

AGENDA
REGULAR MEETING
MUNICIPAL COUNCIL - BOROUGH OF RED BANK
SEPTEMBER 14, 2016
6:30 PM

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SUNSHINE STATEMENT
4. WORKSHOP
 - 4.I. NJ Transit License Agreement
5. APPROVAL OF MINUTES
 - 5.I. August 24, 2016
6. MAYORAL APPOINTMENTS
7. REPORTS OF MAYOR AND COUNCIL MEMBERS
8. COMMUNICATIONS AND PETITIONS
9. PUBLIC COMMENT--Ordinances On First Reading And Resolutions Only
10. ORDINANCES - First Reading
 - 10.I. 2016-18 An Ordinance Authorizing The Grant Of A Reciprocal Easement Agreement With Riverwalk Commons Red Bank, LLC

Documents:

[2016-18.PDF](#)
 - 10.II. 2016-19 An Ordinance Adopting A Codification And Revision Of The Ordinances Of The Borough Of Red Bank, County Of Monmouth, State Of New Jersey; Providing For The Maintenance Of Said Code; Repealing And Saving From Repeal Certain Ordinances Not Included Therein; Establishing A Penalty For Altering Or Tampering With The Code And Making Certain Changes In Previously Adopted Ordinances.

Documents:

[2016-19.PDF](#)
[2016-19 SCHEDULE A.PDF](#)
 - 10.III. 2016-20 An Ordinance Amending The Code Of The Borough Of Red Bank By Adopting A New Article I, Municipal Clerk, To Be Added To Chapter 90, Officers And Employees.

Documents:

[2016-20.PDF](#)
 - 10.IV. 2016-21 An Ordinance Amending The Code Of The Borough Of Red Bank By Adopting A New Article XVII, Municipal Attorney, To Be Added To Chapter 90, Officers And Employees.

Documents:

[2016-21.PDF](#)

11. ORDINANCES - Public Hearing And Final Adoption

- 11.I. 2016-17 An Ordinance Amending And Supplementing Chapter VII, "Traffic," Section 7-3.3, "Parking Prohibited At All Times On Certain Streets," Schedule I, "No Parking."

Documents:

[2016-17 PUBLIC HEARING.PDF](#)

12. RESOLUTIONS

- 12.I. 16-236 A Resolution Authorizing The Release Of Cash Bond For Acelero Learning Center, Block 77, Lots 23 And 24.

Documents:

[16-236.PDF](#)

- 12.II. 16-237 A Resolution Authorizing The Monmouth County Prosecutor's Office To Conduct All Criminal Investigations Regarding Animal Cruelty Which Occur In The Borough Of Red Bank.

Documents:

[16-237.PDF](#)

- 12.III. 16-239 A Resolution Appointing Per Diem Part-Time Dispatcher.

Documents:

[16-239.PDF](#)

- 12.IV. 16-240 A Resolution Authorizing The Execution Of A Developer's Agreement With Riverwalk Commons Red Bank, LLC, C/O Langan Development, LLC.

Documents:

[16-240.PDF](#)

- 12.V. 16-241 A Resolution Authorizing The Execution Of A Developer's Agreement With Metrovation.

Documents:

[16-241.PDF](#)

- 12.VI. 16-242 A Resolution Authorizing Place-To-Place Expansion Of Premises Transfer Of Plenary Retail Consumption License No. 1340-33-011-005.

Documents:

[16-242.PDF](#)

12.VII. 16-243 A Resolution Authorizing Renewal Of Plenary Retail Distribution Licenses For 2016-2017.

Documents:

[16-243.PDF](#)

13. PROCLAMATIONS

13.I. September 2016 – Childhood Cancer Awareness Month

Documents:

[CHILDHOOD CANCER AWARENESS 2016.PDF](#)

14. PAYMENT OF VOUCHERS

14.I. 16-Xxx A Resolution For Payment Of Bills Amounting To \$1,690,790.97.

Documents:

[BILL LIST 9-14-16.PDF](#)

15. OLD BUSINESS

16. NEW BUSINESS

17. AUDIENCE

18. EXECUTIVE SESSION

19. ADJOURNMENT

ORDINANCE NO. 2016-18

AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE GRANT OF A RECIPROCAL EASEMENT AGREEMENT WITH RIVERWALK COMMONS RED BANK, LLC

offered the following ordinance and moved its introduction:

WHEREAS, Riverwalk Commons Red Bank, LLC is the owner of Block 29, Lot 5.01, and has approval from the Zoning Board of Adjustment for Site Plan Approval with variances to construct a four story building consisting of 24 residential units and 41 parking spaces at ground level; and

WHEREAS, the Zoning Board of Adjustment was concerned with access to the site and required the developer to obtain from the Township an Access Easement over the Mechanic Street Parking Lot; and

WHEREAS, governing body wishes to grant to the applicant a perpetual, non-exclusive Access Easement for vehicular and pedestrian ingress and egress purposes only to and from the subject property.

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

SECTION 1. The Borough Council hereby authorizes and approves the conveyance for the purchase price of \$1.00 to Riverwalk Commons Red Bank, LLC., a perpetual non-exclusive Access Easement in and along Mechanic Street Parking Lot. The easement is attached hereto and incorporated herein as Schedule A.

SECTION 2. The Mayor and Borough Clerk are hereby authorized and directed to execute any and all such documents providing for the Borough's grant of an interest in the Property and to undertake any and all such acts as may be necessary to effectuate the terms hereof, subject to the Borough Attorney's approval of the form and substance of said documents.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. This ordinance shall take effect immediately upon its passage and publication as required by law.

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

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

Dated: September 14, 2016

ORDINANCE NO. 2016-19

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

offered the following ordinance and moved its introduction:

Be it ordained and enacted by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, as follows:

§ 1-13. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Red Bank of a general and permanent nature adopted by the Mayor and Council of the Borough of Red Bank, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 695 (excepting previously codified Chapter 490, Planning and Development Regulations), together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Borough of Red Bank," hereinafter known and referred to as the "Code."

§ 1-14. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-15. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-16. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of Red Bank by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Borough, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-17. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of Red Bank" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-18. Publication; filing.

The Clerk of the Borough of Red Bank, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-19. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-20. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-21. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Borough of Red Bank to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-22. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-23. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-24. Inconsistent ordinances repealed.

- A. Except as provided in § 1-25, Ordinances saved from repeal, below, all ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of Red Bank which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific ordinances. The Mayor and Council of the Borough of Red Bank has determined that the following ordinances are no longer in effect and hereby specifically repeals the following legislation:
 - (1) The 1987 General Ordinances, as adopted by Ord. No. 1987-8.
 - (2) Former Section 2-21, Corporation Counsel, of the 1987 General Ordinances.

§ 1-25. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-24 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to June 8, 2016.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.

- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- N. Chapter 490, Planning and Development Regulations, adopted 12-5-2012 by Ord. No. 2012-23.

§ 1-26. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. Nomenclature. The following nomenclature changes are executed in the Code:
 - (1) Chapter 523, Article III, is amended to change “Construction Official – Local Enforcing Agency” to “Construction Official.”
 - (2) Chapter 583 is amended to change “Superintendent of Public Utilities” to “Director of Public Utilities.”
 - (3) Chapter 608, Article VIII, is amended to change “Superintendent of Public Utilities” to “Director of Public Utilities.”
 - (4) Chapter 617 is amended to change “Building Inspector” to “Construction Official” and change “Director of Public Works” to “Director of Public Utilities.”
- C. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

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	()	()	()	()

INTRODUCED: September 14, 2016

ADOPTED:

I hereby certify the above to be a true copy.

Pamela Borghi, Borough Clerk

C E R T I F I C A T I O N

BOROUGH OF RED BANK

Office of the Borough Clerk

I, **Pamela Borghi**, Borough Clerk of the Borough of Red Bank, New Jersey, hereby certify that the chapters contained in this volume are based upon the original legislation of a general and permanent nature of the Mayor and Council of the Borough of Red Bank, and that said legislation, as revised and codified, renumbered as to sections and rearranged into chapters, constitutes the Code of the Borough of Red Bank, County of Monmouth, State of New Jersey, as adopted by ordinance of the Mayor and Council on _____, _____.

Given under my hand and the Seal of the Borough of Red Bank, County of Monmouth, State of New Jersey, this _____ day of _____, at the municipal offices of the Borough of Red Bank.

s/Pamela Borghi

Borough Clerk

**Borough of Red Bank
Code Adoption 2016**

**Schedule A
Specific Revisions at Time of Adoption of Code**

Chapter 1, General Provisions.

Article I, Definitions and Word Usage.

Section 1-2A is hereby amended to delete the definitions of “chapter,” “section,” “subsection” and “paragraph,” since those terms applied to the 1987 Revised General Ordinances only.

Chapter 9, Boards, Committees and Commissions.

Article I, Board of Health.

Section 9-3 is added:

§ 9-3. Alternate members.

A. Appointments. The Mayor, with the confirmation of the Council, may appoint two alternate members and designate them as “Alternate No. 1” and “Alternate No. 2.”

B. Terms; vacancy. The terms of the alternate members shall be for two years, except that the terms of the alternate members first appointed shall be two years for Alternate No. 1 and one year for Alternate No. 2, so that the terms of not more than one alternate member shall expire in any one year. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor with the confirmation of the Council for the expired term only.

C. Conflicts of interest; voting order. An alternate member shall not be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he requests one, be removed by the governing body for cause. An alternate member may participate in discussion of the proceedings but may not vote except in the absence of or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

Article IV, Removal of Members for Absence from Meetings.

