the total graphic content coverage calculation, so long as the fixtures are not part of the specific visual message of the sign.

INTERNALLY ILLUMINATED CHANNEL LETTERS

A type of INTERNALLY ILLUMINATED SIGN where each letter and symbol is individually fabricated to accept a light source, where each letter may have a translucent panel, provided that the light source itself is not visible.

NONCONFORMING SIGN

Signs that do not meet the classification of a Permitted Conforming Sign that are either:

- A. Not permitted by the zoning district as an accessory use in Schedule B; or
- B. Do not meet the details and design standards described in 490-104C and for the particular sign type in Schedule A

PERMITTED CONFORMING SIGN

Signs listed as a permitted accessory use in Schedule B of this Chapter and conform in all respects to the details for each sign type pursuant to Schedule A of this chapter, shall be considered a conforming sign.



REVERSE CHANNEL BACKLIT SIGN

A sign exposed to artificial lighting by lights reflected off of rear surface(s).

SHADOW LIT SIGNS

See "Reverse Channel Backlit Sign"

SIGNABLE AREA

That portion of a building fronting a public roadway or public parking area extending from the finished grade of the building to the bottom of the lowest second-floor windowsill or to a height of 20 feet, whichever is less, and along the entire length of the building which fronts a street or parking area.

SPECIAL EVENTS SIGN

A temporary sign advertising coming events, civic or political activities or other similar functions.

SECTION 2. §490-104, Signs, is hereby amended as follows:

[Amended by Ord. No. 1988-21; Ord. No. 1992-28; Ord. No. 1999-6; Ord. No. 2002-17; Ord. No. 2003-41]

All signs shall conform to the provisions of this section and to the applicable requirements of the New Jersey Uniform Construction Code.

A. General objectives:

- (1) To provide a pleasing overall environmental setting and good community appearance, deemed vital to the continued economic attractiveness of Red Bank by:
 - (a) Encouraging signs in areas of high sign concentration, such as downtown, neighborhood retail areas, and highway corridors, so that the placement, color, shape, brackets, support structures, mountings, design and lighting promote good civic design that supports the visual quality and positive collective impact and image of such areas;
 - (b) Promoting signs that, in addition to the standards herein, are also integrated with the overall design of their host building in a way respectful of and complimentary to the historic and architectural character of the building;
 - (c) Permitting signs that not only identify the "presence" of the business or use on a thoroughfare, but also generate a positive collective impact upon the streetscape of an area;
 - (d) Encouraging flexibility that permits creative and innovative designs, while being generally consistent with the community character of Red Bank; and
 - (e) Ensuring that signs in designated historic districts are designed to protect and preserve the historic character of the district.
- (2) To create a more productive, enterprising, professional business atmosphere.
- (3) To allow signs appropriate to the architectural and planned character and development of each zoning district.
- (4) To promote the design of signs in pedestrian corridors that focus upon pedestrian viewers and not automobile operators.
- (5) To facilitate fire and police protection by proper sign identification.
- (6) To protect the public health, safety and welfare by restricting signs which impair the public's ability to receive information, violate privacy, or which increase the probability of accidents by distracting attention or obstructing vision.
- (7) To encourage signs which promote a desirable visual environment through creative yet orderly design arrangements.

(8) To encourage signs which aid orientation, identify activities, describe local history and character or serve other educational purposes.

(9) To encourage the replacement of nonconforming signs by conforming signs through the strict enforcement of the procedures and requirements of this section.

(10) To protect and enhance the value of properties by eliminating visual chaos and pollution.

B. Application procedures.

(1) Application for development permit.

(a) Application shall be made to the administrative officer for the issuance of a development permit by any person wishing to erect, alter, modify, or expand any sign, except minor signs as described in Section D of this section.

(b) If the administrative officer determines that a sign requires the issuance of a development permit and is a permitted conforming sign, the officer shall issue a development permit. The applicant may then apply for a sign construction permit and any other permits that may be required.

(c) If the administrative officer determines that the proposed sign is not a permitted conforming sign the administrative officer shall instruct the applicant that Planning Board or Board of Adjustment approval of an application for development is required, and the officer shall further advise the applicant which Board the administrative officer recommends has jurisdiction.

(d) If the sign is located in a district that is under the jurisdiction of a supplementary review board and is not a conforming sign, the administrative officer shall send a copy of the application to the following supplementary review boards, who will have 7 business days to review and provide comments to the administrative officer:

[1]. If the proposed sign will be located in the Washington Street Historic District, the Central Business Zone Historic District, or is located on the Borough's inventory of historic sites, the administrative officer shall send the application to the Historic Preservation Commission and the Historic District Committee of the Planning Board for review and comment.

[2]. If the proposed sign will be located in the Red Bank River Center district, the administrative officer shall send the application to the River Center Visual Improvement Committee.

(2) Content of application for development. All applications for development which involves only signs shall be submitted in accordance with the requirements of §§ 490-60 and 490-62.

C. General standards. The following general standards shall apply to all signs:

(1) Prohibited signs. All signs not specifically permitted are prohibited.

(2) A sign must be on the tax lot, building, or storefront with which it is identified. Signs shall relate to use of property. All signs, unless specifically stated otherwise in this section, shall relate to the use or occupancy of the property upon which the sign is located.

(3) Upon vacation of the property, signage will be removed, as described in Subsection H (Abandonment).

(4) No sign shall extend more than three feet (3') into a public right-of-way or between the street curb and a sidewalk, other than an easel sign, projecting sign, or awning sign without obtaining an easement from the borough.

(5) Modification of graphic content. The graphic content of a sign may be modified without obtaining a development permit, provided that the proposed graphic content complies with all applicable provisions of this section, except that any condition of approval contained in a resolution of either the Planning Board or Board of Adjustment, which specifies graphic content of the sign, shall require that a new or amended approval be issued by said Board prior to graphic content modification.

(6) Illumination.

(a) Unless specifically stated otherwise in this section, all signs may be either internally or externally illuminated in accordance with the performance standards found in § 490-54C (12) of this chapter.

(b) Signs or lights reflecting or emitting a glaring light which could impair driver vision, reflected signs, and light-projected signs are prohibited.

(c) Illumination of a sign shall be arranged so that no substantial light or glare is directed or reflected onto adjacent streets or properties. The installation and assembly shall meet all applicable building and electrical codes.

(d) An illuminated sign located on a lot adjacent to or across the street from any residential district and visible from such residential district shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the use to which the sign pertains is open for business during those hours.

(e) No sign shall contain blinking, flashing, flickering, tracer or sequential lighting and shall remain stationary and constant in intensity and color at all times.

(f) All wiring for permanent illuminated signs shall be installed and maintained so that it is not within public view. The running of wiring or conduit along the exterior wall of a building to access a sign is specifically prohibited, except that the Construction Official may permit exterior conduit if in the judgment of the Official there is no practical way to run the conduit so that it is not within public view.

(g) The use of decorative light fixtures, such as gooseneck, hooded, historic reproduction, and alcove fixtures, complimentary to the design of building, sign, or site are permitted.

(h) Neon lights in designated historic districts should be used only where it was historically utilized as a primary signage element of the building, or on buildings with compatible architectural styling, as determined by the Historic Preservation Commission.

(i) Signs should be evenly lit with no isolated bright or dark spots.

(j) No substantial light or glare may be directed or reflected onto adjacent streets or properties.

(k) Internally illuminated box signs, i.e., light box or backlit signs, or illuminated signs which contain or utilize non opaque material are not permitted.

(l) Internally illuminated signs that use individual channel letters and reverse channel backlit signs, otherwise known as shadow-lit signs are permitted where internally illuminated signs are permitted in schedule A, except that only reverse channel backlit signs shall be permitted in the Design District Overlay zone and on buildings listed in the 2009 Red Bank Historic Preservation Commission inventory.

