

**AGENDA
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
SEPTEMBER 28, 2016
6:30 P.M.**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SUNSHINE STATEMENT
4. SUSPEND REGULAR ORDER OF BUSINESS
5. RESUME REGULAR ORDER OF BUSINESS
6. WORKSHOP
 - 6.I. Council Committee Meetings Open To The Public
 - 6.II. Request From Property Owner For Planning Board Referral
7. APPROVAL OF MINUTES
 - 7.I. September 14, 2016
8. MAYORAL APPOINTMENTS
9. REPORTS OF MAYOR AND COUNCIL MEMBERS
10. COMMUNICATIONS AND PETITIONS
 - 10.I. Request From St. Thomas Episcopal Church To Host Festival Latino In Conjunction With The Hispanic Commission Of The Diocese Of New Jersey On October 1, 2016 And To Close East Sunset Avenue For The Duration Of The Event. Subject To Approval By Traffic Division Of Police Department.
11. PUBLIC COMMENT--Ordinances On First Reading And Resolutions Only
12. ORDINANCES - First Reading
 - 12.I. 2016-22 An Ordinance Amending And Supplementing Chapter VII, "Traffic," Section 7-3.4, "Parking Prohibited During Certain Hours On Certain Streets" Schedule II, "Parking Prohibited Certain Hours."

Documents:

[2016-22.PDF](#)
 - 12.II. 2016-23 An Ordinance Adopting A Redevelopment Plan For The Property Commonly Known As 55 West Front Street And Identified On The Borough's Official Tax Map As Block 30, Lot 1.01

Documents:

[2016-23.PDF](#)
[2016-23 ATTACHMENT.PDF](#)

13. ORDINANCES - Public Hearing And Final Adoption

- 13.I. 2016-18 An Ordinance Authorizing The Grant Of A Reciprocal Easement Agreement With Riverwalk Commons Red Bank, LLC.

Documents:

[2016-18.PDF](#)

- 13.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](#)

- 13.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](#)

- 13.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](#)

14. RESOLUTIONS

- 14.I. 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](#)

- 14.II. 16-246 A Resolution To Cancel Outstanding Stale Checks

Documents:

[16-246.PDF](#)

- 14.III. 16-247 A Resolution Authorizing Tax Credits/Refunds Totaling \$3,878.16 Due To Judgments Of The Tax Court Of New Jersey.

Documents:

[16-247.PDF](#)

14.IV. 16-248 A Resolution Authorizing Tax Refund Totaling \$1,978.62 Due To Wrongly Applied Payment.

Documents:

[16-248.PDF](#)

14.V. 16-249 A Resolution To Authorize The Issuance Of An Interest-Free Internal Note Of The Borough Of Red Bank, County Of Monmouth.

Documents:

[16-248.PDF](#)

14.VI. 16-250 A Resolution Authorizing Place-To-Place Expansion Of Premises Transfer Of Plenary Retail Consumption License No. 1340-32-003-009 (Teak Restaurant Group, LLC)

Documents:

[16-250.PDF](#)

14.VII. 16-251 A Resolution To Approve The Hiring Of Temporary Part Time Interim Animal Control Officer.

Documents:

[16-251.PDF](#)

14.VIII. 16-252 A Resolution Awarding A Contract To USA General Contractors, Corp. For Municipal Complex Building Repairs.

Documents:

[16-252.PDF](#)

14.IX. 16-253 A Resolution Authorizing Change Order No. 1 Related To The Contract With Precise Construction Inc. For The North Prospect Ave And Library Bulkheads Replacement Project.

Documents:

[16-253.PDF](#)

14.X. 16-254 A Resolution Authorizing The Mayor To Execute A Sidebar Agreement With PBA Local #39.

Documents:

[16-254.PDF](#)

14.XI. 16-255 A Resolution Authorizing The Sale Of Municipally-Owned Property Located At 32 Mechanic Street, Block 29, Lot 8 To David Glassberg For \$392,587.

Documents:

[16-255.PDF](#)

14.XII. 16-256 A Resolution Authorizing The Execution Of A Developer's Agreement With Yellowbrook Property Group, LLC.

Documents:

[16-256.PDF](#)

15. PROCLAMATIONS

16. PAYMENT OF VOUCHERS

16.I. 16-Xxx A Resolution For Payment Of Bills Amounting To \$3,558,120.98.

Documents:

[BILL LIST 9-28-16.PDF](#)

17. OLD BUSINESS

18. NEW BUSINESS

19. AUDIENCE

20. EXECUTIVE SESSION

21. ADJOURNMENT

ORDINANCE NO. 2016-22

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, "TRAFFIC," SECTION 7-3.4, "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS" SCHEDULE II, "PARKING PROHIBITED CERTAIN HOURS"

offered the following resolution and moved its adoption:

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 7-3.4, "Parking Prohibited During Certain Hours on Certain Streets," Schedule II, "Parking Prohibited Certain Hours," is hereby amended and supplemented as follows:

SECTION ONE: Schedule II, "Parking Prohibited Certain Hours," is amended and supplemented as follows: (strikeouts denote deletions, underlined text denotes additions):

SCHEDULE I
No Parking

In accordance with the provisions of Subsection 7-3.4, no person shall park a vehicle at during certain times on any of the following described streets or parts of streets.

Table with 4 columns: Name of Street, Side, Hours, Location. Row 1: Spring Street, West, 9AM-11AM Mondays and Thursdays, Starting at a point 675 feet south of the intersection of Highland Avenue and Spring Street and running south for a distance of 275 feet.

[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 and adopted on roll call by the following vote:

Table with 5 columns: Name, Yes, No, Abstain, Absent. Rows for Councilwoman Burnham, Councilman Zipprich, Councilwoman Horgan, Councilwoman Schwabenbauer, Councilman Taylor, Councilman Whelan.

