

1. Draft Agenda 2/24/2016

Documents:

[DRAFT AGENDA 2 24 2016 \(PDF\).PDF](#)

2. 02/24/2016 Vouchers

Documents:

[02 24 2016 VOUCHERS \(PDF\).PDF](#)

3. 16-56

Documents:

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4. 16-57

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5. 16-58

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10. 16-63

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11. 16-64

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12. 16-65

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[16-65 \(PDF\).PDF](#)

13. 2016-03 Intro

Documents:

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

14. 2016-03A

Documents:

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

15. 2016-03B

Documents:

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

16. 2016-03C

Documents:

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

17. Proclamation

Documents:

[PROCLAMATION \(PDF\).PDF](#)



**AGENDA  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
FEBRUARY 24, 2016  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**SUNSHINE STATEMENT**

**WORKSHOP**

**APPROVAL OF MINUTES** – February 10, 2016

**MAYORAL APPOINTMENTS**

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

**COMMUNICATIONS AND PETITIONS**

Request from Karly Covelli and Luciano Marotta for membership to the First Aid and Rescue Squad of the Red Bank Volunteer Fire Department.

**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**

**RESOLUTIONS**

- 16-56            A Resolution in Opposition to Drilling for Oil and Other Fuels off the Coast of the Eastern United States.
- 16-57            A Resolution Authorizing Tax Appeal Settlement Regarding Channing P. Irwin, Block 8, Lot 14 and C.P. Irwin Realty Associates, Block 9, Lots 32.01 a/k/a Irwin Yacht Works.
- 16-58            A Resolution Adopting a Temporary Capital Budget for 2016.
- 16-59            A Resolution Amending the 2016 Temporary Appropriations.
- 16-60            A Resolution Authorizing Acceptance of Grant Agreement between the Borough and the County of Monmouth, Department of Human Services, Division on Aging, Disabilities and Veterans Services.
- 16-61            A Resolution Honoring 2015 Fire Chief Joseph Lauterwasser.
- 16-62            A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Riverview Medical Center for Block 11, Lots 1 and 2.
- 16-63            A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Riverview Medical Center for Block 9, Lots 32.03, 33 and 34; Block 10, Lots 13.01 and 14.01; and Block 11, Lots 1, 1.01, 2 and 2.01.
- 16-64            A Resolution Authorizing Tax Credits/Refunds Totaling \$17,280.80 due to Judgments of the Tax Court of New Jersey.
- 16-65            A Resolution Authorizing Tax Credits/Refunds Totaling \$1,153.75 due to Overpayment by Property Owner.

**PROCLAMATIONS**

February 2016 – Black History/T. Thomas Fortune Month

**PAYMENT OF VOUCHERS**

15-xx            A Resolution for Payment of Bills Amounting to \$4,552,652.93

**OLD BUSINESS**

**NEW BUSINESS**

**AUDIENCE**

**EXECUTIVE SESSION—Pending Litigation**

**ADJOURNMENT**

Range of Checking Accts: First to Last      Range of Check Dates: 02/11/16 to 02/24/16  
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					
2089	02/24/16	T0004 T&M ASSOCIATES	0.00	02/24/16 VOID	0
2090	02/24/16	T0004 T&M ASSOCIATES	24,349.60		8772
2091	02/24/16	W0107 WISS & COMPANY, LLP	2,701.35		8772

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	1	27,050.95	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	1	27,050.95	0.00

CURRENT -VALLEY	CURRENT OPERATING-VALLEY BK	Amount Paid	Ref Num
4663	02/11/16 B0019 BOROUGH OF RED BANK,PAYROLL AC	348,531.60	8740
4664	02/11/16 V0040 VERIZON WIRELESS (PA25505)	2,208.66	8747
4665	02/17/16 D0141 DEPOSITORY TRUST CO.	847,637.11	8752
4666	02/18/16 A0223 AT&T (BOX 105068)	31.78	8755
4667	02/18/16 J0045 JCP&L	16,131.41	8755
4668	02/24/16 M0363 MONMOUTH/OCEAN TCTA	80.00	8757
4669	02/24/16 R0160 RUTGERS,ST UNIV OF NJ(GEOR.ST)	448.00	8757
4670	02/24/16 R0160 RUTGERS,ST UNIV OF NJ(GEOR.ST)	732.00	8758
4671	02/24/16 92020 DARREN MCCONNELL	50.07	8768
4672	02/24/16 A0017 GENE J ANTHONY ESQ	1,842.39	8768
4673	02/24/16 A0028 AMERICAN WEAR INDUST.UNIFORM	724.20	8768
4674	02/24/16 A0050 ATHLETES ALLEY	191.89	8768
4675	02/24/16 A0114 ALLIED OIL COMPANY	942.21	8768
4676	02/24/16 A0140 ALL HANDS FIRE EQUIPMENT	60.99	8768
4677	02/24/16 A0315 ALL RISK	1,615.80	8768
4678	02/24/16 B0040 BUTCH'S CAR WASH CO.	232.00	8768
4679	02/24/16 B0063 BOROUGH OF RED BANK-TRUST	23,587.80	8768
4680	02/24/16 B0084 BEACON AWARDS & SIGNS	130.00	8768
4681	02/24/16 B0127 BROAD WAVERLY STAFFING	3,527.16	8768
4682	02/24/16 B0178 BYRNES O'HERN LLC	1,838.00	8768
4683	02/24/16 B0218 APRIL BUNN	40.70	8768
4684	02/24/16 C0037 CITY CENTRE PLAZA LLC	403.00	8768
4685	02/24/16 C0107 CODY COMPUTER SERVICES	9,603.37	8768
4686	02/24/16 C0279 CAPTUREPOINT.COM	1,750.00	8768
4687	02/24/16 C0341 CENTRAL SPORTS ASSOCIATION LLC	260.00	8768
4688	02/24/16 D0178 DYNAMIC TESTING SERVICE	535.00	8768
4689	02/24/16 D0200 DE LAGE LANDEN	206.20	8768
4690	02/24/16 D0331 DELISA DEMOLITION INC	41,333.33	8768
4691	02/24/16 E0012 ELECTRO MAINTENANCE INC	336.00	8768
4692	02/24/16 F0181 FASTENAL	4,319.18	8768
4693	02/24/16 G0156 KEVIN GOMEZ	200.00	8768
4694	02/24/16 G0161 IVAN GRILLI	532.80	8768
4695	02/24/16 H0121 MITCHELL HUMPHREY	1,955.00	8768
4696	02/24/16 I0063 INTERNATIONAL CODES COUNCIL	3,607.84	8768
4697	02/24/16 J0020 JERSEY ELEVATOR CO INC	209.00	8768
4698	02/24/16 K0022 KEVIN E KENNEDY ESQ	1,032.00	8768
4699	02/24/16 L0006 LANIGAN ASSOCIATES	18,478.45	8768
4700	02/24/16 M0024 MGL PRINTING SOLUTIONS	164.00	8768
4701	02/24/16 M0038 MON CTY POLICE ACADEMY	45.00	8768