(m) Illuminated signs within a building and visible from a public street or public parking area shall not be located within 24 inches of a window, except that an informational sign used to designate if a business is presently open and measures no more than 2 square feet in area are permitted in commercial establishments that are not within the Design District Overlay zone or listed in the 2009 Red Bank Historic Preservation Commission Inventory. The illumination of said signs must be turned off when the commercial establishment is not open.

(7) Obstruction of access ways. No sign or sign structure shall obstruct a fire escape, door, window, or other required access way. No sign shall be attached to a standpipe or fire escape, except those signs required by the Municipal Authority.

(8) Obstruction of window surface. No sign shall project over, occupy or obstruct any window surface required for light or ventilation by any application by any applicable law, ordinance or regulation.

(9) Traffic safety.

(a) No sign shall be maintained at any location where, by reason of its position, size, shape, content or color, it may, in the opinion of the Chief of Police, obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal or device or where it may interfere with, mislead or confuse traffic.

(b) No sign which uses the words "stop," "look," "caution," "danger," or any similar wording, which may confuse or mislead the public, shall be permitted.

(c) No sign, nor any part of a sign, shall obstruct the sight triangle required by § 490-34 of this chapter.

(10) Sign permanency. All signs shall be securely affixed in a permanent manner to either the ground or building, unless specifically stated otherwise in this section.

(11) Signs affixed to certain structures. No sign shall be affixed to any roof, tree, fence, utility pole, or other similar structure, nor placed upon motor vehicles which are continually or repeatedly parked in a conspicuous location to serve as a sign; however, nothing is intended to prohibit the placement of signs,

not exceeding three feet in any dimension, directing traffic or identifying various parking locations within a lot on light poles and utility poles erected therein. Signs painted on pavement surfaces shall be restricted to traffic control markings only.

(12) Advertising flags, banners, pinwheels. No advertising flags, banners, pinwheels, portable signs, or similar advertising devices shall be permitted, except in accordance with Subsection D (7) or Subsection F of this section or as directed or authorized by the municipality.

(13) Animated or moving signs. No animated or moving signs shall be permitted, except for the required movement of time and temperature displays.

(14) No sign may be painted directly on the surface of any building, wall, fence or similar structure.

(15) Sparkling and glittering signs. No sign may utilize reflection-enhanced or fluorescent colors or contain any material which sparkles, reflects or glitters; however, nothing herein is intended to prohibit the use of reflective paint on signs directing traffic or identifying various locations within a property.

(16) Sign measurement.

(a) Measurement of the sign area of any sign shall be computed by determining the area of the smallest quadrilateral into which the sign can be fit, inclusive of decorative borders and other design elements, as permitted by this chapter. In the case of double-sided signs, the sign area shall be measured by using the area of only one side of the sign. The sign structure shall not be included as a portion of the sign area, provided that no identifying or advertising message is displayed on the sign structure. The area of all signs formed by a combination of elements with and without backing shall be measured by combining the area of such elements measured in accordance with the foregoing subsections.

(b) Permitted shape appurtenances to sign area. Notwithstanding the restrictions found elsewhere in this section concerning sign area, sign shape appurtenances, in accordance with the following standards, shall be permitted and excluded from the computation of permitted sign area:

[1] Permitted sign shape appurtenances applicable to sign types as indicated in Schedule A.[1]

[a] Sign appurtenances shall be permitted only when designed as an integral part of the sign, constructed of similar materials, and graphically compatible in color, shape, position, and scale with the permitted sign face.

[b] Sign appurtenances cannot increase the proposed sign area by greater than 15%.

[c] Sign appurtenances cannot extend above or below the sign face by a distance greater than 25% of the sign face height.

[d] Sign appurtenances cannot project outward beyond the face of the proposed sign by more than 12 inches (12").

[1]: Editor's Note: Schedule A is included at the end of this chapter.

(c) Height of signs. Sign height shall be measured between average grade and the highest point of the highest element of the sign.

(17) Sign colors influence a sign's legibility, character, and general appearance. Colors should be compatible with the style and color scheme of the building and its neighbors. Color schemes should be kept simple, limited to two or three colors, and based on a host building's painted exterior detailing, such as window trim and cornices. Earth tones, primary colors, and pastels are appropriate and can be designed with subtle combinations and variations. Fluorescent, luminescent, and iridescent colors and tones should only be used for traffic safety signs. Signs with a strong color contrast are more legible. A sign with a dark background will make lighter lettering more visible. Additional standards apply in the design district overlay zone § 490-55 as determined by the Historic Preservation Commission and the Historic Preservation Committee of the Planning Board.

(18) Sign materials. High-quality materials will ensure that a sign will look attractive, reduce maintenance costs, and last longer. Sign materials and finished textures should complement the building materials and community character. Permanent signs should be made of wood, high-density foam simulating wood, medium-density overlay and finished plywood, brass, copper, or bronze. Cotton and mixed fabrics should be used for awning signs only. Plastic and lexan materials should be used for internally illuminated signs.

(19) Placement. Many buildings have spaces that are specifically designed for signs, such as the area below the second floor windowsill or on a building or sign fascia. Signs should be integrated with the

building without obscuring important architectural details or storefront windows. Signs should be mounted so as to minimize damage to historic materials. Sign supports should be finished with architectural details to complement the sign, such as ornamental iron or brass supports and routed wood posts and edges to provide detail and relief. Window and door signs should avoid cluttering and blocking views. This will help increase customer interest and business visibility, viability, and safety.

(20) Graphic content coverage. The maximum coverage of any sign face by graphic contents shall not exceed 75%.

(21) Billboards. Billboards, as defined in § 490-6 of this chapter, shall not be permitted within the Borough. Billboards existing prior to adoption of this section shall be permitted and may be repaired and maintained as required but may not be enlarged or moved from their foundation or support footings. No replacement of a billboard shall be permitted upon removal or demolition of an existing billboard.

(22) Location. Except for all signs affixed to a building or some other structure, as permitted by this subsection, all other signs shall be erected no closer than eight feet from any curb line. For properties with a principal structure located less than eight feet from the curb line, a sign may be located no closer than 1/2 the distance between that structure and the curb line or may be affixed to that building or principal structure. In no case may any sign be located in the public right-of-way. [Added 4-14-2008 by Ord. No. 2008-3]

(23) Letter height. Signs shall meet the standards for minimum letter height as designated in Schedule A-Sign Regulations. Messages accessory to the primary sign title, such as a slogan or the date the business was established, shall be exempt from the minimum letter height, but shall be included in the calculation of graphic content coverage.

D. Minor Signs. The following signs shall be considered minor signs and shall be exempt from the requirement of obtaining a development permit:

(1) Governmental signs erected or authorized by a governmental unit.

(2) Historical identification signs, provided that such signs are limited to no more than one wall or ground sign per occupancy; are no more than six square feet in area; are not illuminated; and contain no commercial advertising. However, the installation of historic identification signs must receive a certificate of appropriateness from the Historic Preservation Commission.

(3) Nameplate signs, provided that such signs are limited to no more than one wall or ground sign per occupancy; are no more than 75 square inches in area; are non-illuminated, or externally illuminated; and, if a ground sign, are no more than three feet in height.

(4) Warning signs, provided that such signs are limited to no more than two wall or ground signs per occupancy; are no more than three square feet in area each; are non-illuminated; and, if a ground sign, are no higher than three feet in height.

(5) Construction signs, provided that such signs are limited to no more than one wall or ground sign per parcel; are no more than 32 square feet in area; are non-illuminated; and are maintained for no more than 14 days following the conclusion of the construction in question.

(6) Non-illuminated window signs visible in windows of business uses abutting a public roadway or parking area, provided that the total graphic content coverage area of a window sign shall not exceed 20% of the area of the window in which it is exhibited.