Section 9-12 is amended as follows: *“The appointment of a member to a board, agency or commission may be rescinded by the appointing authority ~~upon resolution of the board, agency or commission involved for the absence of a member at three consecutive public meetings whenever the member, without being excused by a majority of the authorized members of such body, fails to attend and participate at meetings of such body for a period of eight consecutive weeks, or for four consecutive regular meetings, whichever shall be of longer duration, at the conclusion of such period, provided that~~*

such body shall notify the appointing authority in writing of such determination; provided, further, that such board, committee, commission, authority or other agency may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness; provided, however, that nothing in this section shall preclude a municipal appointing authority from adopting by ordinance a policy establishing a lower absentee threshold, provided that the ordinance shall not permit the removal of the member if the member has been absent for less than six consecutive weeks, or three consecutive meetings, whichever shall be of longer duration, without being excused, within the term of office for the position held by the individual.”

Chapter 17, Parks and Recreation.

Section 18-4, “Fees and additional requirements” of the Revised General Ordinances of the Borough of Red Bank, is hereby amended to provide the following:

§ 18-4

Fees and additional requirements.

- A. The Mayor and Borough Council may impose fees to cover costs to the Borough associated with the proposed use, and the Mayor and Borough Council may impose additional requirements deemed to be necessary to protect the health, safety and welfare of the general public.
- B. The use of Borough-owned facilities by official groups of the Borough government and Borough-sponsored activities and quasi-officials will take precedence before non-sponsored organizations, groups, committees and/or individuals.
- C. The facility usage fees for any Borough owned property (including but not limited to The Count Basie Field Complex, Marine Park, Riverside Garden Park, The White Street Parking Lot, Maple Cove, and The Senior Center) for the purposes of holding a special event (approved by Council and the Special Events Committee) will be billed at a rate of \$500 per day (sponsored by in town organizations) and \$750 per day sponsored by out of town organizations. Other fees may apply (DPW, Police, etc.) Facility usage fees must be paid in advance of all special events. These fees may be adjusted by resolution of the governing body upon publication of such resolution.
- D. Fees for all special events facility rentals shall go to the Parks and Recreation Trust to be used for Recreation Programming.

Chapter 31, Cooperative Pricing/Purchasing.

Sections 31-1 and 31-2 are amended to add “purchasing” following instances of “pricing.”

Chapter 37, Court, Municipal.

- A. Section 37-1 is amended to update the statutory reference to N.J.S.A. 2B:12-1 et seq.
- B. Section 37-6 is amended to change “Clerk” and “Deputy Clerk” of the Municipal Court to “Administrator” and “Deputy Administrator” of the Municipal Court.

Chapter 64, Fire Department.

Article I, Establishment.

Original Section 2-37.8.a(3), regarding an application fee, is repealed.

Chapter 85, Mayor and Council.

This chapter is amended to read as follows:

ARTICLE I Governing Body

§ 85-1. Statutory authority.

The governing body shall consist of the Mayor and six Council members, all of whom shall be elected at large in the Borough and take office in the manner provided by law. Their term of office shall commence January 1 next following their election. The Mayor and Council members shall have the duties and responsibilities as provided by N.J.S.A. 40A:60-1 et seq., as may be amended, and other applicable provisions of law.

§ 85-2. Meetings; organization.

- A. The Mayor and Council shall hold an annual meeting on the first day of January at 12:00 noon, or during the first seven days of January in any year.
- B. At its annual meeting, the Council shall, by the vote of a majority of its number, elect a President of the Council, who shall preside at all its meetings when the Mayor does not preside. The President of the Council shall hold office for one year and until the next annual meeting. He shall have the right to debate and vote on all questions before Council. If the Council fails to elect a President at the annual meeting, the Mayor shall appoint the President from the Council and, in that case, no confirmation by the Council shall be necessary.
- C. The President of the Council shall perform all the duties of the Mayor during any period in which the Mayor is absent from the Borough for three days or more or is unable to perform the duties of his office. Where such absence is intended, the President of the Council shall become the acting Mayor until the Mayor's return. If the President of the Council is unable to perform the duties of the acting Mayor, then the member of Council with the longest term of service may act temporarily for the President of the Council.
- D. Three Council members and the Mayor or, in the absence of the Mayor, four Council members shall constitute a quorum for transacting business.
- E. The Council may, at its annual meeting, establish for its members such committees of the

Council as will assist it for the ensuing year.

- F. The Council shall hold such other meetings, at such time and place as it may by resolution direct, but all regular meetings shall be held within the Borough.
- G. The Mayor shall, when necessary, call special meetings of the Council. In case of his neglect or refusal, any four members of the Council may call such meeting at such time and place in the Borough as they may designate, and in all cases of special meetings notice shall be given to all the members of the Council, or left at their places of residence. (N.J.S.A. 40A:60-3)

ARTICLE II
Office of Mayor

§ 85-3. Powers of Mayor.

- A. The Mayor shall be the head of the municipal government.
- B. The Mayor shall have all those powers designated by general law.
- C. The Mayor shall preside at meetings of the Council and may vote to break a tie.
- D. Every ordinance adopted by the Council shall, within five days after its passage, Sundays excepted, be presented to the Mayor by the Borough Clerk. The Mayor shall, within 10 days after receiving the ordinance, Sundays excepted, either approve the ordinance by affixing his signature thereto or return it to the Council by delivering it to the Clerk together with a statement setting forth his objections thereto or any item or part thereof. No ordinance or any item or part thereof shall take effect without the Mayor's approval, unless the Mayor fails to return the ordinance to the Council, as prescribed above, or unless the Council, upon consideration of the ordinance following its return, shall, by a vote of 2/3 of all the members of Council, resolve to override the veto.
- E. No ordinance shall be passed, or appointment of any subordinate officer of the Borough be confirmed, except by a vote of a majority of the members of the Council present at the meeting, provided that at least three affirmative votes shall be required for such purpose, the Mayor voting only in the case of a tie.
- F. If any ordinance contains more than one distinct section, clause or item, the Mayor may approve one or more thereof and veto the rest.
- G. The Mayor shall nominate and, with the advice and consent of Council, appoint all subordinate officers of the Borough, unless the specific terms of the general law clearly require a different appointment procedure. He shall make his nomination to any such office within 30 days of that office becoming vacant.
- H. The Mayor shall see to it that the laws of the state and the ordinances of the Borough are faithfully executed. He shall recommend to the Council such measures as he may deem necessary or expedient for the welfare of the Borough. He shall maintain peace and good order and have the power to suppress all riots and tumultuous assemblies of the Borough. (N.J.S.A. 40A:60-5)

ARTICLE III
Borough Council

§ 85-4. Powers of Council.

- A. The Council shall be the legislative body of the Borough.
- B. The Council may, subject to general law and the provisions of this act:
 - (1) Pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the

accomplishment of any public purpose for which the municipality is authorized to act under general law;

- (2) Control and regulate the finances of the municipality and raise money by borrowing or taxation;
 - (3) Create such offices and positions as it may deem necessary. The officers appointed thereto shall perform the duties required by law and the ordinances of the Council. Other than the Borough Attorney, Engineer, and Construction Official, these officers shall serve at the pleasure of the Council, except the Municipal Clerk, the Tax Collector and Tax Assessor who shall serve for terms as provided in Chapter 9 of Title 40A of the New Jersey Statutes (N.J.S.A. 40A:9-1.1 et seq.);
 - (4) Investigate any activity of the municipality;
 - (5) Remove any officer of the municipality, other than those officers excepted by law, for cause; and
 - (6) Override a veto of the Mayor by a 2/3 majority of all the members of the Council.
- C. The Council shall have all the executive responsibilities of the municipality not placed, by general law or this act, in the office of the Mayor.
- D. The Council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office of the Borough within 30 days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie. (N.J.S.A. 40A:60-6)

§ 85-5. Council vacancies.

Whenever a vacancy occurs in the membership of the Council for any reason other than the expiration of term of office, the vacancy shall be filled pursuant to the Municipal Vacancy Law, N.J.S.A. 40A:16-1 et seq.

§ 85-6. Rules of Council.

The Council may by resolution adopt rules of procedure not inconsistent with this Code. The rules may provide for standing committees of the Council.

**ARTICLE IV
Committees**

§ 85-7. Standing and special committees.

- A. Appointment. The Mayor shall appoint all standing and special committees, and shall be a member, ex officio, of all such committees. Special committees may be appointed for purposes other than those included in the duties of the standing committees. The Mayor shall have no vote in any such committee, except in the case of a tie vote, and then only for the purpose of breaking such tie vote. In addition, the Mayor shall see that all matters referred to committee are acted upon and reported promptly.
- B. Standing committees appointed at annual meeting. The following standing committees of the Council, consisting of at least three Council members each (other than the Mayor, ex-officio) shall be appointed at the annual meeting:
- (1) Finance and Personnel.
 - (2) Public Safety, Police and Fire.
 - (3) Public Utilities (Street Lighting, Garbage, Water and Sewer).