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK Continued					
4702	02/24/16	M0040 MONMOUTH BUILDING CENTER	63.21		8768
4703	02/24/16	M0098 MONMOUTH TRUCK EQUIPMENT	1,069.17		8768
4704	02/24/16	M0244 M.O.S.A.%BEN CURCI	750.00		8768
4705	02/24/16	M0286 MOLLY PITCHER INN-CATERING	500.00		8768
4706	02/24/16	M0325 MSC INDUSTRIAL SUPPLY CO	1,291.40		8768
4707	02/24/16	M0363 MONMOUTH/OCEAN TCTA	80.00		8768
4708	02/24/16	M0366 MONOC - Monmouth Ocean Hospita	5,000.00		8768
4709	02/24/16	N0244 NATIONAL PARTS SUPPLY CO.	371.87		8768
4710	02/24/16	P0037 POWERHOUSE SIGN WORKS	2,200.00		8768
4711	02/24/16	P0090 POSTER COMPLIANCE CENTER	414.00		8768
4712	02/24/16	P0169 Phoenix Advisors, LLC	1,050.00		8768
4713	02/24/16	R0012 RED BANK REGIONAL BOE	730,050.42		8768
4714	02/24/16	R0013 RED BANK BOARD OF EDUCATION	1,291,424.50		8768
4715	02/24/16	R0019 RED BANK RECYCLING	240.00		8768
4716	02/24/16	R0081 RED BANK SELF STORAGE	920.00		8768
4717	02/24/16	R0160 RUTGERS,ST UNIV OF NJ(GEOR.ST)	283.00		8768
4718	02/24/16	R0200 RICHARD B.READING	408.00		8768
4719	02/24/16	S0009 SHREWSBURY AUTO PARTS INC	395.58		8768
4720	02/24/16	S0020 STAVOLA ASPHALT COMPANY INC	1,248.29		8768
4721	02/24/16	S0028 STAFFORD TIRE CENTER INC	45.00		8768
4722	02/24/16	S0029 SHREWSBURY OFFICE SUPPLY	489.85		8768
4723	02/24/16	S0207 SCIENTIFIC WATER CONDITIONING	925.00		8768
4724	02/24/16	T0004 T&M ASSOCIATES	0.00	02/24/16 VOID	0
4725	02/24/16	T0004 T&M ASSOCIATES	25,858.06		8768
4726	02/24/16	W0001 WATCHUNG SPRING WATER CO	42.56		8768
4727	02/24/16	W0037 GEORGE WALL LINCOLN MERCURY	612.82		8768
4728	02/24/16	W0075 W.B.MASON CO INC	292.12		8768
4729	02/24/16	W0091 THOMAS WELSH	60.00		8768
4730	02/24/16	W0111 WAGE WORKS	25.00		8768
4731	02/24/16	X0003 XEROX CORPORATION	357.60		8768

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	68	1	3,402,021.39	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	68	1	3,402,021.39	0.00

DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK					
3001	02/24/16	130117 NYSWNSA LIMITED PARTNERSHIP	295.62		8771
3002	02/24/16	150106 MAUREEN D MACDONALD	385.78		8771
3003	02/24/16	B0018 BOROUGH OF RED BANK,CURRENT AC	0.00	02/24/16 VOID	0
3004	02/24/16	B0018 BOROUGH OF RED BANK,CURRENT AC	2,491.95		8771
3005	02/24/16	K0022 KEVIN E KENNEDY ESQ	0.00	02/24/16 VOID	0
3006	02/24/16	K0022 KEVIN E KENNEDY ESQ	2,124.00		8771
3007	02/24/16	L0043 MICHAEL R LECKSTEIN ESQ	325.00		8771
3008	02/24/16	T0004 T&M ASSOCIATES	0.00	02/24/16 VOID	0
3009	02/24/16	T0004 T&M ASSOCIATES	0.00	02/24/16 VOID	0
3010	02/24/16	T0004 T&M ASSOCIATES	16,414.53		8771

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK Continued					
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
		Paid	Void		
	Checks:	6	4	22,036.88	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	4	22,036.88	0.00
DOG LICENSE AC DOG LICENSE A/C-SSB					
1796	02/24/16	A0028 AMERICAN WEAR INDUST.UNIFORM	31.80		8779
1797	02/24/16	W0037 GEORGE WALL LINCOLN MERCURY	322.24		8779
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	2	0	354.04	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	354.04	0.00
GRANT FUND-VNB GRANT FUND-VALLEY NATIONAL					
1067	02/11/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	11,201.69		8745
1068	02/11/16	C0211 COMCAST CABLE	167.62		8749
1069	02/24/16	C0337 CONSHOHOCKEN STEEL PRODUCTS	5,268.00		8773
1070	02/24/16	D0139 DRAGER SAFETY DIAGNOSTICS INC	169.00		8773
1071	02/24/16	F0025 FOODTOWN RB	45.04		8773
1072	02/24/16	H0063 DAN HERRMANN	250.00		8773
1073	02/24/16	W0006 WESTERN PEST SERVICE	80.00		8773
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	7	0	17,181.35	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	7	0	17,181.35	0.00
MCIA LEASE MCIA NON CASH MEMO ONLY					
645	02/24/16	A0140 ALL HANDS FIRE EQUIPMENT	425.85		8774
646	02/24/16	P0037 POWERHOUSE SIGN WORKS	800.00		8774
647	02/24/16	T0096 TRIANGLE COMMUNICATIONS	13,631.00		8774
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	3	0	14,856.85	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	14,856.85	0.00
PAYROLL PAYROLL ACCOUNT					
1929	02/16/16	B0211 BOSTON MUTUAL LIFE INSURANCE C	223.72		8750
1930	02/16/16	A0314 AFLAC	3,106.72		8750
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	2	0	3,330.44	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	3,330.44	0.00
PKING CAP 2RIVE PARKING CAPITAL TWO RIVER BK					
1010	02/24/16	T0004 T&M ASSOCIATES	1,260.75		8775
1011	02/24/16	W0107 WISS & COMPANY, LLP	119.70		8775

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	
PKING CAP 2RIVE PARKING CAPITAL TWO RIVER BK Continued						
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	2	0	1,380.45	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	2	0	1,380.45	0.00
PKINGOP2RIVER PARKING OPERATING TWO RIVER BK						
1126	02/11/16	B0019	BOROUGH OF RED BANK,PAYROLL AC	7,050.92		8742
1127	02/11/16	V0040	VERIZON WIRELESS (PA25505)	169.63		8746
1128	02/24/16	A0028	AMERICAN WEAR INDUST.UNIFORM	127.20		8770
1129	02/24/16	G0023	GardaWorld	204.62		8770
1130	02/24/16	I0080	INTERGRATED TECHNIAL SYSTEM IN	1,508.50		8770
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	5	0	9,060.87	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	5	0	9,060.87	0.00
TRUST ACCOUNT TRUST ACCOUNT-SSB						
4844	02/11/16	B0019	BOROUGH OF RED BANK,PAYROLL AC	39,778.75		8743
4845	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	1,400.00		8759
4846	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	1,000.00		8760
4847	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	2,300.00		8761
4848	02/24/16	93288	AM-PM TOWING INC	420.00		8776
4849	02/24/16	C0026	CENTRAL TOWING & RECOVERY	115.00		8776
4850	02/24/16	M0312	M&M AUTO SERVICE	420.00		8776
4851	02/24/16	M0370	MTAG CUST FOR FIG CAPITAL INV	1,800.00		8776
4852	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	2,100.00		8776
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	9	0	49,333.75	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	9	0	49,333.75	0.00
TTL REDEMPTION TAX LIEN REDEMPTION						
3338	02/24/16	IN0204	TOWER FUND SERVICES/CUST EBURY	18.98		8762
3339	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	1,019.90		8762
3340	02/24/16	IN0204	TOWER FUND SERVICES/CUST EBURY	9.71		8763
3341	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	540.72		8763
3342	02/24/16	IN0204	TOWER FUND SERVICES/CUST EBURY	32.73		8764
3343	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	1,653.42		8764
3344	02/24/16	IN0204	TOWER FUND SERVICES/CUST EBURY	51.10		8777
3345	02/24/16	IN0370	MTAG CUST.FOR FIG CAPITAL INV	55.50		8777
3346	02/24/16	M0370	MTAG CUST FOR FIG CAPITAL INV	2,443.94		8777
3347	02/24/16	T0204	TOWER FUND SERVICES/CUST EBURY	2,066.83		8777
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	10	0	7,892.83	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	10	0	7,892.83	0.00
TWO RIVERS RCA WITH MANALAPAN						
1778	02/11/16	B0019	BOROUGH OF RED BANK,PAYROLL AC	217.68		8744
1779	02/24/16	B0178	BYRNES O'HERN LLC	189.00		8778