(7) Non-illuminated special sales and events signs, subject to the following:

(a) Special events signs, provided such signs:

- [1] Are maintained for a period of no longer than 45 days before the applicable event;
- [2] Are removed no more than three days after such event;
- [3] Shall not exceed 36 inches by 72 inches in area; and,
- [4] May be displayed for an aggregate period of not more than 45 days in any twelve month period.

(b) Private sale and event signs, provided such signs:

- [1] Such signs are no more than six square feet in area;
- [2] Are located entirely on the premises where such sale or event is to be conducted or on other private property pursuant to the owner's consent;
- [3] Are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign;
- [4] Are erected not more than 36 hours in advance of such sale or 45 days in advance of such event;
- [5] Are removed on the day following the conclusion of such sale or event; and,

[6] No more than four signs may be placed on any business property nor more than one on any residential property.

(c) Special sales signs, provided such signs:

[1] Shall be permitted only in zoning districts where Type B signs are permitted (Schedule B);

[2] Total of all special sales signs may not occupy more than 40% of the signable area;

[3] Special sales signs may occupy any portion of any window subject to Subsection C(8) of this section; and,

[4] May be displayed for a period of not more than 30 days for each sales event.

(8) Real estate signs, provided that such signs:

[Amended 4-14-2008 by Ord. No. 2008-3]

(a) Are limited to no more than one non-illuminated, temporary wall or ground sign pertaining to the lease, rental, or sale of the same lot or building upon which it is placed;

(b) Are not more than six square feet in area per residential lot or 10 square feet in area per nonresidential lot;

(c) Are no higher than six feet if a ground sign;

(d) Are erected or displayed not less than eight feet from any curb line. For properties with a principal structure located less than eight feet from the curb line, the standards set forth in Subsection C(22) of this section shall apply;

(e) Must be removed from the premises within seven days after the property is sold or leased; and

(f) Use of the word "sold" or any other notation to indicate that the real estate is no longer on the market is specifically prohibited.

(9) On-site informational signs, provided that each sign is limited to a wall, window or ground sign of not more than two square feet in area and not more than seven feet in height above grade. The sign may include a business name or logo but shall not include any advertising message. In locations where more than one business share a common vehicular access, signs marking entrances and exits shall contain only the name of the shopping or business center. Multiple signs identifying each tenant or use are specifically prohibited.

(10) Flags and emblems of a government or of a political, civic, philanthropic, educational or religious organization.

(11) Portable signs, but only for motor vehicle service stations and subject to these restrictions:

(a) Maximum size: 48 inches by 60 inches.

(b) Maximum two per motor vehicle service station.

(c) May only display price or special sale information.

(d) May only be displayed when station is open for business.

(12) Traffic signs and signals: temporary or permanent traffic signs and signals installed or authorized by the Borough, county, or state for the purpose of directing and regulating the flow of traffic.

(13) Public transportation signs: signs indicating public transportation stops when installed or authorized by the Borough or a public transportation authority or agency.

(14) Vacated property signs, provided that only one such sign shall be provided, either affixed to a building wall or located within a window, not exceeding six square feet in area, nor displayed for longer than 60 days following vacating the property.

(15) Signs on machines: signs which are an integral part of vending machines, including gasoline pumps, milk and ice machines, provided that they do not collectively exceed three square feet in area per machine.

(16) Interior signs: non-illuminated signs which are located within buildings and not within 18 inches of a window visible from a public street or public parking area.

(17) Political signs. Such signs shall not be more than 14 square feet in area per lot. Signs shall be located entirely on private property pursuant to the owner's consent and shall be clearly marked with the name, address and telephone number of the person responsible for the removal of such signs. Political signs directed towards elections shall be removed within 14 days following such election.

(18) Operating status signs in commercial establishments not within the Design District Overlay zone: signs which are located within buildings to indicate if a business is presently open. Such signs may be illuminated and may not exceed 2 square feet in area.

E. Sign classification.

(1) Type A signs. The following signs shall be considered Type A signs:

(a) Memorial signs, provided that such signs are limited to no more than one wall or ground sign per occupancy; are made of durable materials, such as bronze, stone or concrete; are no more than four square feet in area; and are non-illuminated.

(b) (RESERVED)

(c) Religious institution bulletin signs, provided that such signs are limited to no more than one per site; are no more than 20 square feet in area; and are no greater than six feet in height.

(d) Multiple-family identification signs: identification signs accessory to a multiple-family dwelling, provided that such signs are limited to no more than one wall or ground sign per building; are not more than six square feet in area each; and, if a ground sign, are not more than five feet in height.

(e) Home occupation signs, provided that such signs are limited to no more than one wall sign per occupancy; are no more than one square foot in area; and are non-illuminated.

(f) Housing development signs: signs in conjunction with each housing development as follows:

[1] At the main entry to the development, one non-illuminated ground sign which shall state the name of the development and no other advertising message. The sign shall not exceed 20 square feet in area nor six feet in height.

[2] At the sales or rental office of the development, one externally illuminated or non-illuminated ground sign, advertising the office, not to exceed 10 square feet in area nor four feet in height.

[3] Path-marking signs, the sole purpose of which is to direct the public to the housing development. Four temporary, non-illuminated ground signs may be located within the Borough on private property, subject to written authorization of the property owner. Each sign shall not exceed eight square feet in area and six feet in height. Path-marking signs shall be permitted for a period of six months and may be renewed for additional periods of six months during the construction period.

(2) Type B signs. The following signs shall be classified as Type B signs:

(a) (RESERVED)

(b) Awning signs containing only the name of the business, logo, and street number, restricted to the drop-leaf (fringe) of the awning and occupying an area no greater than 40% of the total drop-leaf area. The drop-leaf of any awning used as an awning sign shall not exceed 12 inches in height. No portion of an awning, other than the drop-leaf (fringe), may be used as a sign.

(3) Other signs. All other permitted signs shall be classified as indicated in Schedule A (Sign Regulations and Sign Type) and permitted as indicated in Schedule B (Zoning District Sign Guidelines), attached hereto and made a part hereof. Also attached and made a part hereof is Schedule A-1, Historical Sign Colors, which supplements Schedules A and B.[4]

[4]: *Editor's Note: Said schedules are included at the end of this chapter.*

F. Sidewalk signs.

[Added 7-12-2010 by Ord. No. 2010-25; amended 12-22-2010 by Ord. No. 2010-40; 12-7-2011 by Ord. No. 2011-21[5]]

(1) Pursuant to the provisions of this subsection, sidewalk signs may be placed in or extend to the public right-of-way subject to the following standards:

(a) Only one sidewalk sign is permitted for each property or public shop entrance;

(b) Sidewalk signs shall be located immediately adjacent to the wall or window of the business it advertises;

(c) Placement of sidewalk signs shall not interfere with pedestrian movement, nor can they limit the locations of planters or sidewalk seating; and,

(d) Sidewalk signs shall comply with Borough ordinance requirements for clearance from the curb and other appurtenances.

(2) Exemption from development permit. Sidewalk signs, including sandwich board signs, shall be considered minor signs and shall be exempt from the requirement of obtaining a development permit. However, no sidewalk sign shall be erected without a permit issued by Borough Clerk in consultation with the Fire Marshal, the Chief of Police and such other officials, or their designees, as may be desirable. An application fee of \$25 shall accompany each such permit application.