DATED: September 28, 2016

ORDINANCE NO. 2016-23

**AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY
COMMONLY KNOWN AS 55 WEST FRONT STREET AND
IDENTIFIED ON THE BOROUGH’S OFFICIAL TAX MAP AS BLOCK 30, LOT 1.01**

Offered the following ordinance and moved its introduction:

WHEREAS, on March 23, 2016, the Borough Council adopted Resolution 16-90 directing the Planning Board to undertake a preliminary investigation to determine the real property located at 55 West Front Street, Red Bank, New Jersey and identified on the Borough’s tax map as Block 30, Lot 10.01 (the “Front Street Property”) meets the statutory criteria to be designated as a “Non-Condensation Area In Need Of Redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”); and

WHEREAS, the Planning Board held a public hearing regarding the preliminary investigation of the Front Street Property on June 6, 2016 and the Planning Board subsequently adopted a resolution recommending that the Borough Council designate the Front Street Property as a “Non-Condensation Area In Need Of Redevelopment” under the LRHL; and

WHEREAS, the Borough Council reviewed the Planning Board’s recommendations and adopted Resolution 16-189 determining that the Front Street Property is a “Non-Condensation Area In Need of Redevelopment” under the LRHL; and

WHEREAS, the Borough has prepared a proposed redevelopment plan for the Front Street Property; and

WHEREAS, the Borough Council has reviewed the redevelopment plan and has considered the recommendations of the Planning Board and any public comment; and

WHEREAS, the Borough Council has determined that it is in the public interest to adopt the redevelopment plan for the Front Street 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:

1. The Borough Council hereby adopts the Redevelopment Plan attached hereto as **Exhibit A** and incorporated herein. The Redevelopment Plan shall supersede all previous zoning standards and development regulations for the Front Street Property.
2. The Borough Council hereby amends the zoning district map of the Borough of Red Bank to reflect the rezoning of the Front Street Property by the Redevelopment Plan.
3. This Ordinance shall take effect immediately upon final adoption 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 28, 2016

Redevelopment Plan Block 30, Lot 10.01

55 West Front Street
Red Bank, New Jersey

Prepared for:

The Borough of Red Bank
Monmouth County, New Jersey

September 2016

Prepared By:



1460 Route 9 South
Howell, New Jersey 07731
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Jennifer C. Beahm, PP, AICP
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Red Bank Borough Council

Mayor Pasquale Menna
Council President Cindy Burnham
Councilwoman Kathleen Horgan
Councilman Edward Zipprich
Councilwoman Linda Schwabenbauer
Councilman Mark Taylor
Councilman Michael Whelan

Planning Board

Mayor Pasquale Menna
Stanley Sickels
Councilman Michael Whelan
John Cash
Louis DiMento
Dr. Guy Maratta
Arthur V. Murphy
John Goode
Daniel Mancuso
Barbara Boas
Linda Cohen
Juanita Lewis

Christine Ballard- Board Engineer
Michael Leckstein- Board Attorney
Dina Anastasio- Board Secretary

Project Team

Jennifer Beahm, PP, AICP
Anthony Rodriguez, PP, AICP
Megan Stanley, PP, AICP

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APPENDIX A: ZONING MAP EXHIBIT

INTRODUCTION

On January 27, 2016, the Red Bank Borough Council adopted Resolution No. 16-32 directing the Borough Planning Board to undertake a preliminary investigation to determine whether Block 31, Lot 2.01, commonly known as the White Street Municipal Parking Lot (the “Study Area”), met the statutory criteria to be designated as a “Non-Condensation Area in Need of Redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40:12A-1 et seq. (the “LRHL”). On March 23, 2016, the Red Bank Borough Council adopted Resolution No. 16-90 directing the Borough Planning Board to include Block 30, Lot 10.01, located at 55 West Front Street (the “Front Street Property”), within the Study Area. The Planning Board completed a preliminary investigation report for the Study Area on May 20, 2016 and subsequently held a public hearing on July 6, 2016 to review the findings of the report and to provide an opportunity for public comment in accordance with the requirements of the LRHL. At the completion of the public hearing, the Planning Board recommended that the Borough Council designate the Study Area as a “Non-Condensation Area in Need of Redevelopment” pursuant to the LRHL. The Borough Council subsequently adopted a resolution on July 13, 2016 designating the Study Area as a “Non-Condensation Area in Need of Redevelopment” in accordance with the Planning Board’s recommendation.

This Redevelopment Plan (“Redevelopment Plan” or “Plan”) is intended to govern the redevelopment of the Front Street Property (sometimes referred to herein as the “Redevelopment Area”). The Front Street Property is located in the northerly portion of the Borough between West Front Street, White Street, Broad Street and Maple Avenue (New Jersey State Route 35). The Plan establishes permitted land uses, bulk and area requirements, and design standards for any proposed development of the Redevelopment Area.

STATUTORY REQUIREMENTS

This Plan and the provisions herein have been prepared pursuant to Section 7 of the LRHL (N.J.S.A. 40A:12A-7), which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment...according to criteria set forth in section 5...as appropriate.” Pursuant to the requirements of the LRHL, this Redevelopment Plan includes an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment area sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements.
- Proposed land uses and building requirements in the redevelopment area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the redevelopment area, including an estimate of the extent to which decent,

safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

- An identification of any property within the redevelopment area proposed to be acquired in accordance with redevelopment plan;
- Any significant relationship of the redevelopment plan to:
 - (a) The Master Plans of contiguous municipalities;
 - (b) The Master Plan of the County in which the municipality is located, and;
 - (c) The State Development and Redevelopment Plan (the “SDRP”) adopted pursuant to the “State Planning Act,” P.L. 1985, c.398 (C.52:18A-196 et al.).
- As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985,c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
- A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L.185,c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” P.L.185,c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on the progress in implementing the plan for the provision of comparable, affordable replacement housing required pursuant to this section.