- (4) Code Enforcement, Environmental Control, Health, Welfare and Building Codes.
 - (5) Parks, Recreation and Personnel.
 - (6) Education and Technology.
- C. Councilmen to serve as Chairmen of standing committees. Each Councilman shall be Chairman of one of the six standing committees named in this section, and a member of at least one other of such committees.
- D. Standing committee duties; responsibility of Council. Standing committees are appointed to expedite and facilitate the work of the Council. The entire Council will be responsible for any action of any standing committee which has been given authority by the Borough Council to act finally in any matter for and on behalf of the Council.
- (1) A standing committee shall:
 - (a) Meet when requested by the Chairman, or a majority of the committee, and all members thereof shall participate actively in its deliberations, the performance of its duties, and the formulation of its recommendations to the Council.
 - (b) Plan, study, direct, make commitments within budgetary limitations and carry on the routine activities for which it has primary responsibility.
 - (c) Perform such acts as may be assigned to it by the Council.
 - (d) Report and make recommendations to the Council regarding its responsibilities and activities.
 - (2) Except as provided above, a standing committee shall not:
 - (a) Exceed its budgetary appropriations without prior approval of the Council.
 - (b) Make promises or commitments to anyone which directly, or by inference, binds the Council.
 - (c) Act in any manner, or make any decisions which violate established Council policy.
- E. Chairman and successor. At the time of the appointment of any committee, the Mayor shall name some member thereof as the Chairman of such committee, and shall name the successor to any such Chairman in case of his death, resignation or removal from office while serving in such capacity. The Mayor may, with the concurrence of a majority of the Council, change existing committee personnel or Chairman when it is in the best interests of the Borough to do so.
- F. Chairman to report to Mayor and Council. The Chairman of each standing committee shall report to the Mayor and Council at each regular meeting on the principal activities and achievements of his committees. The Chairman of each special committee shall report to the Mayor and Council periodically, as required. Standing committee chairmen shall prepare and submit in writing to the Mayor and Council, at the first regular Council meeting in December of each year, an annual report of his Committee's activities. Such annual reports shall be filed in the office of the Borough Clerk, and be there assembled as a permanent annual document covering the activities of all standing committees.

§ 85-8. Duties of standing committees of Council.

- A. Finance Committee. The Finance Committee shall have primary responsibility for the following described activities and matters:
- (1) The examination, review and approval of all vouchers prior to their submission to the

Council for authority to pay the same.

- (2) The administration, practices, procedures, records and budgets of the offices of the Borough Clerk, the Collector-Treasurer, and the Assessor.
 - (3) The foreclosure and disposition of tax liens, and the disposition of all other property acquired by the Borough.
 - (4) The coordination of departmental budgets, and the final preparation, explanation and continuing supervision of the entire municipal budget.
 - (5) The maintenance, review and revision of the Borough cost and accounting systems, including procedures relating to the purchasing and receiving of supplies and services.
 - (6) The review, revision and all other matters pertaining to an insurance coverage of the Borough.
 - (7) It shall also serve as the liaison between the Council and the Registered Municipal Accountants, and with any other body or organization on fiscal matters.
 - (8) It shall receive, review and present to the Council the proposed budgets of other bodies, the proposed budgets of which may legally be included in the annual Borough budget.
 - (9) It shall also serve as the liaison between the Council and the Library Board as well as liaison to the local and regional Boards of Education.
- B. Police Committee. The Police Committee shall have primary responsibility for the following described activities and matters:
- (1) The administration, practices, procedures and records of the following:
 - (a) Police activities.
 - (b) Granting of licenses, and the inspection of licensed premises and persons.
 - (c) Highway traffic and all parking matters, including enforcement of parking lot regulations, collection of revenues, control and direction of the Special Officer, Parking Meter Attendant. Construction and maintenance of municipal parking lots is not included.
 - (d) Specifications for street and parking lot lining and marking to be prepared by the Police Committee with the assistance of the Public Utility Committee.
 - (e) Regulatory signs directing the flow of traffic, including the location, design and specifications thereof to be under supervision of the Police Committee, with erection of the signs to be by the Public Utilities Committee.
 - (f) Civilian defense activities.
 - (2) It shall also serve as the liaison between the Council and Transportation Corporations; the Municipal Judge; the Dog Warden, if any; and all organizations or agencies concerned with public safety or juvenile delinquency.
- C. Fire Committee. The Fire Committee shall have primary responsibility for the following described activities and matters:
- (1) The administration, practices, procedures and records of the following:
 - (a) Fire activities.
 - (b) First Aid Squad activities.

- (c) Maintenance of Borough fire houses.
 - (2) It shall also serve as the liaison between the Council and fire protection agencies.
- D. Public Utilities Committee. The Public Utilities Committee shall have primary responsibility for the following described activities and matters:
 - (1) Streetlighting and garbage.
 - (a) The administration, practices, procedures and records of the following:
 - [1] Street and road construction, improvement and maintenance, including street openings.
 - [2] Construction and maintenance of sidewalks and curbs.
 - [3] Erection and maintenance of street name signs.
 - [4] Construction, improvements and maintenance of off-street parking lots.
 - [5] Maintenance of vehicles and other mechanical equipment, as assigned by the Borough Council.
 - [6] Maintenance and operation of all public buildings, except fire houses.
 - [7] Street and other municipal lighting.
 - [8] Cutting grass and weeds on municipal property, as assigned, and assisting other municipal bodies such as Library Board of Trustees, etc., in the maintenance of building and grounds, including the cutting of grass and weeds thereon at the request of such agency and as assigned.
 - [9] Shade tree matters.
 - [10] The Borough Engineer and his office.
 - [11] The cleaning of streets and municipal parking lots, including leaf collection and snow removal.
 - [12] Stormwater collection and disposal.
 - [13] Construction and maintenance of municipal incinerator.
 - [14] Garbage, ash and refuse collection and disposal.
 - (2) Water and sewer.
 - (a) The administration, practices, procedures and records of the following:
 - [1] The water utility.
 - [2] Sanitation activities, including construction and maintenance of sewage disposal plants and sanitary sewers.
 - (b) It shall serve as liaison between the New Jersey Public Utility Commission and the New Jersey Public Health Division, and the Borough Council in all matters of rate finding and other related matters.
- E. Code Enforcement, Environmental Control, Health, Welfare and Building Codes Committees. The Code Enforcement, Environmental Control, Health, Welfare and Building Codes Committees shall have primary responsibility for the following described activities and matters:

- (1) Welfare and poor relief activities.
 - (2) Public health nursing.
 - (3) Air, water and other environmental pollution.
 - (4) Liaison between the Council and the Environmental Commission.
 - (5) The Construction Official and his office.
 - (6) Code enforcement.
- F. Parks, Recreation and Personnel Committee. The Parks, Recreation and Personnel Committee shall have the primary responsibility for the following described activities and matters:
- (1) The administration, practices, procedures and records of the following:
 - (a) Parks maintenance and improvement, including the Marine Park and municipal docks and the maintenance of all paved areas in parks which are not dedicated public streets.
 - (b) Recreation activities sponsored or conducted at Borough expense, including summer playgrounds and tennis courts and similar facilities.
 - (c) Youth and educational activities sponsored or directed by the Borough.
 - (d) Public relations activities sponsored by or participated in by the Borough.
 - (2) It shall also serve as the liaison between the Council and the following:
 - (a) Patriotic celebrations financed wholly or in part by public funds.
 - (3) Personnel matters.
 - (4) Zoning and planning.

Chapter 90, Officers and Employees.

Article III, Prosecutor.

This article is amended to read as follows:

§ 90-8. Created.

There is hereby established the position of Prosecutor for the Borough, which position shall be filled by the appointment of the Mayor, with the advice and consent of the Council, to perform the duties and functions as per N.J.S.A. 2B:25-1 et seq.

§ 90-9. Term.

The term of office of the Prosecutor shall be one year, commencing January 1 of the calendar year and concluding December 31 of the same year.

Article V, Fire Marshal.

Section 90-24C is amended to read: “The Fire Marshal will be appointed in accordance with § 361-6B by the Mayor with the consent of the Council to serve at the pleasure of the Mayor and Council.”

Article X, Chief Financial Officer.

Section 90-46 is amended to read: “The Chief Financial Officer shall be appointed for a term of four years, which shall run from January 1 in the year in which the Chief Financial Officer is appointed.”

Chapter 97, Parking Utility.

Section 97-5A is amended to update the statutory reference to N.J.S.A. 40A:5-15.

Chapter 118, Police Department.

Article IV, Special Law Enforcement Officers.

Section 118-25 is amended to remove the dollar amounts therefrom and insert language indicating that the minimum and maximum hourly rate shall be established by the Mayor and Council, to read as follows: “*Special law enforcement officers appointed by the Borough of Red Bank shall receive a rate of pay that is within the following ranges established by the Mayor and Council. The actual salary paid each special law enforcement officer shall be set forth in the resolution appointing each individual to the position.*” [Subsections A and B of § 118-25 deleted.]

Chapter 219, Alcoholic Beverages.

Article I, Licensing and Regulations.

Section 219-3D(1) is amended to read:

- (1) *The annual fees of licenses for the sale and distribution of alcoholic beverages in the Borough shall be as follows:*
 - (a) *Plenary retail consumption license: \$2,500.*
 - (b) *Plenary retail distribution license: \$2,500.*
 - (c) *Club license: \$188.*

Chapter 224, Amusements and Vending Machines, Coin-Operated.

Section 224-11 is amended to update the statutory reference to N.J.S.A. 2C:64-1 et seq.

Chapter 231, Animals.

Article III, Feeding or Abandoning Wildlife and Waterfowl.

Section 231-29 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Article IV, Vicious and Potentially Dangerous Dogs.