(3) Permitted zones and sign restrictions. Each business located within the NB, BR-1, BR-2, CCD-1, CCD-2 and HB Zones and having its own separate entrance onto the public sidewalk at street level may

place upon the public sidewalk in front of the said place of business and solely during the hours the said business is in operation one sign meeting all of the following restrictions:

- (a) Absent of any stand that might hold the sign, such as an easel, the sign shall have a maximum width of 30 inches and a maximum height of 42 inches;
- (b) The sign shall be located no closer than 10 feet to any side yard property boundary; provided, however, that, in the case of a property having a frontage of less than 20 feet, the sign shall be located as near to the center of the frontage as practicable. The sign shall be further located within four feet of either the curb face or the front of the building; provided further, however, that a sixty-inch-wide unobstructed path shall be maintained at all times on the sidewalk;
- (c) The sign shall be constructed of weather-resistant materials including chalk board, painted wood, and painted metal (No plastic movable type, paper, fiberboard, foam core board, corrugated paper or unfinished wood materials shall be permitted.) and shall be constructed and/or weighted so as to be impervious to the effects of strong winds. The sign shall be maintained at all times in good repair and shall not be permitted to weather, fade, peel, crack or otherwise deteriorate;
- (d) Signs located in the Historic District shall be limited to those colors contained in Schedule A-1, Historical Sign Colors, of this chapter[6];

[6]: *Editor's Note: Schedule A-1 is included at the end of this chapter.*

- (e) Sidewalk signs located within the Business Improvement District shall be subject to design review by River Center;
 - (f) The sign shall not be chained to any building or sidewalk furniture;
 - (g) The sign shall be brought indoors at the close of business;
 - (h) It shall not include any lighting or sound-generation equipment; and,
 - (i) Applicant shall only be permitted to display one sign at a particular time.
- (4) Notwithstanding anything contained in this subsection to the contrary, the Fire Marshal and/or Chief of Police shall have the right to prohibit or further restrict the location of any sidewalk sign which, in their sole discretion, they deem, by virtue of the sign's construction or location, to constitute a safety hazard to the public. Any violation of the provisions of this subsection shall be subject to punishment pursuant to the general penalty provisions at Chapter 1, Article II, General Penalty, of this Code.[7] Each day that a violation persists shall be considered a separate violation of this subsection.

[7]: *Editor's Note: The codification of the ordinances of the Borough of Red Bank is currently in process. For the most recent penalty provisions, see Ord. No. 1987-8, as amended by Ord. No. 2004-38 and Ord. No. 2006-26, on file in the Borough offices.*

- (5) Easels may be used to support a one-sided sign.
- (6) Sidewalk signs should be artistically designed with a theme related to the individual business or business district.

[5]: *Editor's Note: This ordinance also provided that it shall expire on 12-31-2012.*

G. MAINTENANCE

- (1) The property owner shall be responsible for maintaining all signs erected on said property. This maintenance shall include repainting, repairing and cleaning, as necessary. No sign shall be permitted to exhibit:
- (a) Excessive chipped or peeling paint or lettering;
 - (b) Damaged or broken lettering or signboard;
 - (c) Illegible material due to fading, obliteration, or other condition; or
 - (d) Dirty, torn, broken, or otherwise damaged awning, canopy, projecting sign, or other sign support structure.
- (2) If the Administrative or Code Enforcement Officer determines that any sign is in a state of disrepair so as to no longer be reasonably capable of presenting its message, or abandoned or a danger to the public health or public safety, he shall give written notice of the condition of the sign to the owner of the sign and to the owner of record of the tax lot.
- (3) The property owner shall thereafter have 10 days to repair or remove said sign.
- (4) If said sign is not satisfactorily repaired or removed within the ten-day period, the Administrative or Code Enforcement Officer may thereafter take such actions as are permitted pursuant to § 490-11

H. ABANDONMENT: Abandoned signs and their supporting structures shall be removed within 30 days. The Borough may thereafter take such actions as are permitted pursuant to §490-11

I. ENFORCEMENT

- (1) The Borough of Red Bank Administrative Officer and/or Code Enforcement Officer shall enforce this chapter.

- (2) Upon the discovery of a violation of this chapter, the Administrative Officer and/or Code Enforcement Officer shall give written notice to the owner of the sign and to the owner of record of the tax lot that the sign is in violation of this chapter and to bring the sign into conformity with this chapter or to remove it or to apply for a sign permit to allow the sign as existing within 10 days of the notice.
- (3) In the event that any sign continues to be in existence after notice, the Borough may file a Municipal Court complaint against the owner of the sign and the owner of record of the tax lot and take such other action as may be permitted by law.

J. PENALTIES: Failure to satisfactorily repair or remove a sign cited by the Administrative Officer or Code Enforcement Officer shall constitute a violation of this chapter as per § 490-11 and § 490-16.

SECTION 3. §490-133, Signs permitted as conditional uses, is hereby repealed in its entirety.

SECTION 4. Chapter 490, Planning and Development Regulations, "Schedule A Sign Regs," is amended as follows (SEE ATTACHMENT).

SECTION 5. Chapter 490, Planning and Development Regulations, "Schedule A Sign Type," is amended as follows (SEE ATTACHMENT).

SECTION 6. Chapter 490, Planning and Development Regulations, is amended to include "Schedule A Zoning District Sign Regs," (SEE ATTACHMENT).

SECTION 7: A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 8: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

SECTION 9: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 10: This Ordinance shall take effect immediately upon its passage and adoption according to 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	()	()	()	()

First Reading: February 10, 2016

Schedule A: Zoning District Sign Regulations

Zoning District		Sign Types													
		Minor	A	B	G1	G2	G3	G4	W1	W2	W3	P1	R1	R2	R3
Class A Residence	RA	P	P												
Class B Residence	RB	P	P												
Class B-1 Residence	R-B1	P	P												
Class B-2 Residence	R-B2	P	P												
Class D Residence	RD	P	P				P*	P*							
Neighborhood Business	NB	P	P	P						P	P	P			
Business/Residential-1	BR-1	P	P	P†			P	P		P†	P†	P†		P†	P†
Business/Residential-2	BR-2	P	P	P†			P	P		P†	P†			P†	P†
Highway Business	HB	P	P	P	P	P	P	P	P	P			P	P	P
Central Commercial District-1	CCD-1	P	P	P						P	P	P		P	P
Central Commercial District-2	CCD-2	P	P	P						P	P	P		P	P
Professional Office	PO	P	P				P	P			P				P
Waterfront Development	WD	P*‡§	P*‡§	P§			P*‡§	P*‡§		P§	P‡§				P‡§
Medical Service	MS	P	P	P		P	P	P		P	P			P	P
Light Industrial	LI	P	P	P		P	P	P	P	P			P	P	P
Industrial	I	P	P	P		P	P	P	P	P			P	P	P
Affordable Housing Overlay	AH														
Affordable Housing Overlay	AH-1	Complies with all other development regulations applicable to underlying zones.													
Design District Overlay Zone	DDO**	Signs in the DDO shall comply with the underlying zone district and must meet the historic sign colors outlined in Attachment 3.													
Train Station Overlay	TS	P	P	P						P	P	P		P	P

* Permitted as an accessory use for a multifamily dwelling.

† Permitted as an accessory use for all permitted uses, except for multifamily dwellings.

‡ Permitted as an accessory use for professional offices, business offices, and home professional offices.

§ For primary food-services establishments, hotels and motels, bed-and-breakfasts, and mortuary and funeral homes.