The LRHL provides that “a redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” P.L. 1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.” Finally, the Plan is required to describe its relationship to pertinent municipal development regulations, and must note whether the provisions of the Plan supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district.

DESCRIPTION OF REDEVELOPMENT AREA

The Redevelopment Area governed by this Plan is approximately 0.75 acres in area and is comprised of the following properties:

- Block 30, Lot 10.01 (55 West Front Street)(the “Front Street Property”)

The Front Street Property is bordered by West Front Street to the north and White Street to the south and is located between Maple Avenue (New Jersey State Route 35) and Broad Street. The Front Street Property is located near the westerly edge of the Borough’s central business district and is within walking distance of the Red Bank Train Station.

REDEVELOPMENT PLAN OBJECTIVES AND RELATIONSHIP TO LOCAL OBJECTIVES

This Redevelopment Plan provides for the redevelopment of an underutilized parcel within the Redevelopment Area. It is envisioned that the redevelopment of the Front Street Property will integrate the site into the character of the existing neighborhood with respect to both the physical character of the redevelopment project and the uses to take place therein.

The objectives of the Redevelopment Plan are as follows:

- Effectuate the redevelopment of an underutilized parcel that exhibits deleterious land use, relative lack of maintenance, and deteriorating site improvements that are detrimental to public health, safety, and welfare;
- Transition the use of a property within the Redevelopment Area from a parcel that is vacant with respect to use to a parcel that enhances the Borough’s tax base.
- Ensure that the redevelopment of the Redevelopment Area is compatible with the character of the community with respect to use and scale;
- Maximize the Redevelopment Area’s proximity to Broad Street, West Front Street, and the Red Bank Train Station to encourage local business patronage and provide the opportunity to access local and regional mass transit opportunities;
- Enhance community appearance and the visual environment by providing standards for good design within the Redevelopment Area;
- Ensure that any redevelopment project(s) within the Redevelopment Area provide adequate facilities including parking and resident amenities typical of higher quality residential developments; and
- Provide for the redevelopment of the Redevelopment Area in a manner consistent with the Red Bank Borough Master Plan, Monmouth County Planning documents, and the State Development and Redevelopment Plan.

The Redevelopment Plan objectives articulated above are consistent with and seek to advance the goals of the Borough Master Plan and SDRP as discussed herein.

LAND USE PLAN

Relationship to Zoning and Land Development Regulations

In order to implement the Plan consistent with the objectives herein, the Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. Except where otherwise noted, this Plan supersedes the underlying use, bulk, and design standards of the Borough's Planning and Development Regulations as they relate to the area governed by this Redevelopment Plan. The definitions of the Red Bank Borough Land Development Ordinance shall apply except as otherwise noted herein.

Land Use and Building Requirements

Permitted Principal Uses

1. Multifamily dwellings.

Permitted Conditional Uses

1. None.

Required Accessory Uses

1. Off-street parking in accordance with the parking requirements herein.

Permitted Accessory Uses

1. Ancillary uses (related to the operation of the property) and residential amenities for private use by residents including: leasing office, common terraces/decks/gardens, bicycle storage areas, and tenant storage areas; and
2. Any other use that is deemed by the Planning Board to be customary, incidental, and accessory to the principal uses or structures permitted herein.

Lot and Building Requirements

1. Minimum lot area: 32,000 square feet
2. Minimum lot frontage on West Front Street: 125 feet
3. Minimum lot frontage on White Street: 35 feet
4. Minimum principal building setbacks:
 - a. Front yard to West Front Street: 5 feet

- b. Side yard (each): 8 feet¹
 - c. Side yard (combined): 25 feet¹
 - d. Rear yard to adjacent Block 30, Lot 12.01: 5 feet
 - e. Rear yard to adjacent Block 30, Lot 43: 25 feet
 - f. Rear yard to White Street: 150 feet
5. Maximum building height: four (4) stories and 48 feet to the principal structure.
 6. Maximum Floor Area Ratio (FAR): 1.7
 7. Maximum number of bedrooms per unit: 2
 8. Minimum gross habitable floor area:
 - a. One Bedroom unit: 750 square feet
 - b. Two Bedroom unit: 1,000 square feet
 9. Maximum number of dwelling units: 35 units
 10. Maximum lot coverage of principal and accessory structures: 65 percent
 11. Minimum open space requirement: 10 percent, where landscaped and lawn areas, outdoor resident amenities, or portions thereof may be included in the calculation of open space area, except that landscaped islands within any parking area shall not be counted toward satisfying this requirement.

Off-Street Parking Requirements

1. Off-street parking shall be provided in accordance with §490-98 of the Borough Planning and Development Regulations, except as follows:
 - a. Required number of spaces: Off-street parking shall be provided at a minimum rate of one and one-half (1.5) off-street parking spaces per dwelling unit.
 - b. Maximum number of subcompact parking spaces: Subcompact parking spaces, defined by the Borough Planning and Development Regulations as eight-foot by 16-foot length parking stalls (§490-98.B(3)), may be included in any off-street parking arrangement provided that no more than ten percent (10%) of the total number of required parking stalls may be subcompact parking stalls.
 - c. Aisle widths: internal drive aisles shall be provided in accordance with the requirements of §490-98.C., except that aisle widths may be reduced to 22.5 feet only where such an aisle provides direct access to a minimum of three (3) subcompact parking stalls.
 - d. Access drives: Access drives shall be provided in accordance with the requirements of §490-98.D., except that access drives may be reduced to twenty (20) feet where access controls (e.g., overhead doors or gates) are provided to regulate access to any off-street parking area and for aisles connecting parking bays.