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	
TWO RIVERS RCA WITH MANALAPAN Continued						
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	2	0	406.68	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	2	0	406.68	0.00
UNEMPLOYTRUST UNEMPLOYMENT TRUST-						
1086	02/18/16	S0082 NJ DEPT OF LABOR&WRKFRCE(059)	5,397.00		8753	
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	1	0	5,397.00	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	1	0	5,397.00	0.00
WATER CAPITAL WATER/SEWER CAPITAL-SSB						
1784	02/24/16		0.00	02/24/16 VOID	0	
1786	02/24/16	Alignment Check		VOID		
1787	02/24/16	T0004 T&M ASSOCIATES	70,005.69		8780	
1788	02/24/16	W0107 WISS & COMPANY, LLP	1,678.95		8780	
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	2	2	71,684.64	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	2	2	71,684.64	0.00
WATER OPERATING WATER OPERATING SSB						
9161	02/11/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	34,252.18		8741	
9162	02/11/16	N0014 NJ AMERICAN WATER COMPANY	80,134.66		8748	
9163	02/11/16	N0239 AMERICAN WATER	52.03		8748	
9164	02/17/16	D0141 DEPOSITORY TRUST CO.	751,291.02		8751	
9165	02/17/16	U0050 US BANK	23,840.46		8751	
9166	02/18/16	J0045 JCP&L	6,448.32		8754	
9167	02/18/16	V0051 VERIZON COMM.(15124)	72.03		8754	
9168	02/19/16	P0003 POSTMASTER-BULK MAIL ACCEPT.	1,500.00		8756	
9169	02/24/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	1,805.00		8765	
9170	02/24/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	5,260.00		8766	
9171	02/24/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	3,848.04		8767	
9172	02/24/16	A0013 ALLIED METER SERVICE INC	79.00		8769	
9173	02/24/16	A0028 AMERICAN WEAR INDUST.UNIFORM	220.80		8769	
9174	02/24/16	N0185 NJ MOTOR VEHICLE COMMISSION	150.00		8769	
9175	02/24/16	O0047 ONE CALL CONCEPTS	140.12		8769	
9176	02/24/16	T0004 T&M ASSOCIATES	10,286.31		8769	
9177	02/24/16	W0021 MARK WOSZCZAK MECHANICAL CONT.	4,387.18		8769	
9178	02/24/16	W0037 GEORGE WALL LINCOLN MERCURY	228.10		8769	
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	18	0	923,995.25	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	18	0	923,995.25	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
Continued					
WATER OPERATING	WATER OPERATING	SSB			
Report Totals			<u>Amount Paid</u>	<u>Amount</u>	<u>Void</u>
	Checks:	<u>139</u>	8	4,555,983.37	0.00
	Direct Deposit:	<u>0</u>	0	0.00	0.00
	Total:	<u>139</u>	<u>8</u>	<u>4,555,983.37</u>	<u>0.00</u>

Totals by Year-Fund  
Fund Description

Fund	Budget Total	Revenue Total	G/L Total	Total	
5-01	74,154.73	0.00	0.00	74,154.73	
5-05	9,620.81	0.00	0.00	9,620.81	
5-09	23.50	0.00	0.00	23.50	
Year Total:	83,799.04	0.00	0.00	83,799.04	
6-01	3,327,866.66	0.00	0.00	3,327,866.66	
6-05	907,309.44	0.00	0.00	907,309.44	
6-09	9,037.37	0.00	0.00	9,037.37	
Year Total:	4,244,213.47	0.00	0.00	4,244,213.47	
C-04	27,050.95	0.00	0.00	27,050.95	
G-01	7,580.56	0.00	0.00	7,580.56	
G-02	9,600.79	0.00	0.00	9,600.79	
Year Total:	17,181.35	0.00	0.00	17,181.35	
M-07	8,632.93	0.00	0.00	8,632.93	
M-13	6,223.92	0.00	0.00	6,223.92	
Year Total:	14,856.85	0.00	0.00	14,856.85	
P-08	1,380.45	0.00	0.00	1,380.45	
T-12	49,333.75	0.00	0.00	49,333.75	
T-13	7,892.83	0.00	0.00	7,892.83	
T-14	406.68	0.00	0.00	406.68	
ANIMAL CONTROL TRUST FUND	T-15	354.04	0.00	0.00	354.04
	T-17	5,397.00	0.00	0.00	5,397.00
PAYROLL FUND BUDGET	T-22	3,330.44	0.00	0.00	3,330.44
Year Total:	66,714.74	0.00	0.00	66,714.74	
	W-06	71,684.64	0.00	0.00	71,684.64
Total of All Funds:	4,526,881.49	0.00	0.00	4,526,881.49	

Project Description	Project No.	Project Total
Review BHE Corp	PR 11486	1,919.74
review-riverview medical cente	PR11160	3,567.43
Review Chocolates of Red Bank	PR11588	589.29
SFC Enterprises,Inc	PR11603	679.95
WTR LINE-104 BRIDGE AVE	WTR0000101	7,065.00
Insp-Home & Land Dev. %Farkouh	ZI11323	3,458.49
Inspection Grandview @ Navesin	ZI8332	1,797.75
Inspection - Zeik Realty Holdi	ZI9651	331.50
Review 55 West Front Street LL	ZR 11233	12.00
Review Ray Rap Realty	ZR10807	576.00
Review- Metrovation Anderson	ZR10998	1,191.75
Review MacDonald	ZR11041	385.78
Review Buff Building,LLC	ZR11399	501.30
Review Metrovation Anderson,LL	ZR11400	937.44
Review 70 East Front Street Co	ZR11485	1,333.50
Review Centerline Consulting,	ZR11525	723.66
Review Tudor village Apartment	ZR11571	2,415.71
Review Cohen	ZR11608	471.99
Review Baker, Daniel	ZR11612	469.32
Review BordonaLi	ZR11625	378.66
REVIEW NYSMSA LIMITED/VERIZON	ZR8091	295.62
Total Of All Projects:		<u>29,101.88</u>

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH  
RESOLUTION NO. 16-56**

**A RESOLUTION IN OPPOSITION TO DRILLING FOR OIL AND  
OTHER FUELS OFF THE COAST OF THE EASTERN UNITED STATES**

offered the following resolution and moved its adoption:

**WHEREAS**, the New Jersey Shore is a natural treasure that must be protected for future generations, and

**WHEREAS**, the Shore is an economic engine for municipalities along the length of the State's coastline, including this one, with businesses that attract millions of tourists to our state annually, create good jobs in our communities, and support the State through the creation of much-needed revenues, and

**WHEREAS**, the Atlantic Ocean also is a major provider of fish and other seafood that is shipped across the region and nation, both to restaurants and other establishments, and for the direct use of consumers, and

**WHEREAS**, the Atlantic fisheries also support charter businesses which provide recreational and economic benefits to residents, and

**WHEREAS**, any proposal to allow drilling for oil or other fossil fuels of the coast of the Eastern United States could have long-lasting detrimental impacts on the environment and economies of our Shore communities, and

**WHEREAS**, any catastrophic failure that would result in the release of fossil fuels directly into the Atlantic Ocean would create an environmental disaster on land and in coastal waters, damaging the Atlantic fisheries, fouling beaches, and contaminating back bays and salt marshes,

**NOW, THEREFORE BE IT RESOLVED** by the Borough of Red Bank, County of Monmouth, State of New Jersey, that the government and residents of the Borough of Red Bank oppose, in the strongest possible terms, any proposal to allow for the drilling for oil or other fuels off the coast of the Eastern United States, and

**BE IT FURTHER RESOLVED** that the sentiments of the government and people of Borough of Red Bank, County of Monmouth, State of New Jersey, in opposition to such drilling be shared with all County, State, and Federal officials representing the Borough of Red Bank, and

**BE IT FURTHER RESOLVED** that all County, State, and Federal officials are strongly urged to use the powers at their disposal, through their official positions, to stop any and all proposals to open the Atlantic Coast to all drilling or associated exploration.