Section 231-34A(2) is amended to add “*Severely injured or*” prior to “*Killed another domestic animal*” and add “*Severely injuring or*” prior to “*Killing a domestic animal*” in § 231-34B(2).

Article V, Canvassing.

In the first sentence of § 231-43, “annually” is changed to “biennially.”

Article VI, Pet Solid Waste Disposal.

Section 231-49 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 238, Assemblies, Public.

Section 238-13 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 252, Brush, Weeds and Debris.

Section 252-4 is amended to change “Superintendent of the Street Department” to “Director of Public Utilities.”

Chapter 265, Buildings and Dwelling Units, Unfit.

Sections 265-4 and 265-6 is amended to change “*Basic Property Maintenance Code*” to “*Property Maintenance Code.*”

Chapter 277, Checks, Returned.

Section 277-2 is added:

§ 277-2. Collection of service charge.

Any service charge authorized by this chapter shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered. In addition, the governing body may require future payments to be tendered in cash or by certified or cashier's check.

Chapter 286, Cigarette Vending Machines.

- A. Section 286-2A, D and E is amended to change instances of “18” to “19”
- B. Section 286-4 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 340, Fees for Vital Statistics.

Section 340-2A is amended to add “or civil union” after “marriage license.”

Chapter 361, Fire Prevention and Protection.

The lead-in paragraph in § 361-10 is amended to change “*BOCA Basic/Fire Prevention Code 1996*” to “*2006 International Fire Code.*”

Chapter 404, Housing Discrimination.

- A. Section 404-4 is amended to change “*Clerk of the Municipal Court*” to “*Administrator of the Municipal Court.*”
- B. Section 404-5A is amended to remove the incremental penalties and apply the maximum penalty: “*Any person who violates any provision of §§ 404-1 through*

404-4 of this chapter shall, and upon conviction, for the first offense pay a fine of not more than \$250 and for the second offense shall pay a fine of not more than \$500; and for the third offense shall pay a fine of \$500 or be imprisoned for a period not more than 30 days, or both be subject to the general penalty in Chapter 1, Article II, General Penalty, of the Code of the Borough of Red Bank. Each and every offense shall be deemed to be and constitute a separate and distinct violation of this chapter.”

- C. Section 404-5C is amended to change N.J.S.A. 18:25-4 to “the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.”

Chapter 505, Property Maintenance.

Article I, Adoption of Standards.

Section 505-2 is amended to delete the following sentence therefrom: “*Unless specifically set forth to the contrary by Ordinance, commencing on the effective date of this Ordinance, the most recent version of the International Property Maintenance Code shall be designated and adopted as the Borough’s property maintenance code.*”

Chapter 523, Rental Property.

Article III, Registration; Inspections.

Section 523-24A is amended to replace the penalty with a reference to the general penalty in Chapter 1, Article II, but retain the minimum fine of \$500.

Article IV, Deferred Prosecution Agreements.

Section 523-28A is amended to replace the maximum fine with a reference to the general penalty in Chapter 1, Article II, but retain the minimum fine of \$500.

Chapter 530, Rent Control.

Article III, Violations and Penalties.

Section 530-20 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 536, Sales, Special.

Section 536-4B is amended to change the license application fee to \$100 and change the license renewal fee to \$50.

Chapter 562, Sidewalk Cafes and Restaurants.

Section 562-6 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 571, Skateboards, Roller Skates and Roller Blades.

- A. Section 571-7 is amended to change “14 years” to “17 years.”

B. Section 571-9A is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

C. Section 571-9 is amended to add Subsection B:

A person who violates the provisions of § 571-7 by failing to wear an approved helmet shall be warned of the violation by the enforcing official. The parent or legal guardian of the violator may be fined a maximum of \$25 for a first offense and a maximum of \$100 for a subsequent offense. The penalties provided under the provisions of this subsection for failing to wear an approved helmet may be waived if the parent or legal guardian of the violator presents suitable proof that an approved helmet or appropriate personal protection equipment has been purchased since the violation occurred.

Chapter 583, Soil Removal.

Section 583-6A is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 590, Solid Waste.

Article I, Recycling.

Section 590-10A is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Article III, Solid Waste Collection.

Section 590-22C is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Article IV, Collection from Retail Food Establishments.

Section 590-27A is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 596, Special Improvement District.

Article I, Red Bank RiverCenter.

Section 596-7A(3) is amended to change “22” to “23.”

Chapter 608, Streets and Sidewalks.

Article I, Visual Obstructions and Intersections.

Section 608-4 is amended to change “Street Superintendent” to “Director of Public Utilities.”

Article V, Removal of Snow and Ice from Sidewalks.

- A. Section 608-10 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.
- B. Section 608-11 is amended to change “Supervisor of Streets” to “Director of Public Utilities.”

Article VI, Removal of Overhanging Branches.

Section 608-13 is amended to change “Street Superintendent” to “Director of Public Utilities.”

Article VIII, Construction and Repair of Sidewalks, Curbs and Driveways.

Section 608-17 is amended to change the application fee to \$10.

Section 608-22 is amended to change the per-linear-foot fee to \$0.25 and change the minimum fee to \$25.

Article IX, Excavations and Openings in Streets.

Section 608-36B(2) is amended, in part, as follows: “Steel dowels (18 inches long, 1 1/8 inch diameter epoxy coated) shall be set in pre-drilled holes in the existing concrete pavement spaced very two feet along the cut edge, as per Bar Embedment Detail in Detail “B.””

Chapter 617, Swimming Pools.

- A. Section 617-3 is amended to delete the third sentence thereof, referring to an application fee.
- B. Section 617-6B is amended to delete the last sentence thereof, referring to an application fee.
- C. Section 617-6C is amended to change \$5 to \$35.

Chapter 633, Taxicabs.

Section 633-8 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 652, Towing.

- A. Section 652-9J(2) is amended, in part, as follows: “*The maximum rates, as fixed on Schedule A attached to and incorporated into this section shall apply to the towing and storage of all passenger vehicles ~~except those exempted pursuant to N.J.S.A. 17:33B-47 et seq. and N.J.A.C. 11:3-38.1 et seq.~~ as well as to all non-passenger vehicles not exceeding three tons in weight.*”
- B. Section 652-15 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 665, Trees.

Section 665-4A and B is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 675, Vehicles, Abandoned and Inoperable.

Article I, Inoperable Vehicles.

Section 675-6 is amended to delete the penalty and instead provide a reference to the general penalty in Chapter 1, Article II, General Penalty.

Chapter 680, Vehicles and Traffic.

Section 680-32P and 680-33P are amended to read:

Penalty. Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of this section or any supplement thereto shall be liable to a penalty of not more than \$50 or imprisonment for a term not exceeding 15 days, or both.

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, STATE OF NEW
JERSEY AMENDING THE CODE OF THE
BOROUGH OF RED BANK BY ADOPTING A NEW
ARTICLE I, MUNICIPAL CLERK, TO BE ADDED
TO CHAPTER 90, OFFICERS AND EMPLOYEES.**

offered the following ordinance and moved its introduction:

WHEREAS, the Mayor and Council has determined it to be in the best interests of the Borough of Red Bank to adopt new provisions regarding the Municipal Clerk; and

WHEREAS, the Borough is engaged in a codification project at this time; and

WHEREAS, it is the opinion of the Mayor and Council that said provisions should be adopted in conjunction with the adoption of the Code of the Borough of Red Bank and be designated as Article I of Chapter 90, Officers and Employees;

THEREFORE, the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, do hereby ordain as follows:

SECTION ONE: The following shall be adopted as Chapter 90, Officers and Employees, Article I, Municipal Clerk, of the proposed Code of the Borough of Red Bank:

Chapter 90

OFFICERS AND EMPLOYEES

ARTICLE I

Municipal Clerk

§ 90-1. Appointment; qualifications.

There shall be a Municipal Clerk appointed by the Mayor and Council. The qualifications, term and duties of the Clerk shall be as per N.J.S.A. 40A:9-133 et seq. The Municipal Clerk shall hold a Registered Municipal Clerk Certificate as required by law.

§ 90-2. Duties.

The Municipal Clerk shall:

- A. Act as secretary of the municipal corporation and custodian of the municipal seal and of all minutes, books, deeds, bonds, contracts, and archival records of the municipal corporation. The governing body may, however, provide by ordinance that any other specific officer shall have custody of any specific other class of record;
- B. Act as secretary to the governing body, prepare meeting agendas at the discretion of the governing body, be present at all meetings of the governing body, keep a journal of the proceedings of every meeting, retain the original copies of all ordinances and resolutions, and record the minutes of every meeting;
- C. Serve as the chief administrative officer in all elections held in the Borough, subject to the requirements of Title 19 of the Revised Statutes;
- D. Serve as chief registrar of voters in the Borough, subject to the requirements of Title 19 of the Revised Statutes;
- E. Serve as the administrative officer responsible for the acceptance of applications for licenses and permits and the issuance of licenses and permits, except where statute or municipal ordinance has delegated that responsibility to some other municipal officer;
- F. Serve as coordinator and records manager responsible for implementing local archives and records retention programs as mandated pursuant to Title 47 of the

Revised Statutes;

G. Perform such other duties as are now or hereafter imposed by statute, regulation or by municipal ordinance or regulation. (N.J.S.A. 40A:9-133e)

§ 90-3. Compensation.

The salary of the Municipal Clerk shall be such as fixed by resolution of the Borough Council or by the Borough's Salary Ordinance.