¹ Encroachment into a required side yard setback is permitted for purposes of providing facilities for ingress, egress, or access to resident amenities provided that a minimum side yard setback of five (5) feet is maintained from the associated side lot line and the encroachment does not exceed six (6) linear feet as measured along the associated side lot line.

- e. Location of parking spaces: Parking shall not be located in the required front yard area in accordance with the requirements of §490-98.I(1), except that the partial encroachment of one (1) parking space into the required front yard area may be permitted provided that such encroachment maintains a minimum setback of five (5) feet as measured from the front property line of West Front Street. Parking and access from White Street shall be permitted in the event the Plan area is redeveloped as one contiguous lot and is not subdivided.
- f. Other design requirements: All parking areas shall be designed in accordance with §490-98.J, except where abutting a drive aisle, where a landscape strip shall not be required. The width of any unbroken landscaping strip required pursuant to §490-98.J(2) may be reduced provided that a combination of fencing and landscaping is provided to adequately screen parking areas to limit visibility from any public street or adjacent property. Such screening shall provide an attractive visual buffer and minimize the visual impact of parking areas on adjacent properties and streets. The design requirements of §490-98.K shall not apply to off-street parking areas in the Redevelopment Area.

Design Standards

The redevelopment of the Redevelopment Area in accordance with the standards herein shall be exempt from the requirements of §490-96 (Multifamily Dwellings) of the Borough Planning and Development Regulations and shall comply with the provisions of this Redevelopment Plan. Any redevelopment project proposed for the Redevelopment Area shall comply with the following design standards:

1. The proposed redevelopment of the Redevelopment Area shall be oriented such that the principal building entrance is located along West Front Street.
2. All building(s) shall be finished with high quality, durable architectural materials such as brick, brick veneer, pre-cast stone, fiber cement siding, glass, metal panels, ornamental metalwork, and decorative metal cornices. Exterior Insulation Finishing Systems (EIFS) and stucco shall be prohibited.
3. The exterior façades of the proposed buildings(s) shall be finished with a complementary color palette that utilizes neutral shades. The façade finishes may incorporate accent colors provided that such accent colors are compatible with primary finishes and all other color selections. The color palette and materials shall be subject to the review and approval of the Borough Planning Board.
4. Architectural treatments shall be provided along all building façades to provide a visually interesting design aesthetic. Decorative roof elements such as cornices, parapets, and cupolas that are intended to enhance the architectural character and visual interest of the principal building may exceed the maximum building height provided that parapets do not exceed the maximum building height by more than 3.5 feet and cupolas do not exceed the maximum building height by more than 24 feet. No such decorative roof element shall contain habitable floor area.

Architectural treatments may include any combination of:

- a. Awnings or canopies over building entrances and exits. Awnings or canopies may be constructed in a hard “marquee” style incorporating metal and glass or in a soft “awning” style consisting of a metal frame clad with fabric. Vinyl and plastic awning coverings are prohibited.
 - b. Window sills and lintels.
 - c. Parapets provided that no parapet shall exceed 3.5 feet in height.
 - d. Ornamental cornices.
 - e. Decorative metal grilles.
 - f. Horizontal belt courses between stories.
 - g. Dormer windows along the top story.
 - h. Balconies and terraces.
 - i. Wall breaks and projections along building façades.
 - j. Changes in finish materials provided that heavier finish materials (e.g., pre-cast stone or brick) are located below lighter finish materials (e.g. siding). In the event that materials consist of materials of similar perceived weights, the material with the largest surface area per unit, as measured along the finished building façade, shall be placed below materials with smaller surface areas per unit
5. A visual screen shall be incorporated between the principal building and adjacent side property lines to buffer the Redevelopment Area from adjacent uses. The buffer may incorporate decorative fencing constructed of combination masonry piers and wrought metal, wood, vinyl, or other material acceptable to the Planning Board, and landscaping consisting of native plant species that provide an attractive screen from adjacent properties. Chain link fence shall be prohibited. The redeveloper shall provide a landscaping plan at the time of submission of a site plan application to determine the adequacy of existing landscaping and buffer areas.
6. Resident amenities permitted as accessory uses herein may be permitted within the required yard setback areas provided that such amenities are adequately fenced and buffered from adjacent properties and public streets in accordance with the provisions of this Plan.
7. All trash, recycling, and storage of refuse shall be fully enclosed within the proposed building(s), except that staging shall be allowed in designated areas outside on pick up days. If storage is permanently outside, it shall be within an enclosure that is a minimum of six (6) and maximum of eight (8) feet in height. Such enclosure shall be constructed of materials that complement the principal building. Any proposed enclosure shall be

finished on three (3) sides with masonry and shall provide access for removal via a decorative gate constructed of wrought metal, wood, vinyl, or other composite material that is the same or similar to all other proposed on-site fencing.

8. Directional and safety signage shall be provided in accordance with applicable standards to ensure ease and safety of vehicular and pedestrian circulation throughout the site.
9. All proposed signs within the Redevelopment Area shall conform to §490-104 of the Borough Planning and Development Regulations.
10. All lighting within the Redevelopment Area shall be provided in accordance with the applicable provisions of the Borough Planning and Development Regulations and shall be subject to the approval of the Board Engineer.
11. Any application submitted for approval by the redeveloper shall include a detailed Traffic Statement, which shall address impacts associated with the proposed project on the existing roadway network. The report shall address adequacy of service levels at access points, adequacy of existing signalized intersections, vehicular and pedestrian circulation throughout the site, and the adequacy of proposed parking and loading areas.