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 24, 2016

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH  
RESOLUTION NO. 16-57**

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING  
CHANNING P. IRWIN, BLOCK 8, LOT 14 and C.P. IRWIN REALTY ASSOCIATES,  
BLOCK 9, LOT 32.01 A/K/A IRWIN YACHT WORKS**

offered the following resolution and moved its adoption:

**WHEREAS**, Channing P. Irwin appealed to the Tax Court of the State of New Jersey under Docket Nos. 007757-2011, 000840-2012, 004283-2013, 000823-2014, 000120-2015 and - 2016 pertaining to the tax assessments for the 2011, 2012, 2013, 2014, 2015 and 2016 tax years for the property designated on the municipal tax records as Block 8, Lot 14.0; and C.P. Irwin Realty Associates appealed to the Tax Court of the State of New Jersey under Docket Nos. 07464-2011, 00839-2012, 004278-2013, 000822-2014, 000130-2015 and -2016 pertaining to the tax assessments for the 2011, 2012, 2013, 2014, 2015 and 2016 tax years for the property designated on the municipal tax records as Block 9, Lot 32.01. The two aforementioned properties are hereinafter collectively referred to as the "Irwin Yacht Works Properties"; and

**WHEREAS**, Channing P. Irwin and Christine Irwin are the owners of C. P. Irwin Realty Associates; and

**WHEREAS**, the Assessor and the Attorney have advised the Governing Body that they, along with the Borough's valuation expert, have carefully considered the appeal and upon reviewing all the facts and based upon appropriate adjustments of fair market value that they recommend settlement providing for the settlement of the aforementioned appeals on the terms as set forth in the attached proposed Stipulations of Settlements for the Irwin Yacht Works Properties; and

**WHEREAS**, these settlements will result in refunds/credits to: (1) Channing P. Irwin (Block 8, Lot 14) in the total amount of **\$11,104.22**; and (2) the C.P. Irwin Associates (Block 9, Lot 32.01) in the total amount of **\$18,486.62**.

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Red Bank that the recommended settlement of the above mentioned Tax Court appeal is hereby authorized and approved.

**BE IT FURTHER RESOLVED** that the attorney of record for the Borough on these appeals is authorized and directed to take appropriate steps to implement this resolution.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Assessor; to the Tax Collector and Channing P. Irwin and C.P. Irwin Realty Associates c/o Paul Tannenbaum, Esq., Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, NJ 08837, attorneys for the property owners; and to Daniel J. O'Hern, Jr., as attorney of record for 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 24, 2016

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH  
RESOLUTION NO. 16-58**

**RESOLUTION ADOPTING A TEMPORARY CAPITAL BUDGET FOR 2016**

offered the following resolution and moved its adoption:

**WHEREAS**, certain capital projects necessitate their authorization prior to the adoption of the regular capital budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that the attached 2016 Temporary Capital Budget is hereby adopted:

Temporary Capital Budget of the  
Borough of Red Bank  
(Current Year Action)  
2016

<u>Project Title</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>
Improvements at Chestnut St. and Tower Hill	\$ 1,825,000.00	\$ 1,825,000.00
Acquisition and Installation of Water meters	\$ 1,900,000.00	\$ 1,900,000.00
	<u><u>\$ 3,725,000.00</u></u>	<u><u>\$ 3,725,000.00</u></u>

**BE IT FURTHER RESOLVED** that the Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of this project for the 2016 Temporary Capital Budget, to be included in the 2016 Permanent Capital Budget as adopted.

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 24, 2016



**BOROUGH OF RED BANK**  
**COUNTY OF MONMOUTH**  
**RESOLUTION NO. 16-60**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT AGREEMENT  
BETWEEN THE BOROUGH AND THE COUNTY OF MONMOUTH, DEPARTMENT OF  
HUMAN SERVICES, DIVISION ON AGING, DISABILITIES AND VETERANS SERVICES**

offered the following resolution and moved its adoption:

**WHEREAS**, the County of Monmouth by letter dated February 12, 2016 from Susan L. Moleon, Executive Director of the Monmouth County Division on Aging, Disabilities and Veterans Services advised the Borough that it was making a grant in an amount not to exceed \$29,312.00 to the Borough for social services for senior citizens; and

**WHEREAS**, the Borough is extremely pleased to be continuing this important work in collaboration with the County of Monmouth.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Red Bank that the proposed Grant Agreement with the County of Monmouth in the amount of \$29,312.00 for the grant period of January 1, 2016 through December 31, 2016 is hereby approved and the Mayor and Clerk are authorized and requested to sign and deliver such agreement on behalf of the Borough.

**BE IT FURTHER RESOLVED** that the Borough Administrator and Chief Financial Officer are authorized and requested to take such steps as are necessary and desirable to implement this resolution and sign such other and further documents as the grant requires;

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Monmouth County Division on Aging, Disabilities and Veterans Services, Attention: Susan L. Moleon, Executive Director.

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 24, 2016

**BOROUGH OF RED BANK**  
**COUNTY OF MONMOUTH**  
**RESOLUTION NO. 16-61**

**A RESOLUTION HONORING 2015 FIRE CHIEF**

offered the following resolution and moved its adoption:

**WHEREAS**, Joseph Lauterwasser served with distinction as Chief of the Red Bank Fire Department for 2015; and

**WHEREAS**, Joseph Lauterwasser, as Chief of the Department, personified the highest ideals of devotion to duty and service to our community; and

**WHEREAS**, Joseph Lauterwasser's tenure as Chief was marked by the highest degree of professionalism and by unstinted personal attention by the Chief to the needs of the community and by involvement in all areas of concern for the residents of Red Bank; and

**WHEREAS**, Joseph Lauterwasser will be honored on his retirement as 2015 Chief of the Red Bank Volunteer Fire Department at a dinner on February 20, 2016;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Municipal Council of the Borough of Red Bank that they express the appreciation and respect of all the residents of the Borough of Red Bank and offer sincere thanks to Joseph Lauterwasser for his countless hours of devotion to duty and stewardship of the members of the Red Bank Fire Department for 2016.

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. 16-62**

**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 RIVERVIEW MEDICAL CENTER FOR BLOCK 11, LOTS 1 AND 2**

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 Block 11, Lots 1 and 2, in the Borough of Red Bank; and

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

**WHEREAS**, the Director of the Borough’s Planning and Zoning Department has determined that all bonded site improvements have been completed in substantial compliance with the Board approvals; and

**WHEREAS**, the Director of the Borough’s Planning and Zoning Department has recommended the release of the performance guarantee posted by Riverview Medical Center for the site improvements for Block 11, Lots 1 and 2, in the Borough of Red Bank, consisting of a cash bond in the amount of \$4,884.00.

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

1. That the governing body does hereby authorize the release of the performance guarantee posted by Riverview Medical Center for the site improvements for Block 11, Lots 1 and 2, in the Borough of Red Bank, consisting of a cash bond in the amount of \$4,884.00.

2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Director of the Borough’s Planning and Zoning Department, and the Applicant, Riverview Medical Center.

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

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

Dated: February 24, 2016

**RESOLUTION NO. 16-63**

**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 RIVERVIEW MEDICAL CENTER FOR BLOCK 9, LOTS 32.03, 33 AND 34;  
BLOCK 10, LOTS 13.01 AND 14.01; AND BLOCK 11, LOTS 1, 1.01, 2 AND 2.01**

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 Block 9, Lots 32.03, 33 and 34; Block 10, Lots 13.01 and 14.01; and Block 11, Lots 1, 1.01, 2 and 2.01, in the Borough of Red Bank; and

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

**WHEREAS**, the Director of the Borough’s Planning and Zoning Department has determined that all bonded site improvements have been completed in substantial compliance with the Board approvals; and

**WHEREAS**, the Director of the Borough’s Planning and Zoning Department has recommended the release of the performance guarantee posted by Riverview Medical Center for the site improvements for Block 9, Lots 32.03, 33 and 34; Block 10, Lots 13.01 and 14.01; and Block 11, Lots 1, 1.01, 2 and 2.01, in the Borough of Red Bank, consisting of a cash bond in the amount of \$61,643.00.

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

1. That the governing body does hereby authorize the release of the performance guarantee posted by Riverview Medical Center for the site improvements for Block 9, Lots 32.03, 33 and 34; Block 10, Lots 13.01 and 14.01; and Block 11, Lots 1, 1.01, 2 and 2.01, in the Borough of Red Bank, consisting of a cash bond in the amount of \$61,643.00.