**The Central Business Zone Historic District encompasses all properties in the Design District Overlay Zone (approximately 80 buildings.) According to § 490-55D(8), "Signs shall be appropriate to the concept of the Historic District and shall be selected with a view to both historical appropriateness and conformance with Borough's sign regulations. See Figure III [Also known as Attachment 3]." See Attachment 3 here, which details the approved historical sign colors: <http://www.ecode360.com/documents/RE2655/RE2655-490c%20Sch%20A-1%20Sign%20Regs%20Sel%20Hist%20Colors.pdf>



PLANNING AND DEVELOPMENT REGULATIONS

490 Attachment 2

Borough of Red Bank

Schedule A
Sign Types

Figure VIII-8A

TYPE "G1" SIGN

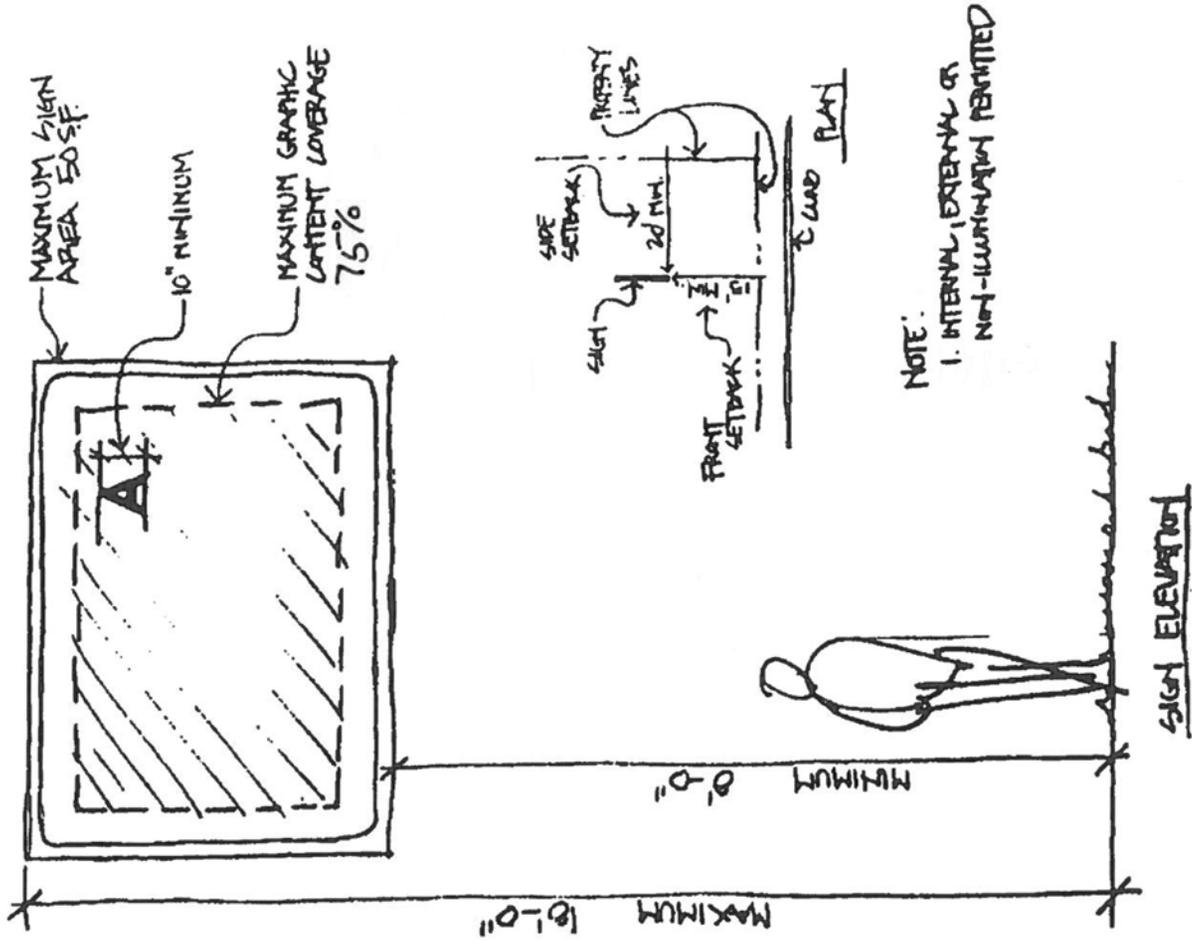


Figure VIII-8B

TYPE "G2" SIGN

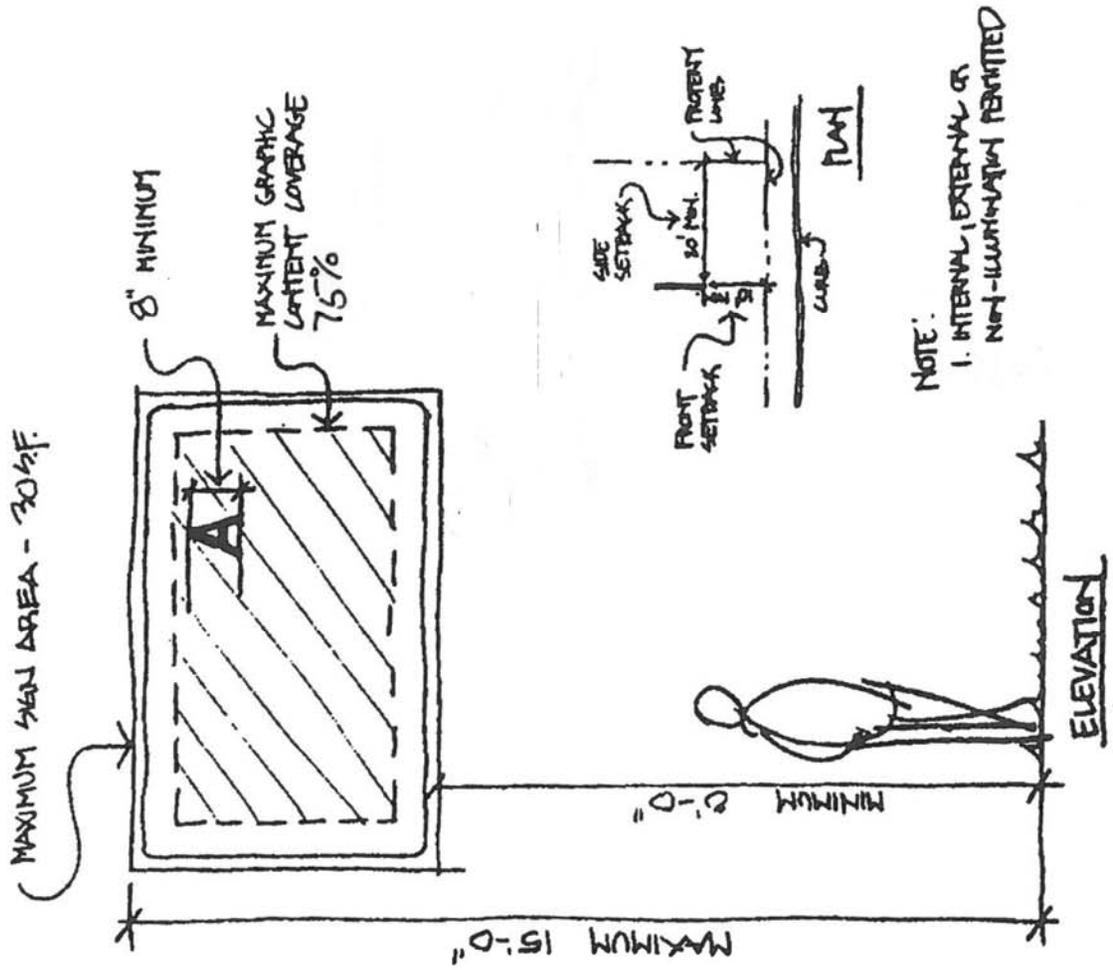
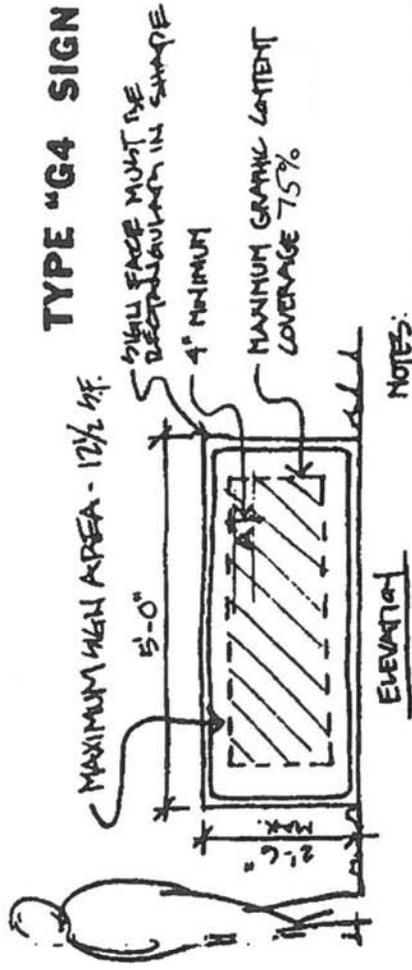
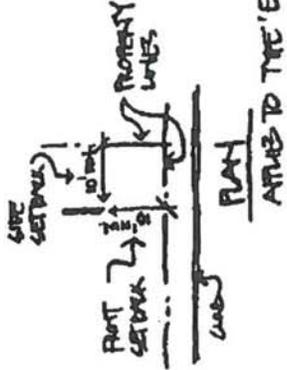