PLANNING RELATIONSHIP

Red Bank Borough Master Plan

Pursuant to the LRHL, “all provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.” (N.J.S.A. 40A:12A-7d).

The Borough’s most recent Master Plan, adopted in 1995, established several goals pertaining to the development and redevelopment of the Borough including:

- Develop in higher density mixed-use centers that accommodate the varied housing types, employment, retail and support services, the use of alternative modes of transportation...; and
- Expand the commercial tax base by a growing and thriving Downtown.

The 1994 Red Bank Vision Plan, which provided a partial basis for the development of the 1995 Borough Master Plan, notes “a need to upgrade and supplement the housing stock...at the neighborhood level; and a need to increase the residential population.”

This Redevelopment Plan sets forth standards that will facilitate a significant upgrade and enhancement to the Borough’s housing stock. The redevelopment of the Redevelopment Area in a manner consistent with this Redevelopment Plan will also serve to increase the Borough’s residential population and to further the goal of developing in higher density mixed-use centers that include a variety of housing types. With this in mind, the Redevelopment Plan and standards herein are substantially consistent with the Borough Master Plan and will effectuate the goals and objectives of the Master Plan.

Contiguous Municipalities

Red Bank Borough is bordered by the Navesink River and Middletown Township to the north and west, the Borough of Fair Haven to the east, and the Boroughs of Little Silver, Shrewsbury, and Tinton Falls to the south. However, the Redevelopment Area is not located in close proximity to any of the Borough's contiguous municipalities, and thus will have a negligible effect on any Master Plan of these municipalities.

Monmouth County

The Monmouth County Growth Management Guide was adopted by the County Planning Board in 1995. The Growth Management Guide established several goals and objectives to guide planning and development within the County. Many of the goals and objectives established by the Growth Management Guide remain relevant despite the relative age of the document. This Redevelopment Plan and the goals and objectives established herein serve to further the following goals and objectives of the Monmouth County Growth Management Guide:

- Promote land use planning that encourages the use of transit, walking and cycling, and the creation of centers in order to improve air quality by reducing automobile trips and congestion.

This Redevelopment Plan establishes standards for the redevelopment of a Redevelopment Area located within a mixed use neighborhood, which provides robust opportunities for walking and cycling to nearby destinations. Furthermore, the Redevelopment Area is located less than one-half of one mile from the Red Bank Train Station and within several bus lines, thereby promoting the use of public transit while capitalizing on the walkability of the Borough's Downtown.

- To promote new and revitalize older urban areas into well designed mixed use centers with an easily accessible compact but varied core of residential, commercial, and community services which provide employment and create a specific identity.

The Redevelopment Plan promotes the continued revitalization and enhancement of the Borough's Downtown and serves to promote the Borough's easily accessible, compact, and varied core, which contains a robust mix of uses.

- To provide housing opportunities for all residents of Monmouth County.

The Redevelopment Plan provides regulations that serve to facilitate the development of a multifamily residential development that will serve to diversify the housing stock and opportunity for housing within the Borough.

Furthermore, the Coastal Monmouth Plan, prepared by the Monmouth County Planning Department in 2007 and revised in 2010, recognizes Red Bank as a Regional Center in accordance with the designation of the Office of Smart Growth, Department of Community Affairs. The Coastal Monmouth Plan also recognizes that the Borough's population will continue to grow at a substantial rate. The Redevelopment Plan is intended to facilitate the development of

additional housing to accommodate the Borough's anticipated population growth adjacent to the Borough's mixed use center, and is therefore consistent with the Coastal Monmouth Plan's recognition of the Borough as a designated Regional Center.

State Development and Redevelopment Plan

The State Plan Policy Map and State Development and Redevelopment Plan (SDRP) classify all of Red Bank Borough as a Metropolitan Planning Area (PA-1). According to the State Plan, the Metropolitan Planning Area is intended to provide for much of the state's future development and redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities. Further, the SDRP envisions the Metropolitan Planning Area as an area to promote compact development forms and protect natural resources.

The Redevelopment Area is located in an existing urbanized area characteristic of the Metropolitan Planning Area. Existing infrastructure is readily available to serve the Redevelopment Area and the Redevelopment Area is located proximate to a wealth of transportation choices.

The goals, objectives, and provisions of this Redevelopment Plan are intended to guide the redevelopment of the Redevelopment Area in a manner consistent with the State Plan policies established for the Metropolitan Planning Area. The redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan will revitalize the Borough and promote growth in compact forms. Redeveloping of the Redevelopment Area will also serve to expand housing to attract a balanced residential population in a manner consistent with the traditional urban fabric.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Acquisition and Relocation

The Redevelopment Area governed by this Redevelopment Plan is a Non-Condensation Redevelopment Area, which does not permit the Borough to acquire property via eminent domain. Furthermore, the Redevelopment Area is vacant with respect to use. Therefore, provisions related to acquisition and relocation assistance are not required. In the event that it is determined that relocation assistance is necessary, the Borough will provide the appropriate relocation assistance pursuant to applicable State and Federal law as necessary.

Inventory and Replacement of Affordable Housing

The Redevelopment Area governed by this Redevelopment Plan contains no housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304). No affordable units will be removed as a result of implementation of this Redevelopment Plan. For that reason, the Borough is not required to plan for the provision of new or substantially rehabilitated affordable housing as a result of the implementation of this Redevelopment Plan.

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Borough Council may amend, revise, or modify the Redevelopment Plan in general or for specific properties within the Redevelopment Area as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. Any proposed changes in permitted uses, the land use plan, building height, or other core design concepts of this Plan shall require notice and public hearings in a manner similar to the adoption of the original Plan.