2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Director of the Borough’s Planning and Zoning Department, and the Applicant, Riverview Medical Center.

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

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

Dated: February 24, 2016

**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 16-64**

**A RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS TOTALING \$17,280.80  
DUE TO JUDGMENTS OF THE TAX COURT OF NEW JERSEY**

offered the following resolution and moved its adoption:

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

**WHEREAS**, Ashlesha Deshpande, tax collector has verified proof of payment and hereby recommends said overpayments totaling \$17,280.80 be credited/refunded; and

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

BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B97.01 L45	46 Newman Springs Rd.	Red Bank Crossings LLC	2014	\$ 7,481.74
			2015	\$ 9,799.06
		TOTAL		\$ 17,280.80

**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 24, 2016



**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 16-65**

**A RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS TOTALING \$1,153.75  
DUE TO OVER PAYMENT BY PROPERTY OWNER**

offered the following resolution and moved its adoption:

**WHEREAS**, A property owner erroneously made an over payment on their taxes and has requested a refund of said payment; and

**WHEREAS**, Ashlesha Deshpande, Tax Collector has verified proof of the overpayment and hereby recommends said overpayments totaling \$1,153.75 be credited/refunded; and

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

BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B97.01 L51	263 Pearl Street	Jorge Ponce Flores	2016	\$ 1,153.75
		TOTAL		\$ 1,153.75

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

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

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

Dated: January 2, 2016

**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**

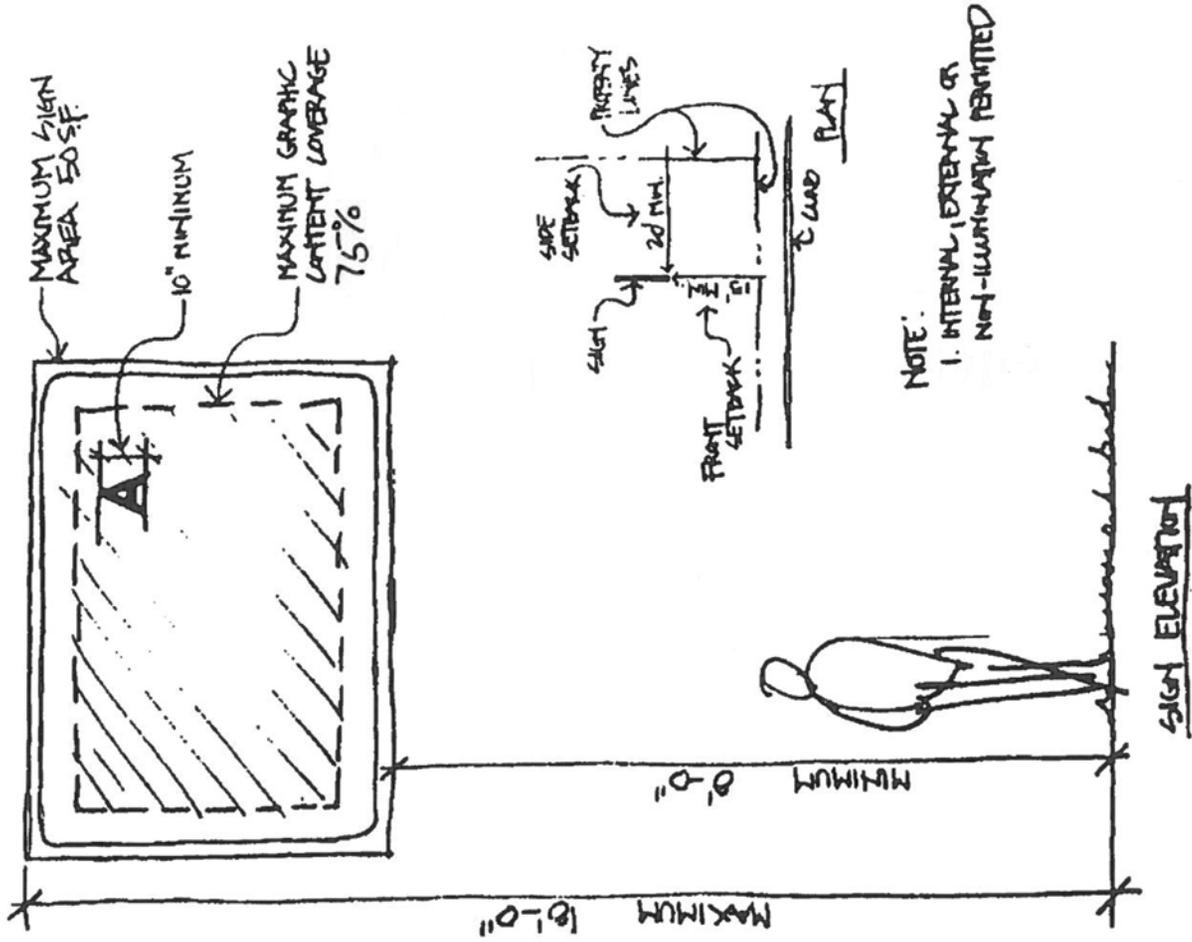
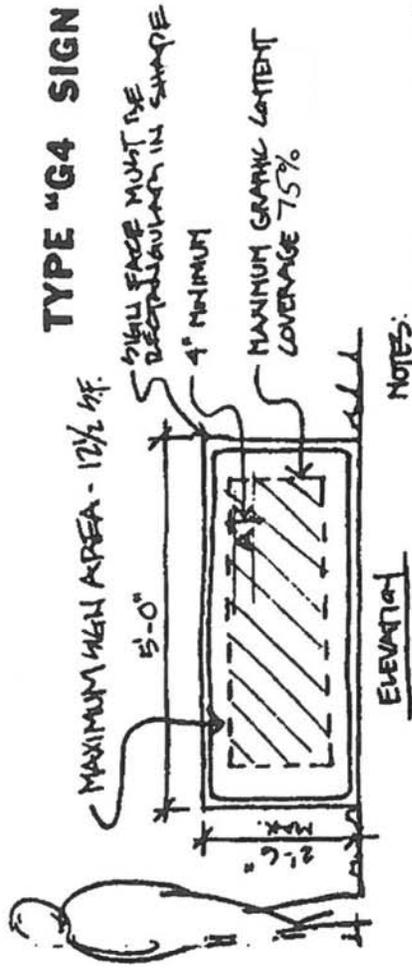


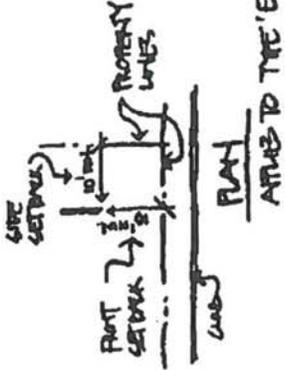


Figure VIII-8C

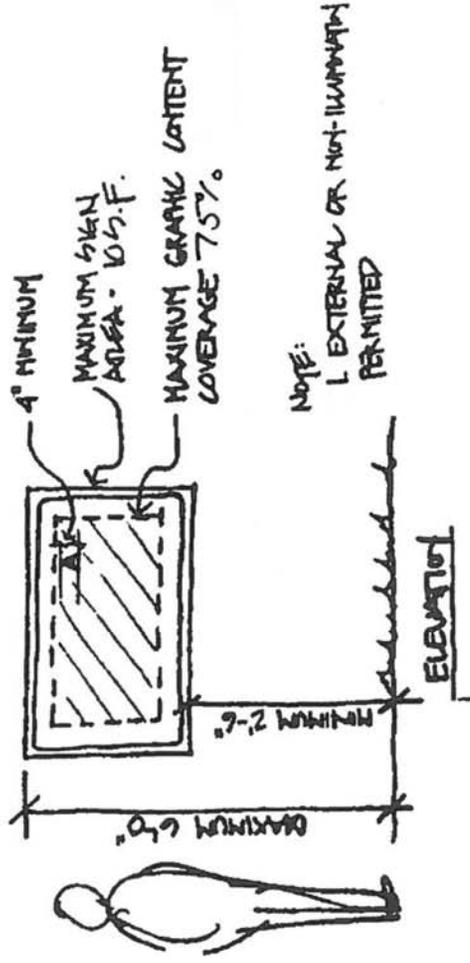


NOTES:

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

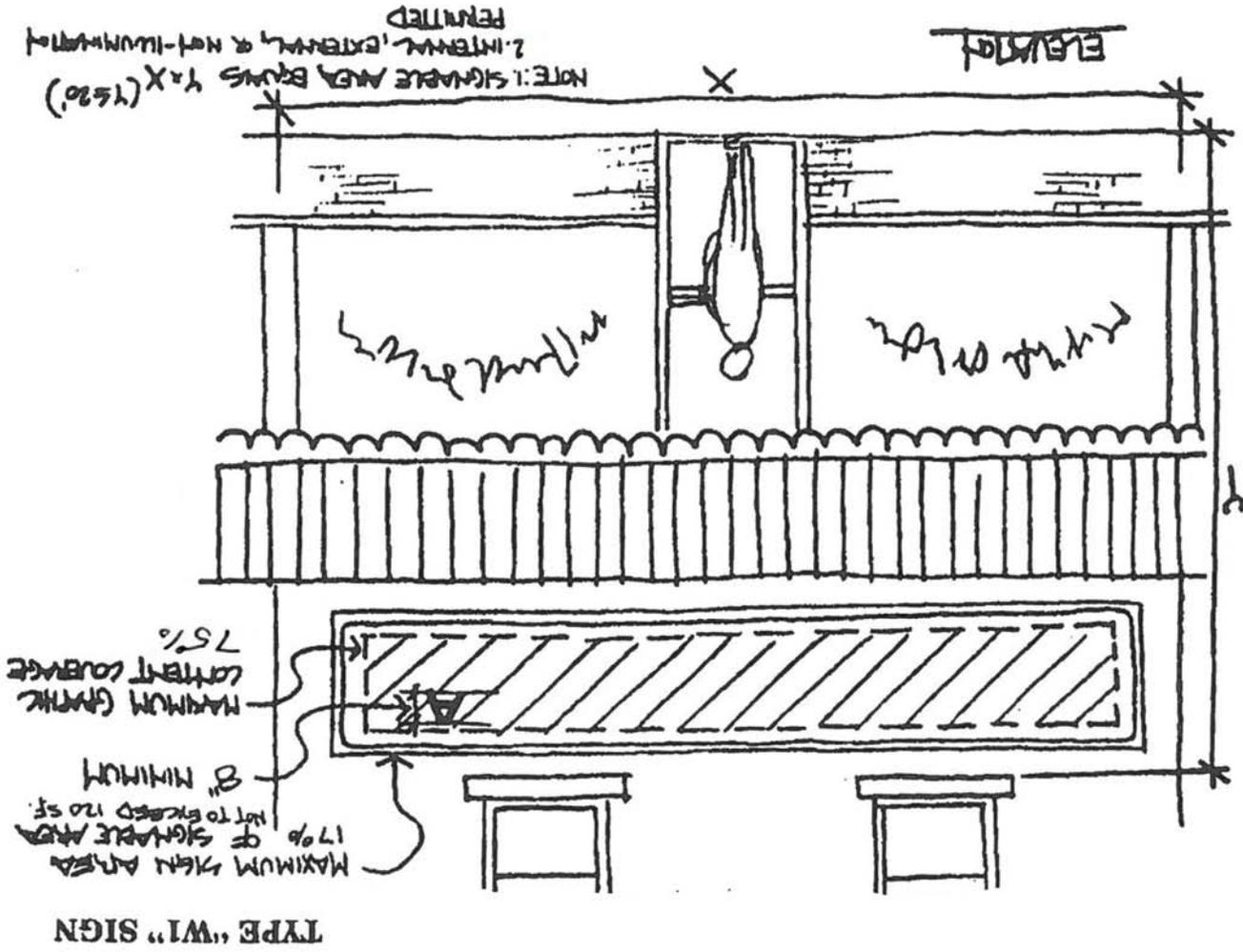
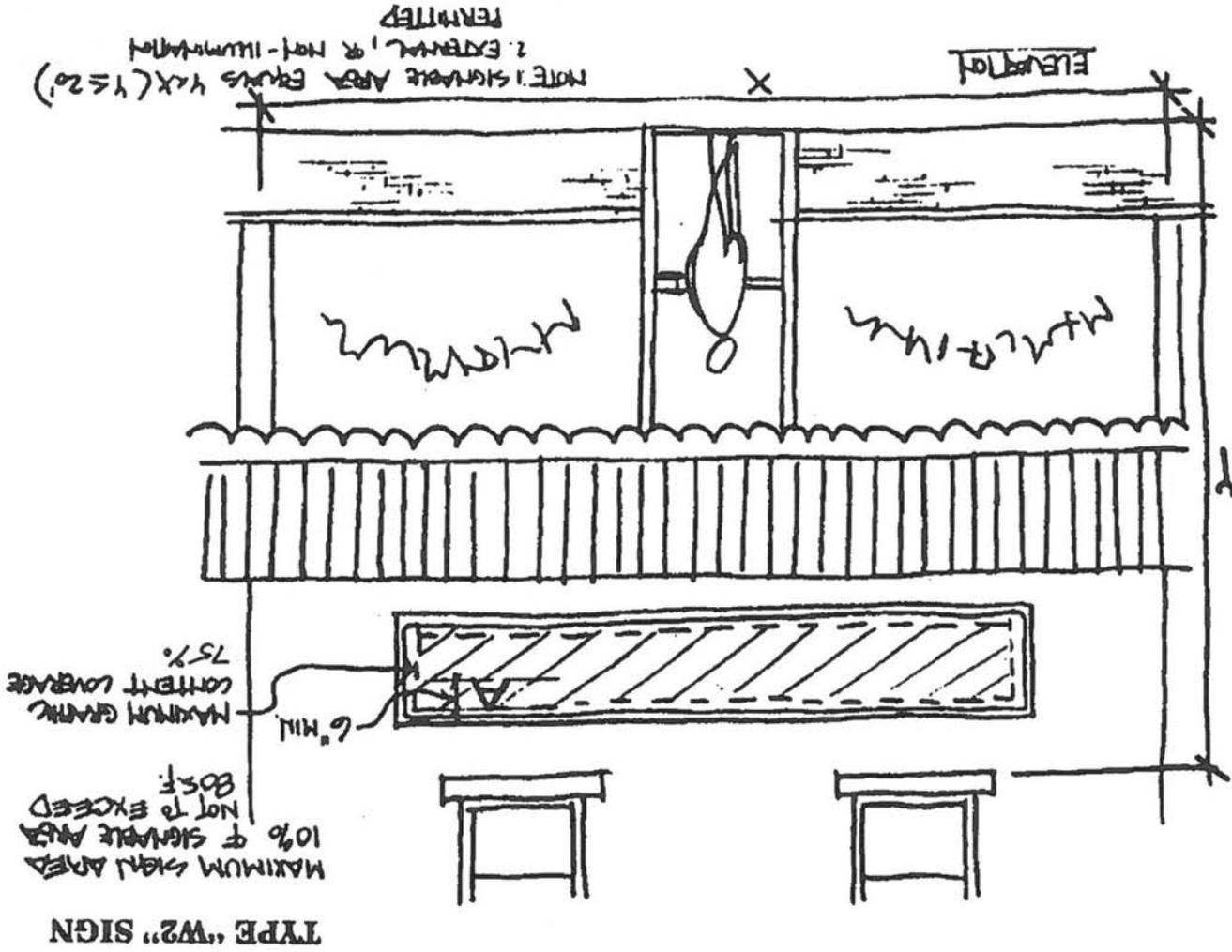