SECTION TWO:

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

SECTION THREE:

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

SECTION FOUR:

This ordinance shall be in effect upon passage and publication 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 – September 14, 2016

Second Reading – _____

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Red Bank held on the _____ day of _____, **2016**, and will be considered for second and final passage at a meeting of the Borough Council to be held on the _____ day of _____, **2016**, at 8:00 p.m. at the Municipal Building located at 90 Monmouth Street, Red Bank, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

PAMELA BORGHI, Borough Clerk
Borough of Red Bank

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, STATE OF NEW
JERSEY AMENDING THE CODE OF THE
BOROUGH OF RED BANK BY ADOPTING A NEW
ARTICLE XVII, MUNICIPAL ATTORNEY, TO BE
ADDED TO CHAPTER 90, OFFICERS AND
EMPLOYEES.**

offered the following ordinance and moved its introduction:

WHEREAS, the Mayor and Council has determined it to be in the best interests of the Borough of Red Bank to adopt new provisions regarding the Municipal Attorney; and

WHEREAS, the Borough is engaged in a codification project at this time; and

WHEREAS, it is the opinion of the Mayor and Council that said provisions should be adopted in conjunction with the adoption of the Code of the Borough of Red Bank and be designated as Article XVII of Chapter 90, Officers and Employees;

THEREFORE, the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, do hereby ordain as follows:

SECTION ONE: The following shall be adopted as Chapter 90, Officers and Employees, Article XVII, Municipal Attorney, of the proposed Code of the Borough of Red Bank:

Chapter 90

OFFICERS AND EMPLOYEES

ARTICLE XVII

Municipal Attorney

§ 90-69. Created.

There is hereby created the position of Municipal Attorney.

§ 90-70. Appointment and term of office.

The Municipal Attorney shall be appointed by the Mayor, with the advice and consent of the Borough Council, and shall serve a term of office of one year commencing on January 1 of the year of appointment and ending on December 31, or until a successor shall be appointed and qualified.

§ 90-71. Qualifications.

The Municipal Attorney shall be a duly licensed attorney-at-law of the State of New Jersey.

§ 90-72. Duties.

The duties of the Municipal Attorney shall be as follows:

- A. The Municipal Attorney shall represent the Borough in all legal matters and shall advise and assist the Mayor, the Council, and various department and division directors as may be required. The Municipal Attorney shall attend meetings of the Council, draft ordinances and resolutions and give opinions and rulings on questions of law which may arise at Council meetings. The Municipal Attorney shall prepare or approve all legal instruments relating to the business of the Borough and shall represent the Borough in any litigation and conduct trials, appeals and other proceedings in which the Borough is interested as the attorney may, in his or her discretion, determine to be necessary or desirable, or as directed by the Mayor or Council;
- B. The Municipal Attorney shall have the power to enter into any agreement, compromise or settlement of any litigation in which the Borough is involved, subject

to the approval of Council;

- C. Wherever he or she deems the interest of the Borough so to require, the Municipal Attorney may, with the approval of the Mayor and within the limits of available appropriations, appoint special counsel to assist the Municipal Attorney in the handling of any legal matter. If the Municipal Attorney should be disqualified with respect to any matter, the Mayor may, with the approval of the Council, appoint special legal counsel to represent the Borough for and with respect to such matter;
- D. The Municipal Attorney may designate another Attorney from their office, who shall be a duly licensed attorney-at-law of the State of New Jersey, to assist the Municipal Attorney in the handling of the aforementioned duties at the Municipal Attorney's request, or whenever the Municipal Attorney is temporarily unable to fulfill their role.

SECTION TWO:

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

SECTION THREE:

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

SECTION FOUR:

This ordinance shall be in effect upon passage and publication 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 – September 14, 2016

Second Reading – _____

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Red Bank held on the _____ day of _____, **2016**, and will be considered for second and final passage at a meeting of the Borough Council to be held on the _____ day of _____, **2016**, at 8:00 p.m. at the Municipal Building located at 90 Monmouth Street, Red Bank, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

PAMELA BORGHI, Borough Clerk
Borough of Red Bank

ORDINANCE NO. 2016-17

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, "TRAFFIC,"
SECTION 7-3.3, "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"
SCHEDULE I, "NO PARKING"

Councilman Whelan offered the following ordinance and moved its introduction:

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter VII of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "TRAFFIC," Section 7-3.3, "Parking Prohibited At All Times On Certain Streets," Schedule I, "No Parking," is hereby amended and supplemented as follows:

SECTION ONE: Schedule I, "No Parking," is amended and supplemented as follows:
(*strikeouts denote deletions, underlined text denotes additions*):

SCHEDULE I
No Parking

In accordance with the provisions of Subsection 7-3.3, no person shall park a vehicle at any time upon any of the following described streets or parts of streets.

Name of Street	Side	Location
<u>Bodman Place</u>	<u>West</u>	<u>Starting at the intersection of Route 35 and Bodman Place extending north 385 feet and from 460 feet of the same intersection extending north to the northern terminus of the road.</u>

[All other provisions remain unchanged]

SECTION TWO: 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.

SECTION THREE: 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 FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Councilman Zipprich 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: August 24, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-236**

**RESOLUTION AUTHORIZING THE RELEASE OF CASH BOND
FOR ACELERO LEARNING CENTER, BLOCK 77, LOTS 23 AND 24**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank required the posting of a performance guarantee for a Minor Site Plan in regard to the approvals given to Acelero Learning Center for Monmouth County Head Start Program, located at 144 Drs. James Parker Drive, Block 77, Lots 23 and 24 on the Tax Map of the Borough of Red Bank; and

WHEREAS, the developer gave authorization to the Borough of Red Bank to retain the existing cash bond on file, in the amount of \$4,986.00; and

WHEREAS, the Borough Engineers have found that the developer of Acelero Learning Center for Monmouth County Head Start Program has completed all site improvements and recommended that the cash bond be released.

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 in cash by Acelero Learning Center's Minor Site Plan for the Monmouth County Head Start Program for Drs. James Parker Drive, also known as Block 77, Lots 23 and 24 on the Tax Map of the Borough of Red Bank, consisting of cash in the amount of \$4,986.00.

2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Red Bank Planning Board, and the Applicant, Home and Land Development.

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: September 14, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-237**

**RESOLUTION AUTHORIZING THE MONMOUTH COUNTY PROSECUTOR'S OFFICE
TO CONDUCT ALL CRIMINAL INVESTIGATIONS REGARDING
ANIMAL CRUELTY WHICH OCCUR IN THE BOROUGH OF RED BANK**

offered the following resolution and moved its adoption:

WHEREAS, the Monmouth County Prosecutor's Office has requested all municipalities within the County to authorize the County Prosecutor's Office to investigate all potential criminal investigations regarding animal cruelty, including any crimes which may involve animal cruelty; and

WHEREAS, the Monmouth County Prosecutor's Office has requested this authority in order to provide a coordinated effort throughout the County to investigate animal cruelty which may rise to the criminal level; and

WHEREAS, the Borough of Red Bank wishes to cooperate with the Monmouth County Prosecutor's Office in creating a coordinated system of animal cruelty investigation.

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 Monmouth County Prosecutor's Office is authorized to serve as the investigating agency for all allegations of criminal level animal cruelty and any crimes which may involve animal cruelty which occur within the Borough of Red Bank.

2. That the Borough's Animal Control Officer is hereby directed to refer all potential criminal animal cruelty matters to, and to cooperate fully with, the Monmouth County Prosecutor's Office in such investigation.

3. That a certified copy of this resolution be forwarded to the Monmouth County Prosecutor's Office and the Borough's Animal Control Officer.

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: September 14, 2016

BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-239

A RESOLUTION APPOINTING PER DIEM PART-TIME DISPATCHER

offered the following resolution and moved its adoption:

WHEREAS, the Governing Body of the Borough of Red Bank is in agreement with the recommendation of the Chief of Police to appoint a part-time per diem dispatcher to the Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that Ryan Spahr is hereby appointed to the position of part-time per diem Dispatcher to the Borough of Red Bank Police Department effective immediately at a rate of pay of \$14.73 per hour.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to Ryan Spahr, the Chief of Police and the Personnel Office.

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: September 14, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-240**

**RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT
WITH RIVERWALK COMMONS RED BANK, LLC, C/O LANGAN DEVELOPMENT, LLC**

offered the following resolution and moved its adoption:

WHEREAS, Riverwalk Commons Red Bank, LLC, c/o Langan Development, LLC (the "Developer") is the owner of property known as Block 29, Lot 5.01, as shown on the Tax Map of the Borough of Red Bank; and

WHEREAS, by Zoning Board Resolution No. 2012-34, dated October 18, 2012, the Developer received final site plan and variance approvals of the property from the Borough of Red Bank Zoning Board of Adjustment; and

WHEREAS, certain improvements are required by the final approved site plan, and the Developer has agreed to enter into a Developer's Agreement with the Borough to memorialize the requirements and conditions of the plan; and

WHEREAS, the Borough Council desires to authorize the execution of the Developer's Agreement attached hereto as Schedule A.