Redevelopment Powers

The Borough may also use any and all redevelopment powers granted to it pursuant to the LRHL to effectuate this Plan, except that the use of eminent domain shall be prohibited. The Borough may enter into agreements with a designated redeveloper(s) in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

Conveyance of Land

The Borough may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls and requirements of the Redevelopment Plan, all or any of the properties designated in need of redevelopment within the designated Redevelopment Area that it owns or may acquire via means other than eminent domain. The Borough may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with a designated redeveloper or redevelopers in connection with the implementation of the Redevelopment Plan.

Duration of the Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Borough Council and shall be in effect until the redevelopment of the Redevelopment Area is completed as evidenced by the issuance by the Borough of a certificate of project completion in accordance with the Redevelopment Plan.

REDEVELOPER OBLIGATIONS

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and the designated redeveloper. The following restrictions and controls on redevelopment shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force:

- The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
- The redeveloper, its successors or assignees shall develop the Redevelopment Area in accordance with the uses and building requirements specified in the Redevelopment Plan.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any

redevelopment agreement, lease, deed or other instruments shall remain in full force and effect.

- The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.

AFFORDABLE HOUSING REQUIREMENTS

The redeveloper shall be subject to the Mandatory Affordable Housing Fees provision contained under Section 205-17B(1) of the Borough Code of Ordinances. Compliance with the requirements of this chapter shall be included in any redevelopment agreement(s) entered into by the Borough and the designated redeveloper(s).

PLANNING BOARD REVIEW PROCESS

Pursuant to N.J.S.A. 40A:12A-13, all development applications for development of sites governed by this Redevelopment Plan shall be submitted to the Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment projects for the redevelopment area:

- No building or zoning permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan without prior review and approval of the work by the Borough Council and the Planning Board.
- Regular maintenance and minor repair shall not require Planning Board review and approval.
- The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55D-1 et seq. and the Borough Planning and Development Regulations.
- As part of site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Borough Planning and Development Regulations. The performance guarantees shall be in favor of the Borough of Red Bank, and the Borough Engineer shall determine the amount of any performance guarantees.
- Any subdivision of lots or parcels of land within the Redevelopment Area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the Local Redevelopment and Housing Law and N.J.S.A. 40:55D-1 et seq.
- Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not

conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."

- The Planning Board may grant “C” variances, exceptions or waivers from design standards from the requirements for site plan or subdivision approval. Any exceptions or waivers granted shall be reasonable within the general purposes and intent of the provisions for site plan review and/or subdivision approval within this Redevelopment Plan. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Redevelopment Plan or the Borough Master Plan.
- No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Redevelopment Plan that results in a “D” variance pursuant to N.J.S.A. 40:55D-70d may only be addressed as an amendment to the Redevelopment Plan by the Borough Council rather than via variance relief through the Borough Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq. Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Borough of Red Bank Planning and Development Regulations and Borough Zoning Map. Unless otherwise defined in the Redevelopment Plan, terms used in this Redevelopment Plan shall have the same meaning as defined in the Borough Planning and Development Regulations.
- The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and Borough pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.
- The extent of the redeveloper’s responsibility for any installation or upgrade of infrastructure related to the development of the Redevelopment Area, or contribution thereto, shall, whether on-site or off-site, be subject to a redevelopment agreement with the Borough of Red Bank, as the municipal redevelopment agency.
- Any and all definitions contained within this Redevelopment Plan shall prevail. In the absence of a definition, the definition found within the Borough Planning and Development Regulations shall prevail. Any and all definitions inconsistent with N.J.S.A. 40A:12A-3 shall be considered invalid.
- A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough Ordinance and State law. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Borough or its designated redevelopment entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

The above provisions are all subject to approval by ordinance and/or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.

AMENDMENT TO ZONING MAP AND DEVELOPMENT REGULATIONS

The Borough Zoning Map is hereby amended to reference this Redevelopment Plan as a zoning district encompassing the Redevelopment Area in its entirety. Additionally, the listing of zoning districts in the Borough of Red Bank Planning and Development Regulations is hereby amended to include a reference to this Redevelopment Plan constituting such substitute zoning district.

Where specifically provided for herein, the development standards set forth in this Redevelopment Plan shall supersede the Planning and Development Regulations of the Borough of Red Bank. In all other instances, the Borough Planning and Development Regulations shall remain in full force and effect.

OTHER PROVISIONS

In accordance with the LRHL, the following statements are made:

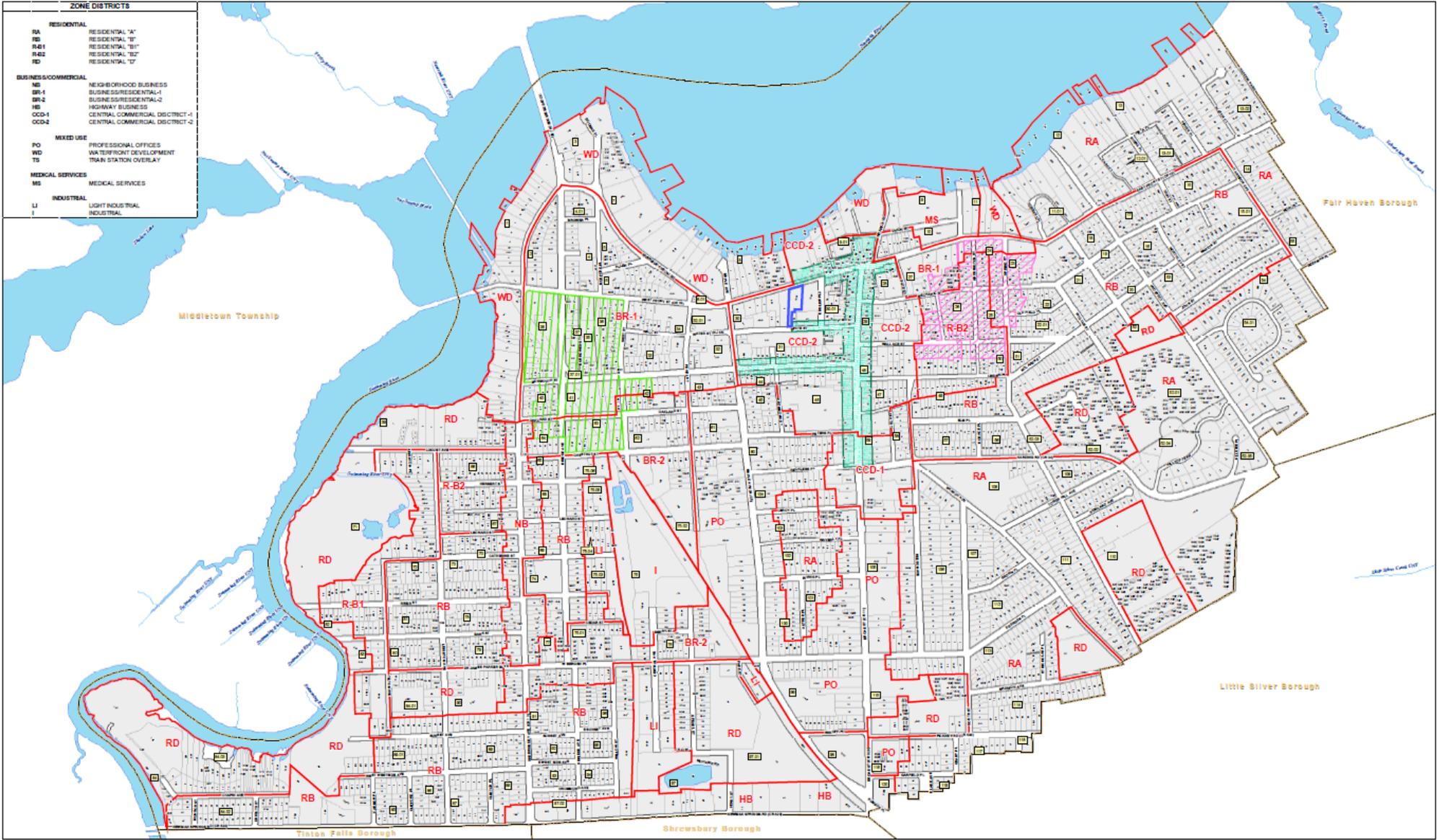
- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- The Redevelopment Plan does not permit or require the acquisition of privately-owned property.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Red Bank. The Plan also advances the goals and objectives of the New Jersey State Development and Redevelopment Plan.

Non-Discrimination Provisions

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Borough Council or by a redeveloper or any of its successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough Council, or the redeveloper, upon the basis of race, creed, color, or national origin in the sale, lease, use, or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in

the disposition instruments. There shall be no restrictions of occupancy or use on the basis of race, creed, color or national origin.

Appendix A: Zoning Map Exhibit



ZONE DISTRICTS	
RESIDENTIAL	
RA	RESIDENTIAL "A"
RB	RESIDENTIAL "B"
R-B1	RESIDENTIAL "B1"
R-B2	RESIDENTIAL "B2"
RD	RESIDENTIAL "D"
BUSINESS/COMMERCIAL	
NB	NEIGHBORHOOD BUSINESS
BR-1	BUSINESS/RESIDENTIAL-1
BR-2	BUSINESS/RESIDENTIAL-2
HB	HIGHWAY BUSINESS
CCD-1	CENTRAL COMMERCIAL DISTRICT-1
CCD-2	CENTRAL COMMERCIAL DISTRICT-2
MIXED USE	
PO	PROFESSIONAL OFFICES
WD	WATERFRONT DEVELOPMENT
TS	TRAIN STATION OVERLAY
MEDICAL SERVICES	
MS	MEDICAL SERVICES
INDUSTRIAL	
LI	LIGHT INDUSTRIAL
I	INDUSTRIAL

TM 11 Tindall Road
 Middletown, NJ 07748-2792
 Phone: 732-671-6400
 Fax: 732-671-7365
ASSOCIATES
 0 250 500 1,000
 Feet
 Prepared by STM, February 3, 2010, last amended
 Source: NJDEP - 2009 The Permit Municipal Boundary System
 NJDOT - 2007 Roads Monmouth County GIS - Open Water
 File Path: \\10108\GIS\101010101\Projects\GIS\101010101_ZoningMap2010.mxd

Zoning Boundary	Tax Block
Design District Overlay Zone	Block Number
Train Station Overlay District	Open Water
Washington Street Historic District	Stream
Tax Parcel	Municipal Boundary
55 West Front Street Redevelopment Area	

Zoning Districts
Borough of Red Bank
Monmouth County, New Jersey

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data. This secondary product has not been verified by NJDEP and is not State-authorized.

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

**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. 16-246**

RESOLUTION TO CANCEL OUSTANDING STALE CHECKS

offered the following resolution and moved its adoption:

WHEREAS it has been brought to the attention of the Governing Body of the Borough of Red Bank by the Chief Financial Officer, that there are outstanding stale checks that have never been cancelled from the borough records; and

WHEREAS it is the desire of the Governing Body of the Borough of Red Bank to cancel the stale checks in a timely manner.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank, State of New Jersey, that the following stale checks be cancelled and that the finance officer's records be adjusted to reflect the same.