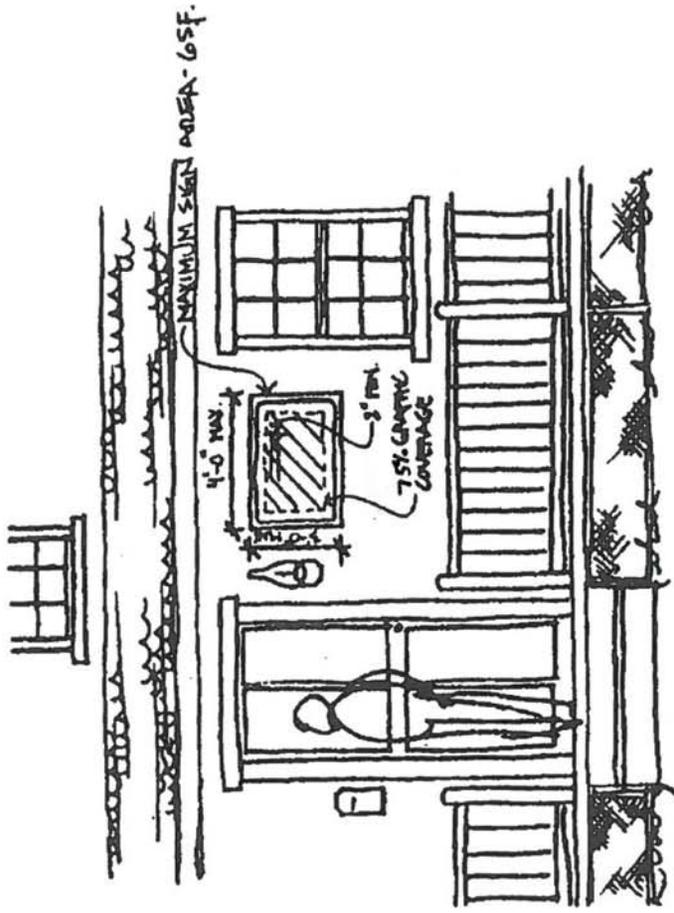
Figure VIII-8E



RED BANK CODE

Figure VIII-8F

### TYPE "W3" SIGN

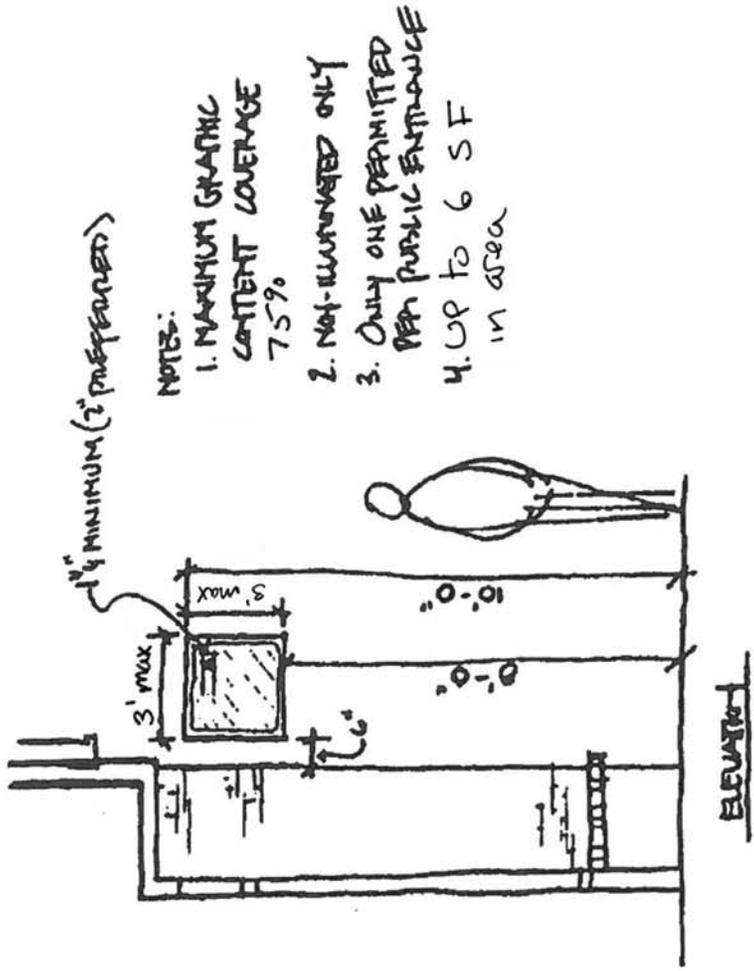


ELEVATION

NOTE: 1. EXTERMINAL OR  
NON-ILLUMINATION PERMITTED

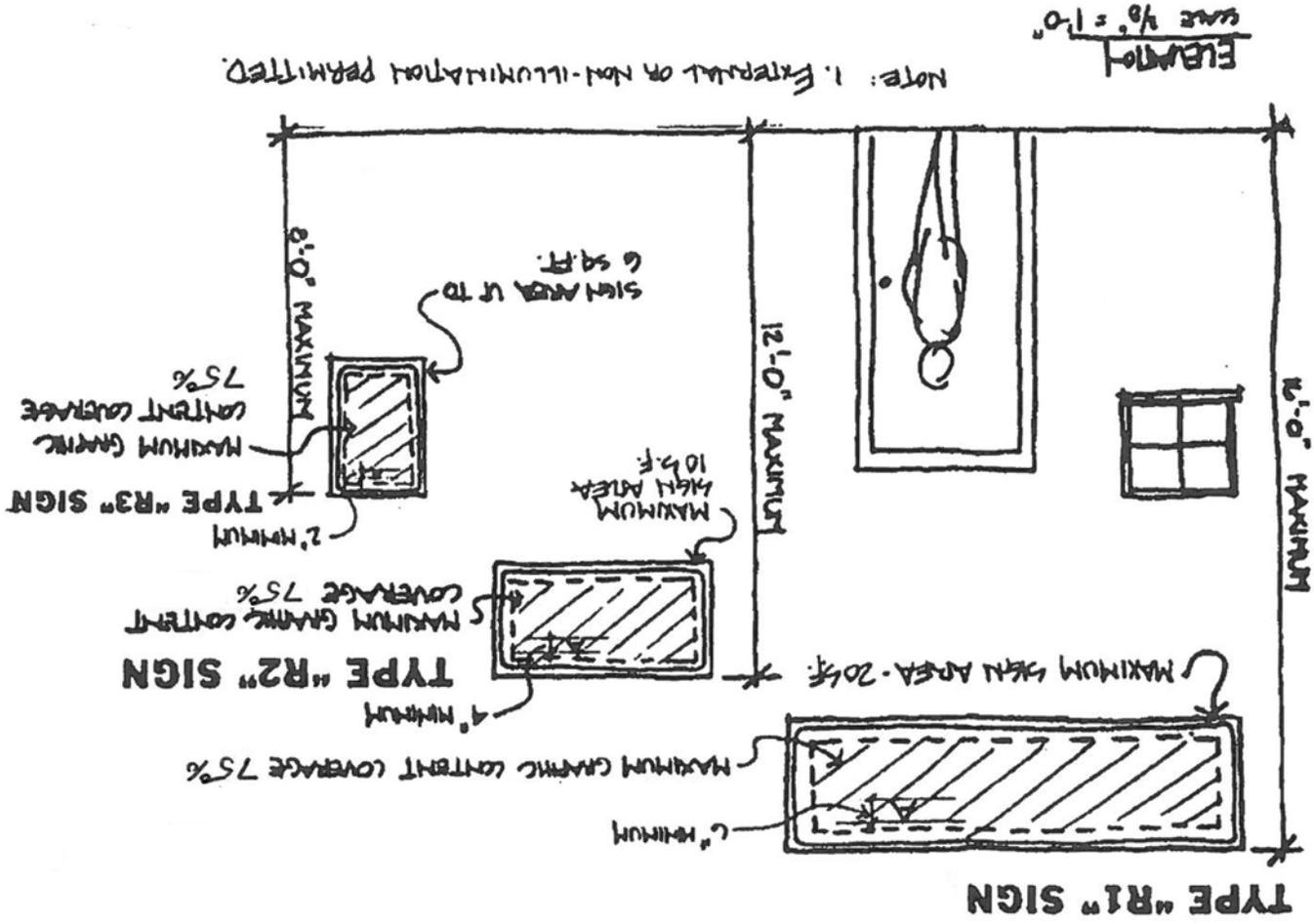
Figure VIII-8G

# 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 <sup>7</sup>	Form <sup>6</sup>	Number of Signs		Sign Face Configuration				Method of Support Permitted		Sign Height		Sign Setbacks		Permitted Colors <sup>5</sup>	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 <sup>2</sup>	5	Yes	No	Maximum 2 1/2 <sup>2</sup>	—	10	10	b	4	Yes	No	Yes
W1	Wall	1 <sup>5</sup>	—	Geometric	17% of signable area; 120 SF maximum	—	—	—	—	Within signable area		—	—	a	8	Yes	Yes	Yes
W2	Wall	1 <sup>5</sup>	—	Rectangular	10% of signable area; 80 SF maximum	—	—	—	—	Within signable area		—	—	a	6	Yes	Yes <sup>1</sup>	Yes
W3	Wall	1 <sup>6</sup>	—	Rectangular	6 SF	Maximum 3	Maximum 4	—	—	Within signable area		—	—	b	2	Yes	No	Yes
P1	Projecting <sup>9</sup>	—	1	Square	Up to 6 SF	2	2	—	—	10	8	—	—	a	1 1/4 (2 pref.)	Yes	No	No
R1	Rear wall <sup>7</sup>	—	1	Geometric	Up to 20 SF	Maximum 3	Maximum 3	—	—	Maximum 16	—	—	—	a	6	Yes	No	Yes
R2	Rear wall <sup>7</sup>	—	1	Rectangular	Up to 10 SF	—	—	—	—	Maximum 12	—	—	—	a	4	Yes	No	Yes
R3	Rear wall <sup>7</sup>	—	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 <sup>a</sup>	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
<del>G-C2</del>	<del>Ground</del>	<del>1</del>	<del>—</del>	<del>—</del>	<del>Up to 60 SF</del>	<del>—</del>	<del>—</del>	<del>No</del>	<del>Yes</del>	<del>Maximum 18</del>	<del>Minimum 8</del>	<del>15</del>	<del>20</del>	<del>c</del>	<del>10</del>	<del>No</del>	<del>Yes</del>	<del>Yes</del>
G-C3	Ground	1	—	Geometric	Up to 25 SF	—	—	Yes	Yes	Maximum 3 1/2 <sup>d</sup>	—	10	10	b	6	Yes	No	Yes
W-C1	Wall	1 <sup>3</sup>	—	—	20% of signable area; 150 SF maximum	—	—	—	—	Within signable area		—	—	c	8	Yes	Yes	Yes
W-C2	Wall	1 <sup>3</sup>	—	Geometric	5% of signable area; 15 SF maximum	—	—	—	—	Within signable area		—	—	b	2	Yes	No	Yes
P-C1	Projecting <sup>a</sup>	—	1	Geometric <sup>a</sup>	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.

# PROCLAMATION

## BOROUGH OF RED BANK

**WHEREAS**, IN 1776, THE UNITED STATES OF AMERICA WAS IMAGINED AS A NEW NATION DEDICATED TO THE PROPOSITION THAT "ALL MEN ARE CREATED EQUAL, THAT THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN UNALIENABLE RIGHTS, THAT AMONG THESE ARE LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS"; AND

**WHEREAS** THE HISTORY OF THE UNITED STATES INCLUDES INJUSTICES AND THE DENIAL OF BASIC, FUNDAMENTAL RIGHTS AND THESE INJUSTICES INCLUDE APPROXIMATELY 250 YEARS OF SLAVERY, 100 YEARS OF LYNCHINGS, DENIAL