Figure VIII-8C

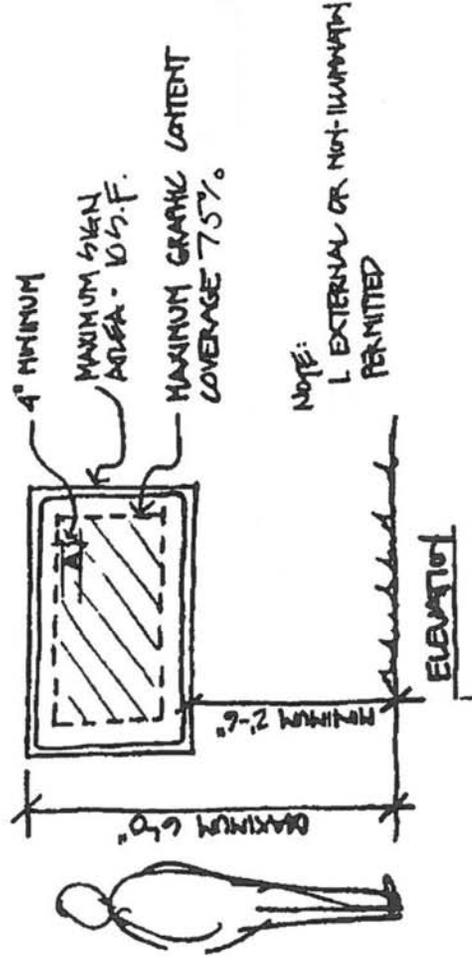


NOTES:

1. EXTERNAL OR NOT-ILLUMINATED PERMITTED
2. SIGN HEIGHT MAY BE INCREASED TO MAXIMUM OF 4' TO PROVIDE UNDERLINE AT BASE OF SIGN



TYPE "G3" SIGN



NOTE:

1. EXTERNAL OR NOT-ILLUMINATED PERMITTED

Figure VIII-8D

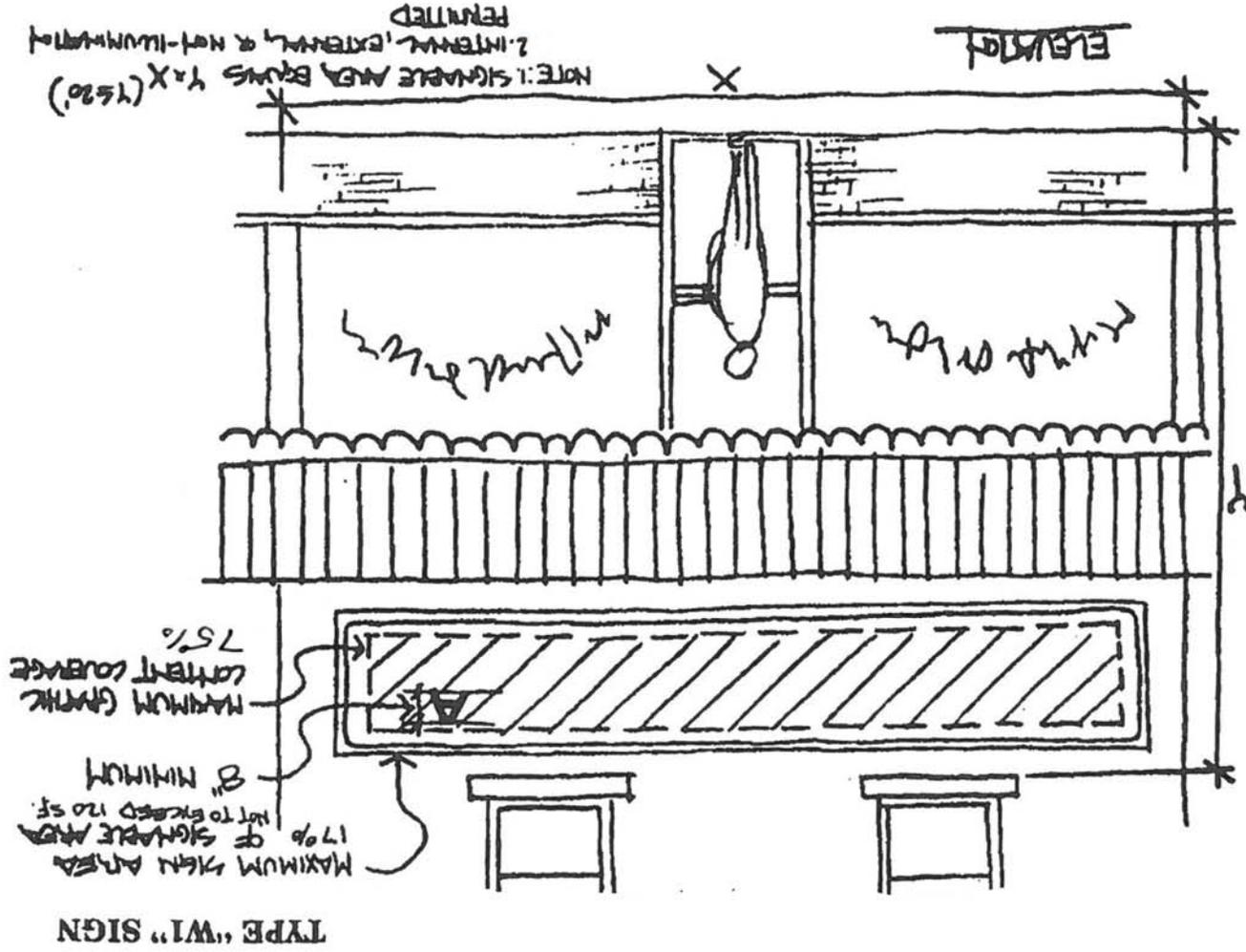


Figure VIII-8E

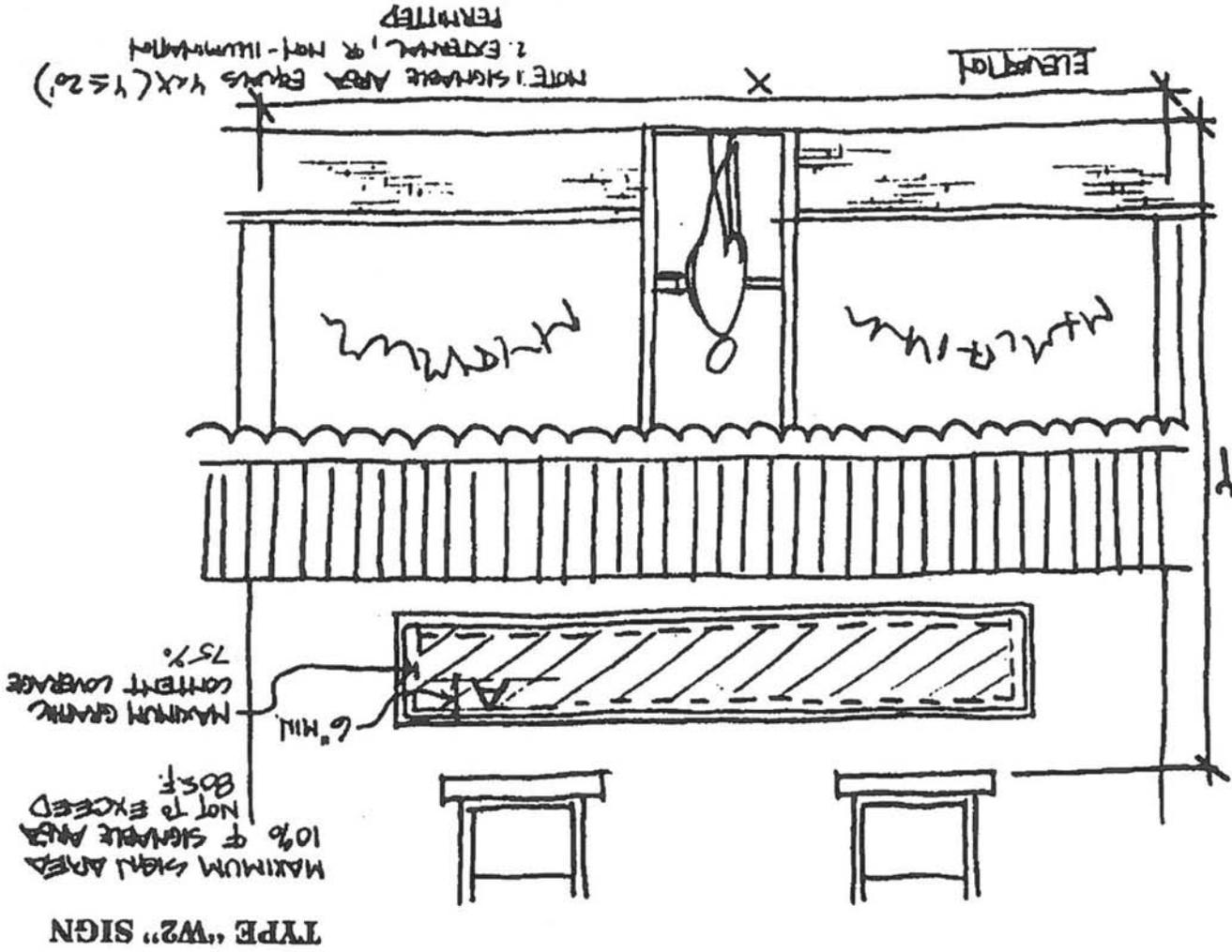
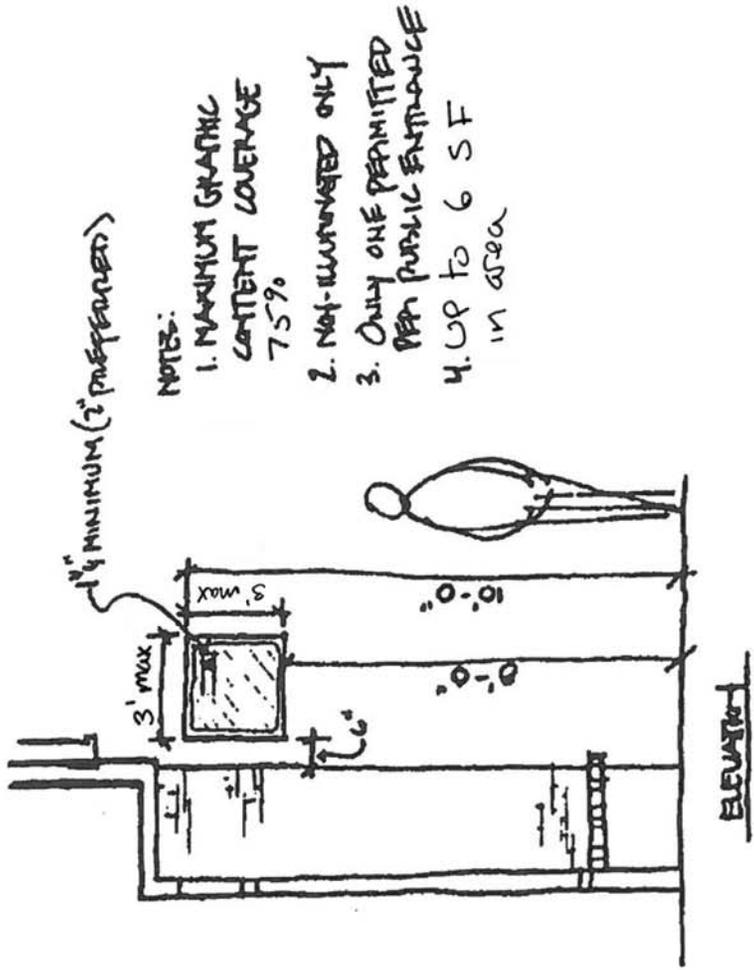