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 is hereby authorized to execute, and the Clerk to attest to the execution of the Developer's Agreement with Riverwalk Commons Red Bank, LLC, c/o Langan Development, LLC, attached hereto as Schedule A. Said agreement shall be in a form acceptable to the Borough Attorney.
2. That this resolution shall become effective immediately.
3. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Borough of Red Bank Zoning Board of Adjustment and Riverwalk Commons Red Bank, LLC, c/o Langan Development, 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: September 14, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-241**

**RESOLUTION AUTHORIZING THE EXECUTION OF A
DEVELOPER’S AGREEMENT WITH METROVATION ANDERSON, LLC**

offered the following resolution and moved its adoption:

WHEREAS, Metrovation Anderson, LLC (the “Developer”) is the owner of property located at 212, 218-220 Monmouth Street, 35-37 Shrewsbury, 39-41, 47-51 Shrewsbury Avenue, also known as Block 38, Lots 1, 2, 2.02, 7, 8, 9 and 10, as shown on the Tax Map of the Borough of Red Bank; and

WHEREAS, by Zoning Board Resolution No. Z 2014-27, the Developer received Site Plan approval, use/”D” variance approval, height variance approval and bulk variance approval with respect to said property from the Borough of Red Bank Zoning Board of Adjustment; and

WHEREAS, certain improvements are required by the approved site plan, and the Developer has agreed to enter into a Developer’s Agreement with the Borough to memorialize the requirements and conditions of the plan; and

WHEREAS, the Borough Council desires to authorize the execution of the Developer’s Agreement attached hereto as Schedule A.

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 is hereby authorized to execute, and the Clerk to attest to the execution of the Developer’s Agreement with Metrovation Anderson, LLC, attached hereto as Schedule A. Said agreement shall be in a form acceptable to the Borough Attorney.
2. That this resolution shall become effective immediately.
3. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Borough of Red Bank Zoning Board of Adjustment and Metrovation Anderson, 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: September 14, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-242

**A RESOLUTION AUTHORIZING PLACE-TO-PLACE EXPANSION OF PREMISES
TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-011-005
(BHE CORP t/a Red Rock Tap & Grill)**

offered the following resolution and moved its adoption:

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Red Bank, Monmouth County, New Jersey to transfer Plenary Retail Consumption License No. 1340-33-011-005 currently issued to BHE Corp. trading as Red Rock Tap & Grill) for premises located at 14 Wharf Avenue, Red Bank, NJ;

WHEREAS, the Mayor and Council have determined that the application form is complete in all respects; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder as well as pertinent local ordinances and conditions consistent with Title 33; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the place-to-place expansion of premises transfer of the Plenary Retail Consumption License No. 1340-33-011-005 issued to BHE Corp. trading as Red Rock Tap & Grill for premises located at 14 Wharf Avenue, Red Bank, New Jersey is hereby approved to include the second floor of the building effective September 15, 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: September 14, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-243

**A RESOLUTION AUTHORIZING RENEWAL OF
PLENARY RETAIL DISTRIBUTION LICENSES FOR 2016-2017**

offered the following resolution and moved its adoption:

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Plenary Retail Distribution Licenses issued for the period July 1, 2016 through June 30, 2017 are hereby renewed:

1340-44-028-002 Heritage Liquors, Inc.

Inactive

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: September 14, 2016

PROCLAMATION

BOROUGH OF RED BANK

WHEREAS, SEPTEMBER OF EACH YEAR IS RECOGNIZED AS CHILDHOOD CANCER AWARENESS MONTH THROUGHOUT THE NATION; AND

WHEREAS, CANCER IS THE LEADING CAUSE OF DEATH BY DISEASE IN U. S. CHILDREN UNDER 15 YEARS OF AGE KILLING MORE CHILDREN THAN AIDS, ASTHMA, CYSTIC FIBROSIS, DIABETES AND MUSCULAR DYSTROPHY COMBINED; AND

WHEREAS, EVERY SCHOOL DAY, 46 CHILDREN OR TWO CLASSROOMS OF STUDENTS WILL BE DIAGNOSED WITH CANCER – SEVEN OF THEM WILL DIE; AND

WHEREAS, IN THE LAST 25 YEARS, ONLY TWO DRUGS HAVE BEEN SPECIFICALLY DEVELOPED FOR CHILDREN'S CANCER AND TWO-THIRDS OF CHILDHOOD CANCER PATIENTS WILL DEVELOP LONG LASTING CHRONIC CONDITIONS RESULTING FROM TREATMENT; AND

WHEREAS, THE CHILDHOOD CANCER RATES HAVE BEEN RISING FOR THE PAST FEW DECADES AND APPROXIMATELY 15,000 CHILDREN IN THE U. S. UNDER THE AGE OF 15 WILL BE DIAGNOSED WITH CANCER IN 2016; AND

WHEREAS, THE ASHLEY LAUREN FOUNDATION HAS OPERATED AS A 501 (C) (3) NON-PROFIT ORGANIZATION SINCE JULY OF 2005 AND THE MISSION OF THE ASHLEY LAUREN FOUNDATION IS TO BRING HOPE AND HELP TO CHILDREN IN NEW JERSEY WHO HAVE BEEN DIAGNOSED WITH CANCER THROUGH FINANCIAL, MATERIAL AND EMOTIONAL ASSISTANCE, PARTIES, BIRTHDAYS, OUTINGS, "MAKING DREAMS COME TRUE," AND ANYTHING ELSE THAT IS NEEDED TO MAKE THEIR LIVES EASIER, FREE-OF-CHARGE; AND

WHEREAS, THE ASHLEY LAUREN FOUNDATION HAS DEVELOPED PARTNERSHIPS WITH HEALTH CARE CENTERS THROUGHOUT THE STATE OF NEW JERSEY AND OTHERS IN THE FIGHT AGAINST PEDIATRIC CANCER IN ALL FORMS; AND

WHEREAS, THE BOROUGH OF RED BANK IN THE STATE OF NEW JERSEY JOINS IN RECOGNIZING SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH TO INCREASE AWARENESS AND UNDERSTANDING OF CHILDREN WITH CANCER.

NOW, THEREFORE, I, PASQUALE MENNA, MAYOR OF THE BOROUGH OF RED BANK, DO HEREBY PROCLAIM THE MONTH OF SEPTEMBER 2016 AS CHILDHOOD CANCER AWARENESS MONTH AND COMMEND THE FAMILIES, FRIENDS, PROFESSIONALS, AND COMMUNITIES WHO LEND THEIR STRENGTH TO CHILDREN FIGHTING PEDIATRIC CANCER IN HOPES THAT THEIR COURAGE AND COMMITMENT WILL CONTINUE TO MOVE US TOWARD NEW CURES, HEALTHIER OUTCOMES, AND A BRIGHTER FUTURE FOR AMERICA'S YOUTH.

PASQUALE MENNA
MAYOR

Range of Checking Accts: First to Last Range of Check Dates: 08/25/16 to 09/14/16
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					
2117	09/14/16	A0040 ASBURY PARK PRESS	291.50		9171
2118	09/14/16	P0028 PRECISE CONTRUCTION INC	90,953.80		9171

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	91,245.30	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	91,245.30	0.00

CURRENT -VALLEY	CURRENT OPERATING-VALLEY BK	Amount Paid	Reconciled/Void	Ref Num
5724	08/25/16 B0010 VERIZON	916.11		9147
5725	08/25/16 B0185 BROADVIEW NETWORKS	844.36		9147
5726	08/25/16 C0244 COMCAST	293.61		9147
5727	08/25/16 J0045 JCP&L	13,856.58		9147
5728	08/25/16 M0205 MONMOUTH TELECOM	201.16		9147
5729	08/25/16 N0021 NEW JERSEY NATURAL GAS CO	460.44		9147
5730	08/25/16 B0019 BOROUGH OF RED BANK,PAYROLL AC	352,445.40		9148
5731	09/06/16 U0050 US BANK	317,910.08		9156
5732	09/06/16 U0050 US BANK	185,517.41		9157
5733	09/06/16 U0050 US BANK	175,753.67		9158
5734	09/08/16 V0034 VALIC	41,400.00		9162
5735	09/08/16 A0223 AT&T (BOX 105068)	185.52		9165
5736	09/08/16 B0010 VERIZON	2,686.88		9165
5737	09/08/16 C0244 COMCAST	145.90		9165
5738	09/08/16 D0201 DIRECT ENERGY BUSINESS	92.01		9165
5739	09/08/16 N0021 NEW JERSEY NATURAL GAS CO	569.12		9165
5740	09/08/16 V0023 VERIZON WIRELESS (NEWARK)	468.12		9165
5741	09/08/16 V0040 VERIZON WIRELESS (PA25505)	2,270.80		9165
5742	09/14/16 91309 National Parts Supply	354.17		9166
5743	09/14/16 A0017 GENE J ANTHONY ESQ	2,138.93		9166
5744	09/14/16 A0036 A.R. COMMUNICATIONS	645.50		9166
5745	09/14/16 A0040 ASBURY PARK PRESS	0.00	09/14/16 VOID	0
5746	09/14/16 A0040 ASBURY PARK PRESS	2,345.00		9166
5747	09/14/16 A0322 ALL INDUSTRIAL SAFETY PRODUCTS	281.88		9166
5748	09/14/16 A0324 ATLANTIC CITY INSTRUMENT RENTA	5,016.00		9166
5749	09/14/16 B0040 BUTCH'S CAR WASH CO.	248.00		9166
5750	09/14/16 B0107 BAKER & TAYLOR BOOKS W510486	0.00	09/14/16 VOID	0
5751	09/14/16 B0107 BAKER & TAYLOR BOOKS W510486	0.00	09/14/16 VOID	0
5752	09/14/16 B0107 BAKER & TAYLOR BOOKS W510486	3,794.98		9166
5753	09/14/16 C0027 CENTRAL JERSEY HEALTH INS.FUND	16,010.56		9166
5754	09/14/16 C0037 CITY CENTRE PLAZA LLC	757.00		9166
5755	09/14/16 C0060 SHORE BUSINESS SOLUTIONS	714.25		9166
5756	09/14/16 C0170 COOPER ELECTRIC	147.50		9166
5757	09/14/16 C0328 CRANEY INTERPRETING	888.75		9166
5758	09/14/16 C0344 CLEARY GIACOBBE ALFIERI&JACOBS	3,014.34		9166
5759	09/14/16 D0028 DEMCO MEDIA	214.33		9166
5760	09/14/16 D0118 JOHN J DRUCKER JR.	105.00		9166
5761	09/14/16 D0133 PATRICIA J.DANIELS	86.40		9166
5762	09/14/16 D0168 DURHAM SCHOOL SERVICES	2,299.50		9166
5763	09/14/16 D0178 DYNAMIC TESTING SERVICE	333.00		9166
5764	09/14/16 D0181 DCRP-NJ DIV PENSION/BENEFITS	114.94		9166