OF BOTH FUNDAMENTAL HUMAN AND CIVIL RIGHTS, AND WITHHOLDING OF THE BASIC RIGHTS OF CITIZENSHIP AND THESE INEQUALITIES AND INJUSTICES IN OUR SOCIETY STILL EXIST TODAY; AND

**WHEREAS** MANY AFRICAN-AMERICAN MEN AND WOMEN WORKED AGAINST RACISM TO ACHIEVE SUCCESS AND MANY OTHERS WHO WERE PIVOTAL IN THE EXPLORATION AND WESTWARD EXPANSION OF THE UNITED STATES AND PIONEERS SUCH AS RED BANK'S OWN WILLIAM "COUNT" BASIE, T. THOMAS FORTUNE AND OUR FIRST FIRE CHIEF OF COLOR NOEL BLACKWOOD HAVE ALL SERVED AS POSITIVE BENEFICIARIES OF OUR FOREFATHERS AND AS GREAT ROLE MODELS AND LEADERS FOR FUTURE GENERATIONS;

**WHEREAS**, ONE OF THESE PIONEERS, T. THOMAS FORTUNE CHOSE TO MOVE WITH HIS FAMILY TO THE BOROUGH OF RED BANK 1901 AND HE RESIDED IN A HOME, KNOWN AS MAPLE HILL, ON BERGEN PLACE FOR MANY YEARS AND MR. FORTUNE'S HOUSE IS ONE OF ONLY FIFTY-FIVE NATIONAL HISTORIC LANDMARKS, AND ONE OF ONLY TWO LANDMARKS ASSOCIATED WITH AFRICAN-AMERICAN HISTORY, IN THE STATE OF NEW JERSEY, AND THE T. THOMAS FORTUNE HOUSE IS ONE OF ONLY FIFTY FIVE NATIONAL HISTORIC LANDMARKS IN NEW JERSEY, AND ONE OF ONLY TWO NATIONAL HISTORIC LANDMARKS ASSOCIATED WITH AFRICAN-AMERICAN HISTORY IN THE STATE OF NEW JERSEY, AND

**WHEREAS** BLACK HISTORY MONTH, CELEBRATED DURING THE MONTH OF FEBRUARY, DATES BACK TO 1926 WHEN CARTER G. WOODSON SET ASIDE A SPECIAL PERIOD OF TIME IN FEBRUARY TO RECOGNIZE THE HERITAGE AND ACHIEVEMENT OF BLACK AMERICANS;

**NOW, THEREFORE, BE IT RESOLVED** THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF RED BANK AGREE THAT, WHILE THE UNITED STATES BEGAN IN DIVISION, WE MUST NOW MOVE FORWARD WITH PURPOSE, UNITED TIRELESSLY AS ONE NATION, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL, AND HONOR THE CONTRIBUTION OF ALL PIONEERS WHO HELP ENSURE THE LEGACY OF THESE GREAT UNITED STATES AND ACKNOWLEDGE THAT ALL OF THE PEOPLE OF THE UNITED STATES ARE THE RECIPIENTS OF THE WEALTH OF HISTORY GIVEN TO US BY BLACK CULTURE AND RECOGNIZE THE IMPORTANCE OF BLACK HISTORY MONTH AS AN OPPORTUNITY TO REFLECT ON THE COMPLEX HISTORY OF THE UNITED STATES, WHILE REMAINING HOPEFUL AND CONFIDENT ABOUT THE PATH THAT LIES AHEAD;

**BE IT FURTHER RESOLVED THAT** FEBRUARY 2016 IS DESIGNATED AS T. THOMAS FORTUNE MONTH IN THE BOROUGH OF RED BANK, IN HONOR OF THE MAN AND HIS CONTRIBUTIONS AND ACCOMPLISHMENTS AS A PIONEER IN THE AMERICAN CIVIL RIGHTS PANTHEON AND ALSO AS "BLACK HISTORY MONTH" AS THE MAYOR AND COUNCIL OF THE BOROUGH OF RED BANK AGREE THAT, WHILE THE UNITED STATES BEGAN IN DIVISION, WE MUST NOW MOVE FORWARD WITH PURPOSE, UNITED TIRELESSLY AS ONE NATION, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL,

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PASQUALE MENNA  
MAYOR