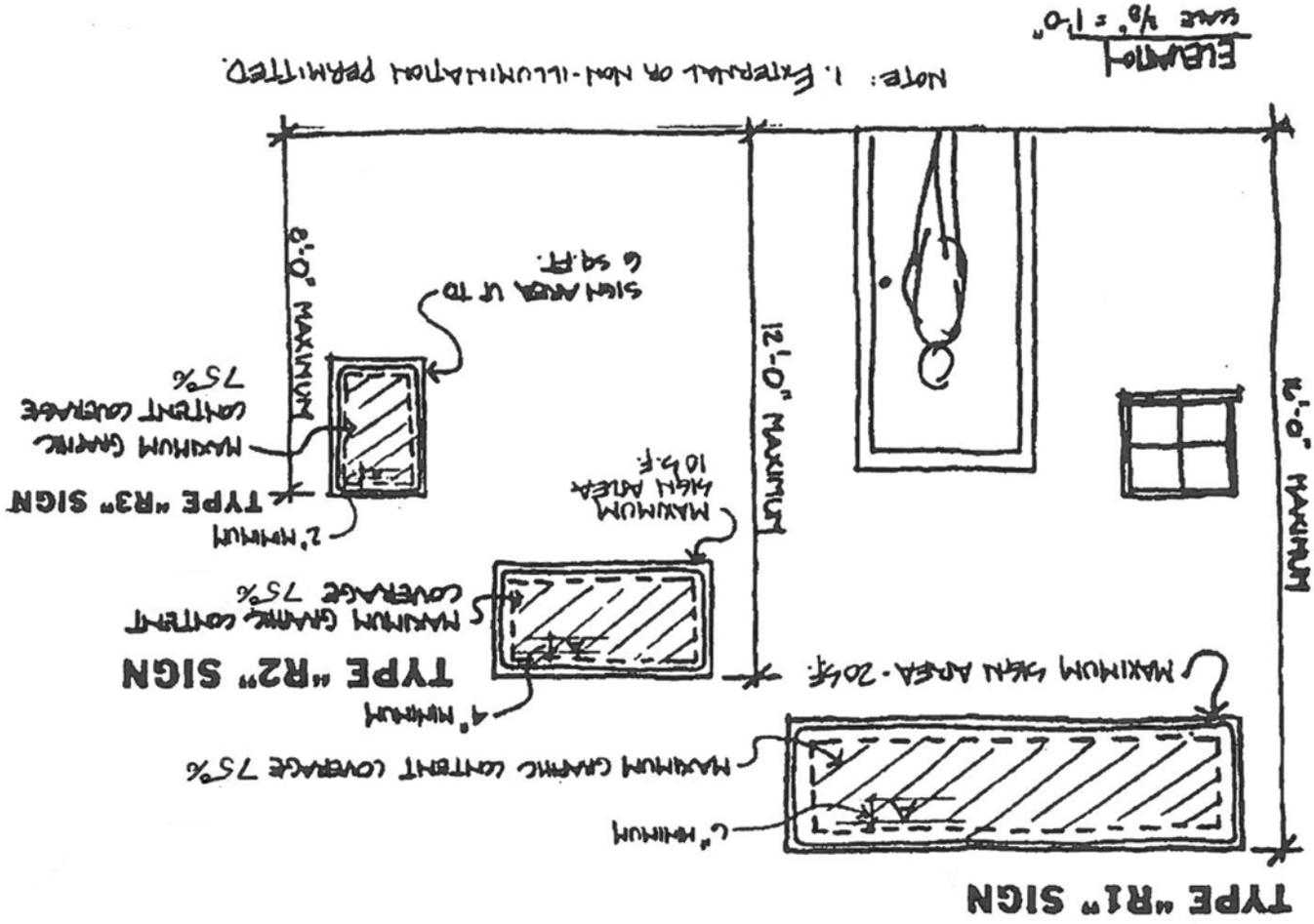
Figure VIII-8G

TYPE "P1" SIGN



RED BANK CODE

Figure VIII-8H



PLANNING AND DEVELOPMENT REGULATIONS

490 Attachment 1

Borough of Red Bank

Schedule A
Sign Regulations

Sign Type ⁷	Form ⁶	Number of Signs		Sign Face Configuration				Method of Support Permitted		Sign Height		Sign Setbacks		Permitted Colors ⁵	Minimum Letter Height (inches)	Sign Shape Appurtenances Permitted	Permitted Method of Illumination		
		Per Property	Per Public Entry to Building	Required Shape	Permitted Area	Required Height (feet)	Length (feet)	On Ground	Pole-Mounted	Permitted Height (feet)	Required Clearance (feet)	Minimum Front Setback (feet)	Minimum Side Setback(s) (feet)				Internal	External	
G1	Ground	1	—	Geometric	Up to 50 SF	—	—	No	Yes	Maximum 18	Minimum 8	15	20	a	10	No	Yes	Yes	
G2	Ground	1	—	Geometric	Up to 30 SF	—	—	No	Yes	Maximum 15	Minimum 8	10	20	a	8	No	Yes	Yes	
G3	Ground	1	—	Rectangular	Up to 10 SF	—	—	No	Yes	Maximum 6	Minimum 2 1/2	10	10	b	4	Yes	No	Yes	
G4	Ground	1	—	Rectangular	12 1/2 SF	2 1/2 ²	5	Yes	No	Maximum 2 1/2 ²	—	10	10	b	4	Yes	No	Yes	
W1	Wall	1 ⁵	—	Geometric	17% of signable area; 120 SF maximum	—	—	—	—	Within signable area		—	—	a	8	Yes	Yes	Yes	
W2	Wall	1 ⁵	—	Rectangular	10% of signable area; 80 SF maximum	—	—	—	—			—	—	—	a	6	Yes	Yes ¹	Yes
W3	Wall	1 ⁶	—	Rectangular	6 SF	Maximum 3	Maximum 4	—	—			—	—	—	b	2	Yes	No	Yes
P1	Projecting ⁹	—	1	Square	Up to 6 SF	2	2	—	—	10	8	—	—	a	1 1/4 (2 pref.)	Yes	No	No	
R1	Rear wall ⁷	—	1	Geometric	Up to 20 SF	Maximum 3	Maximum 3	—	—	Maximum 16	—	—	—	a	6	Yes	No	Yes	
R2	Rear wall ⁷	—	1	Rectangular	Up to 10 SF	—	—	—	—	Maximum 12	—	—	—	a	4	Yes	No	Yes	
R3	Rear wall ⁷	—	1	Rectangular	Up to 6 SF	—	—	—	—	Maximum 8	—	—	—	b	2	Yes	No	Yes	
G-C1	Ground	1	—	—	Up to 80 SF	—	—	No	Yes	Maximum 22	Minimum 8	20	20	c	10	No	Yes	Yes	

RED BANK CODE

Sign Type*	Form*	Number of Signs		Sign Face Configuration				Method of Support Permitted		Sign Height		Sign Setbacks		Permitted Colors ^a	Minimum Letter Height (inches)	Sign Shape Appurtenances Permitted	Permitted Method of Illumination	
		Per Property	Per Public Entry to Building	Required Shape	Permitted Area	Required Height (feet)	Length (feet)	On Ground	Pole-Mounted	Permitted Height (feet)	Required Clearance (feet)	Minimum Front Setback (feet)	Minimum Side Setback(s) (feet)				Internal	External
G-C2	Ground	1	—	—	Up to 60 SF	—	—	No	Yes	Maximum 18	Minimum 8	15	20	c	10	No	Yes	Yes
G-C3	Ground	1	—	Geometric	Up to 25 SF	—	—	Yes	Yes	Maximum 3 1/2 ^d	—	10	10	b	6	Yes	No	Yes
W-C1	Wall	1 ³	—	—	20% of signable area; 150 SF maximum	—	—	—	—	Within signable area		—	—	c	8	Yes	Yes	Yes
W-C2	Wall	1 ³	—	Geometric	5% of signable area; 15 SF maximum	—	—	—	—	Within signable area		—	—	b	2	Yes	No	Yes
P-C1	Projecting ^a	—	1	Geometric ^a	Up to 6 SF	—	—	—	—	Maximum 12	Minimum 7	—	—	a	1 1/4 (2 pref.)	Yes	No	Yes
R-C1	Rear wall	—	1	—	Up to 25 SF	—	—	—	—	Maximum 16	—	—	—	a	6	Yes	No	Yes

NOTES:

- ~~1. Sign types G-C1, G-C2, G-C3, W-C1, W-C2, P-C1 and R-C1 are conditional uses.~~
2. Sign height may be increased to a maximum height of four feet if the increased height is used for landscaping at the base of the sign.
3. Sign shape may be graphic representation of a generic product or service offered by the business to which the sign relates, provided that the area of the sign, as measured in accordance with the method found in § 490-104C(15)(c), does not exceed six square feet.
4. Sign height may be increased to a maximum height of five feet if the increased height provides for landscaping at the base of the sign.
5. Where a building is so situated that it fronts on two or more public roads, one wall sign may be affixed to each wall fronting on a public roadway or public parking area in accordance with the requirements of §490-104, Signs, provided that such additional walls do not front a residential zone.
6. A maximum of one sign of any permitted form (i.e., ground or wall) shall be permitted per property or public entry in accordance with this Schedule A, except:
 - (a) As specified in Note 5 above; and
 - (b) Separate wall signs may be provided for each occupancy or tenant, provided that the total sign area may not exceed that set forth in this Schedule A.

1. In the Design District Overlay Zone, internal sign illumination shall be limited to reverse channel backlit signs.

7. No rear wall sign may project more than one foot beyond the building wall to which it is affixed, nor may it extend above or beyond the surface area of the wall. The contents of the sign shall be limited to the name of the business, business logo, and identification of the building entry. Only one rear wall sign shall be permitted per public entrance into the building. When more than one business shares a common building entry, no additional sign shall be permitted; however, each business receiving access via that entrance may list its name and logo on the sign permitted.
- ~~8. Permitted colors are as follows:~~
 - ~~a. white + 2 colors + exempt logo.~~
 - ~~b. white, any 3 selected historical colors (see Schedule A-1) + exempt logo.~~
 - ~~c. unrestricted.~~

~~Note: Shades or "tones" of the same color are considered different colors.~~
9. Only one projecting sign shall be permitted for each public entrance to a building.