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK Continued					
5765	09/14/16	E0009 EDMUNDS AND ASSOCIATES	1,179.59		9166
5766	09/14/16	F0019 FIREHOUSE SPECIALTY SHOP	150.00		9166
5767	09/14/16	F0151 FIREFIGHTER ONE	2,782.05		9166
5768	09/14/16	G0021 GREENLEAF LANDSCAPING	4,780.00		9166
5769	09/14/16	G0033 GALE GROUP	282.74		9166
5770	09/14/16	G0159 GOLD TYPE BUSINESS MACHINES	165.00		9166
5771	09/14/16	I0093 INPRO CORP	166.92		9166
5772	09/14/16	J0082 JUNGLE LASERS LLC	1,825.00		9166
5773	09/14/16	L0156 LAWES COMPANY	452.50		9166
5774	09/14/16	M0093 MONMOUTH CTY PARK SYSTEM	479.50		9166
5775	09/14/16	M0276 MUNICIPAL RECORD SERVICE	430.00		9166
5776	09/14/16	M0280 MID-ATLANTIC LEEDS INC	668.58		9166
5777	09/14/16	M0325 MSC INDUSTRIAL SUPPLY CO	178.86		9166
5778	09/14/16	M0366 MONOC - Monmouth Ocean Hospita	1,372.00		9166
5779	09/14/16	M0385 MATTHEW MONTALBANO	40.70		9166
5780	09/14/16	N0012 NATIONAL FIRE PROTECTION ASSOC	175.00		9166
5781	09/14/16	P0041 POLLARD UNDERGROUND	1,561.65		9166
5782	09/14/16	P0138 PITNEY BOWES INC (371896)	609.95		9166
5783	09/14/16	P0146 PITNEY BOWES GLOBAL (371887)	1,208.01		9166
5784	09/14/16	P0180 PAYARGO INC	15.60		9166
5785	09/14/16	R0082 RELIANCE GRAPHICS	3,114.00		9166
5786	09/14/16	R0117 RARITAN BAY MEDICAL CENTER	90.00		9166
5787	09/14/16	R0160 RUTGERS,ST UNIV OF NJ(GEOR.ST)	888.00		9166
5788	09/14/16	S0020 STAVOLA ASPHALT COMPANY INC	63.07		9166
5789	09/14/16	S0029 SHREWSBURY OFFICE SUPPLY	379.70		9166
5790	09/14/16	S0180 S & S WORLDWIDE	766.51		9166
5791	09/14/16	S0187 STEWERT BUSINESS SYSTEMS	21.90		9166
5792	09/14/16	S0238 STAPLES (NY)	202.41		9166
5793	09/14/16	S0327 SPIOTTI & ESPOSITO P.C	3,239.01		9166
5794	09/14/16	W0037 GEORGE WALL LINCOLN MERCURY	223.77		9166
5795	09/14/16	W0075 W.B.MASON CO INC	707.63		9166
5796	09/14/16	W0107 WISS & COMPANY, LLP	1,809.75		9166
5797	09/14/16	W0111 WAGE WORKS	75.00		9166
5798	09/14/16	W0115 MASER CONSULTING P.A	1,930.00		9166
5799	09/14/16	W0116 WAVERLY LLC	395.00		9166
5800	09/14/16	X0003 XEROX CORPORATION	853.92		9166
5801	09/14/16	Y0010 VERMEER NO.ATLANTIC SALES/SERV	562.64		9166

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	75	3	1,169,373.16	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	75	3	1,169,373.16	0.00

DEVELESCROW	DEVELOPERS	ESCROW-COMMERCE BK	Amount Paid	Reconciled/Void	Ref Num
3134	09/14/16	B0018 BOROUGH OF RED BANK,CURRENT AC	1,087.92		9170
3135	09/14/16	G0167 Gluckwalrath LLP	2,175.00		9170
3136	09/14/16	H0199 HOME & LAND DEVELOPMENT CORP	51,409.14		9170
3137	09/14/16	T0004 T&M ASSOCIATES	0.00	09/14/16 VOID	0
3138	09/14/16	T0004 T&M ASSOCIATES	10,258.26		9170
3139	09/14/16	W0115 MASER CONSULTING P.A	8,440.00		9170

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:	5	1	73,370.32	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	5	1	73,370.32	0.00
DOG LICENSE AC DOG LICENSE A/C-SSB					
1816	09/14/16	M0202 MONMOUTH COUNTY SPCA	925.00		9175
1817	09/14/16	N0115 NJ ST.DEPT.HEALTH & SENIOR	45.60		9175
1818	09/14/16	R0028 RED BANK VETERINARY HOSPITAL	100.00		9175
1819	09/14/16	W0037 GEORGE WALL LINCOLN MERCURY	9.53		9175
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
		Paid	Void		
	Checks:	4	0	1,080.13	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	4	0	1,080.13	0.00
GRANT FUND-VNB GRANT FUND-VALLEY NATIONAL					
1123	08/25/16	C0140 COMCAST CABLE (NEWARK)	83.81		9144
1124	08/25/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	10,877.73		9153
1125	09/14/16	A0016 ALPHAGRAPHICS	324.70		9169
1126	09/14/16	R0021 BENNY ROUNDTREE	250.00		9169
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
		Paid	Void		
	Checks:	4	0	11,536.24	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	4	0	11,536.24	0.00
MCIA LEASE MCIA NON CASH MEMO ONLY					
665	09/14/16	A0009 ALLCOM TECHNOLOGIES INC	1,200.00		9172
666	09/14/16	A0050 ATHLETES ALLEY	2,427.00		9172
667	09/14/16	M0168 MOTOROLA SOLUTIONS INC	4,133.18		9172
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
		Paid	Void		
	Checks:	3	0	7,760.18	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	7,760.18	0.00
PAYROLL PAYROLL ACCOUNT					
1970	08/31/16	P0191 PUBLIC EMPLOYEE RETIREMENT SYS	43.19		9154
1971	08/31/16	R0196 RED BANK BOROUGH PBA	1,600.00		9155
1972	08/31/16	C0334 CWA LOCAL 1075	2,639.76		9155
1973	08/31/16	B0018 BOROUGH OF RED BANK,CURRENT AC	43,813.34		9155
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
		Paid	Void		
	Checks:	4	0	48,096.29	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	4	0	48,096.29	0.00
PKINGOP2RIVER PARKING OPERATING TWO RIVER BK					
1210	08/25/16	B0010 VERIZON	62.01		9145
1211	08/25/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	7,076.58		9150
1212	09/06/16	B0018 BOROUGH OF RED BANK,CURRENT AC	75,000.00		9159

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PKINGOP2RIVER PARKING OPERATING TWO RIVER BK Continued					
1213	09/08/16	V0040 VERIZON WIRELESS (PA25505)	711.08		9163
1214	09/14/16	A0040 ASBURY PARK PRESS	319.25		9168
1215	09/14/16	B0063 BOROUGH OF RED BANK-TRUST	5,000.00		9168
1216	09/14/16	B0068 BOROUGH OF REB BANK,UNEMPLOYEM	1,000.00		9168
1217	09/14/16	C0027 CENTRAL JERSEY HEALTH INS.FUND	6,372.44		9168
1218	09/14/16	G0023 GardaWorld	196.62		9168
1219	09/14/16	I0080 INTERGRATED TECHNIAL SYSTEM IN	16.25		9168
1220	09/14/16	P0190 PAPER ROLL PRODUCTS LLC	2,338.80		9168
1221	09/14/16	W0107 WISS & COMPANY, LLP	122.50		9168

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	12	0	98,215.53	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	12	0	98,215.53	0.00

RECREATION-VNB RECREATION TRUST-VNB					
1029	09/14/16	S0043 SWANK MOTION PICTURES INC	350.00		9176
1030	09/14/16	S0243 SHORE FLICKS LLC	4,000.00		9176

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	4,350.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	4,350.00	0.00

TRUST ACCOUNT TRUST ACCOUNT-SSB					
4942	08/25/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	12,505.00		9151
4943	09/14/16	92020 DARREN MCCONNELL	200.00		9173
4944	09/14/16	93288 AM-PM TOWING INC	565.00		9173
4945	09/14/16	A0099 ANTHONY'S AUTO BODY	105.00		9173
4946	09/14/16	C0253 CONCESSION SUPPLY COMPANY	60.00		9173
4947	09/14/16	J0078 JAMES FITZMAURICE	4,204.71		9173
4948	09/14/16	K0046 KALDOR	1,887.18		9173
4949	09/14/16	L0097 L & M AUTO CENTER	105.00		9173
4950	09/14/16	M0040 MONMOUTH BUILDING CENTER	295.29		9173
4951	09/14/16	M0312 M&M AUTO SERVICE	105.00		9173
4952	09/14/16	M0370 MTAG CUST FOR FIG CAPITAL INV	27,400.00		9173
4953	09/14/16	T0107 BOROUGH OF TINTON FALLS	150.00		9173

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	12	0	47,582.18	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	12	0	47,582.18	0.00

TTL REDEMPTION TAX LIEN REDEMPTION					
3412	09/14/16	IN0370 MTAG CUST.FOR FIG CAPITAL INV	2,786.65		9174
3413	09/14/16	M0370 MTAG CUST FOR FIG CAPITAL INV	15,961.56		9174

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	18,748.21	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	18,748.21	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num																								
TWO RIVERS RCA WITH MANALAPAN																													
1794	08/25/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	217.68		9152																								
<table border="0"> <tr> <td>Checking Account Totals</td> <td></td> <td><u>Paid</u></td> <td><u>Void</u></td> <td><u>Amount Paid</u></td> <td><u>Amount Void</u></td> </tr> <tr> <td> Checks:</td> <td></td> <td>1</td> <td>0</td> <td>217.68</td> <td>0.00</td> </tr> <tr> <td> Direct Deposit:</td> <td></td> <td>0</td> <td>0</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td> Total:</td> <td></td> <td>1</td> <td>0</td> <td>217.68</td> <td>0.00</td> </tr> </table>						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
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																								
UNEMPLOYTRUST UNEMPLOYMENT TRUST-																													
1088	09/06/16	S0082 NJ DEPT OF LABOR&WRKFRCE(059)	11,222.05		9160																								
<table border="0"> <tr> <td>Checking Account Totals</td> <td></td> <td><u>Paid</u></td> <td><u>Void</u></td> <td><u>Amount Paid</u></td> <td><u>Amount Void</u></td> </tr> <tr> <td> Checks:</td> <td></td> <td>1</td> <td>0</td> <td>11,222.05</td> <td>0.00</td> </tr> <tr> <td> Direct Deposit:</td> <td></td> <td>0</td> <td>0</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td> Total:</td> <td></td> <td>1</td> <td>0</td> <td>11,222.05</td> <td>0.00</td> </tr> </table>						Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	Checks:		1	0	11,222.05	0.00	Direct Deposit:		0	0	0.00	0.00	Total:		1	0	11,222.05	0.00
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>																								
Checks:		1	0	11,222.05	0.00																								
Direct Deposit:		0	0	0.00	0.00																								
Total:		1	0	11,222.05	0.00																								
WATER CAPITAL WATER/SEWER CAPITAL-SSB																													
1810	09/14/16	A0040 ASBURY PARK PRESS	508.00		9177																								
1811	09/14/16	N0252 National Metering Serv, Inc.	109,572.82		9177																								
<table border="0"> <tr> <td>Checking Account Totals</td> <td></td> <td><u>Paid</u></td> <td><u>Void</u></td> <td><u>Amount Paid</u></td> <td><u>Amount Void</u></td> </tr> <tr> <td> Checks:</td> <td></td> <td>2</td> <td>0</td> <td>110,080.82</td> <td>0.00</td> </tr> <tr> <td> Direct Deposit:</td> <td></td> <td>0</td> <td>0</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td> Total:</td> <td></td> <td>2</td> <td>0</td> <td>110,080.82</td> <td>0.00</td> </tr> </table>						Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	Checks:		2	0	110,080.82	0.00	Direct Deposit:		0	0	0.00	0.00	Total:		2	0	110,080.82	0.00
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>																								
Checks:		2	0	110,080.82	0.00																								
Direct Deposit:		0	0	0.00	0.00																								
Total:		2	0	110,080.82	0.00																								
WATER OPERATING WATER OPERATING SSB																													
9422	08/25/16	B0010 VERIZON	287.40		9146																								
9423	08/25/16	C0244 COMCAST	125.90		9146																								
9424	08/25/16	V0028 VERIZON (P04648)	282.31		9146																								
9425	08/25/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	33,779.03		9149																								
9426	09/07/16	M0262 MIRACLE CHEMICAL COMPANY	2,205.80		9161																								
9427	09/08/16	B0010 VERIZON	350.32		9164																								
9428	09/08/16	D0201 DIRECT ENERGY BUSINESS	21.41		9164																								
9429	09/08/16	N0014 NJ AMERICAN WATER COMPANY	586.30		9164																								
9430	09/08/16	N0021 NEW JERSEY NATURAL GAS CO	440.92		9164																								
9431	09/08/16	V0040 VERIZON WIRELESS (PA25505)	113.51		9164																								
9432	09/14/16	10066 CHRISTINE WALSH	1,100.00		9167																								
9433	09/14/16	91309 National Parts Supply	861.22		9167																								
9434	09/14/16	A0114 ALLIED OIL COMPANY	1,592.31		9167																								
9435	09/14/16	A0322 ALL INDUSTRIAL SAFETY PRODUCTS	145.57		9167																								
9436	09/14/16	B0127 BROAD WAVERLY STAFFING	655.20		9167																								
9437	09/14/16	C0344 CLEARY GIACOBBE ALFIERI&JACOBS	2,129.33		9167																								
9438	09/14/16	D0178 DYNAMIC TESTING SERVICE	167.00		9167																								
9439	09/14/16	K0073 KYOCERA DOCUMENT SOLUTIONS AME	134.19		9167																								
9440	09/14/16	P0057 PILOT ELECTRIC CO INC	380.00		9167																								
9441	09/14/16	P0180 PAYARGO INC	83.70		9167																								
9442	09/14/16	W0107 WISS & COMPANY, LLP	567.75		9167																								
<table border="0"> <tr> <td>Checking Account Totals</td> <td></td> <td><u>Paid</u></td> <td><u>Void</u></td> <td><u>Amount Paid</u></td> <td><u>Amount Void</u></td> </tr> <tr> <td> Checks:</td> <td></td> <td>21</td> <td>0</td> <td>46,009.17</td> <td>0.00</td> </tr> <tr> <td> Direct Deposit:</td> <td></td> <td>0</td> <td>0</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td> Total:</td> <td></td> <td>21</td> <td>0</td> <td>46,009.17</td> <td>0.00</td> </tr> </table>						Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	Checks:		21	0	46,009.17	0.00	Direct Deposit:		0	0	0.00	0.00	Total:		21	0	46,009.17	0.00
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>																								
Checks:		21	0	46,009.17	0.00																								
Direct Deposit:		0	0	0.00	0.00																								
Total:		21	0	46,009.17	0.00																								

Totals by Year-Fund
Fund Description

Fund	Budget Total	Revenue Total	G/L Total	Total	
5-01	17,572.21	0.00	0.00	17,572.21	
5-09	6,388.69	0.00	0.00	6,388.69	
Year Total:	23,960.90	0.00	0.00	23,960.90	
6-01	1,151,800.95	0.00	0.00	1,151,800.95	
6-05	44,909.17	0.00	0.00	44,909.17	
6-09	91,826.84	0.00	0.00	91,826.84	
Year Total:	1,288,536.96	0.00	0.00	1,288,536.96	
C-04	91,245.30	0.00	0.00	91,245.30	
G-01	2,144.60	0.00	0.00	2,144.60	
G-02	9,391.64	0.00	0.00	9,391.64	
Year Total:	11,536.24	0.00	0.00	11,536.24	
M-13	6,560.18	0.00	0.00	6,560.18	
M-15	1,200.00	0.00	0.00	1,200.00	
Year Total:	7,760.18	0.00	0.00	7,760.18	
T-12	47,582.18	0.00	0.00	47,582.18	
T-13	18,748.21	0.00	0.00	18,748.21	
T-14	217.68	0.00	0.00	217.68	
ANIMAL CONTROL TRUST FUND	T-15	1,080.13	0.00	0.00	1,080.13
	T-17	11,222.05	0.00	0.00	11,222.05
PAYROLL FUND BUDGET	T-22	48,096.29	0.00	0.00	48,096.29
RECREATION TRUST	T-23	4,350.00	0.00	0.00	4,350.00
Year Total:	131,296.54	0.00	0.00	131,296.54	
	W-06	110,080.82	0.00	0.00	110,080.82
Total of All Funds:	1,664,416.94	0.00	0.00	1,664,416.94	

Project Description	Project No.	Project Total
Inspection 48 Reckless,LLC	PI11300	771.12
Inspection - Butch's Automatic	PI11413	2,568.44
Review Asha Realty One LLC	PR11286	79.50
Review - Dr.Gregory A. Greco	PR11410	198.75
Review Total Storage Concepts	PR11423	2,889.75
Review Top Notch Delicacies/Re	PR11635	1,087.92
Review Meridian Hospitals Corp	PR11655	11,112.00
Review - Rega 325 Broad St LLC	PR11726	300.00
Redeve-55 w front st	RR11233	1,575.00
SEWER LINE UPGRADE-C WELSH	WTR0000047	1,100.00
Bond-Home & Land Dev. %Farkouh	ZB11323	51,409.14
Review Conte	ZR10336	1,078.70
Rev-Fortune Sq/Yellow Brook	ZR11871	300.00
Total of All Projects:		<u>74,470.32</u>