CURRENT OPERATING	Check #2916	\$ 36.00
	Total	\$ 36.00
GENERAL CAPITAL	Check #2039	\$ 450.00
	Check #2075	\$ 4,050.00
	Total	\$ 4,500.00
DEVELOPERS ESCROW	Check #2880	\$ 1.75
	Total	\$ 1.75
	TOTAL	\$ 4,537.75

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

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

Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-247

**A RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS TOTALING \$3,878.16
DUE TO JUDGMENTS OF THE TAX COURT OF NEW JERSEY**

offered the following resolution and moved its adoption:

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

WHEREAS, Ashlesha Deshpande, tax collector has verified proof of payment and hereby recommends said overpayments totaling \$3,878.16 be credited/refunded; and

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

BL & Lot	Address	Property Owner	Tax Year	\$ Amount
B 59 L 1	147 Broad Street	147 Broad Street LLC	2015	\$ 3,878.16
		TOTAL		\$ 3,878.16

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

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

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

Dated: September 28, 2016

~~Dated: July 25, 2012~~

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-248

**A RESOLUTION AUTHORIZING TAX REFUND TOTALING \$1,978.62
DUE TO WRONGLY APPLIED PAYMENT**

offered the following resolution and moved its adoption:

WHEREAS, a mortgage company incorrectly submitted a payment on behalf of a prior property owner and has asked that the payment be refunded; and

WHEREAS, Ashlesha Deshpande, Tax Collector has verified proof of the incorrect payment and hereby recommends said payments totaling \$1,978.62 be refunded to Kristen Morsches.

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

BL & Lot	Address	Property Owner	Year	\$ Amount
B 111 L 14	232 Spring Street	Kristen Morsches	2016	\$ 1,978.62
		TOTAL		\$ 1,978.62

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

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

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

Dated: September 28, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-248

**A RESOLUTION AUTHORIZING TAX REFUND TOTALING \$1,978.62
DUE TO WRONGLY APPLIED PAYMENT**

offered the following resolution and moved its adoption:

WHEREAS, a mortgage company incorrectly submitted a payment on behalf of a prior property owner and has asked that the payment be refunded; and

WHEREAS, Ashlesha Deshpande, Tax Collector has verified proof of the incorrect payment and hereby recommends said payments totaling \$1,978.62 be refunded to Kristen Morsches.

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

BL & Lot	Address	Property Owner	Year	\$ Amount
B 111 L 14	232 Spring Street	Kristen Morsches	2016	\$ 1,978.62
		TOTAL		\$ 1,978.62

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

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

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

Dated: September 28, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-250

**A RESOLUTION AUTHORIZING PLACE-TO-PLACE EXPANSION OF PREMISES
TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-32-003-009
(Teak Restaurant Group, LLC)**

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. 1340-32-003-009 currently issued to Teak Restaurant Group, LLC trading as Teak for premises located at 16 Monmouth Street, 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. 1340-32-003-009 issued to Teak Restaurant Group, LLC trading as Teak for premises located at 64 Monmouth Street, Red Bank, New Jersey is hereby approved to include the first floor patio and entire second floor of the building.

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 28, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-251

**A RESOLUTION TO APPROVE THE HIRING OF
TEMPORARY PART TIME INTERIM ANIMAL CONTROL OFFICER**

offered the following resolution and moved its adoption:

WHEREAS, the Borough Administrator has advised that it is desirable to fill the position of Temporary Part Time Interim Animal Control Officer; and

WHEREAS, Mr. Sickels has recommended that Debra L. Nagel be appointed as Temporary Part Time Interim Animal Control Officer at a rate of \$50.00 per call.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Debra L. Nagel be hired to the aforementioned position effective October 1, 2016 at the designated rate of pay.

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 28, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-252**

**RESOLUTION AWARDING A CONTRACT TO USA GENERAL CONTRACTORS CORP.,
FOR MUNICIPAL COMPLEX BUILDING REPAIRS**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank duly advertised for the receipt of bids for Municipal Complex Building Repairs; and

WHEREAS, in response to the invitation to bidders, ten (10) bids were received on September 23, 2016; and

WHEREAS, the bids have been reviewed by the Borough Engineer, and it has been determined that USA General Contractors Corp., submitted the the lowest responsible bid in accordance with the bid specifications, said bid being \$693,722.00; and

WHEREAS, it is the desire of the governing body to award a contract for Municipal Complex Building Repairs to USA General Contractors Corp., the lowest responsible bidder.

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

1. That the Mayor and Borough Council do hereby award a contract for Municipal Complex Building Repairs to USA General Contractors Corp., at \$693,722.00.

2. That the Mayor and Borough Clerk are hereby authorized to execute a contract with USA General Contractors Corp., in accordance with the bid submitted by USA General Contractors Corp., and the bid specifications.

3. That the governing body specifically approves the bid specifications, designs and plans prepared in connection with the construction of Municipal Complex Building Repairs.

4. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: _____

5. That a certified copy of this resolution, together with a copy of the agreement between the parties, be forwarded to the Chief Financial Officer, the Borough Engineer and USA General Contractors Corp.

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 28, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-253

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 RELATED TO
THE CONTRACT WITH PRECISE CONSTRUCTION INC. FOR THE
NORTH PROSPECT AVE AND LIBRARY BULKHEADS REPLACEMENT PROJECT**

offered the following resolution and moved its adoption:

WHEREAS, the Borough previously entered into a contract with Precise Construction Inc. for the North Prospect Ave and Library Bulkheads Replacement Project; and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 1, dated September 16, 2016, to the aforementioned Project, in order to address supplementary work needed for completion of the project; and

WHEREAS, these contract changes yield a total net cost increase of \$22,525.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Change Order No. 1 to the the North Prospect Ave and Library Bulkheads Replacement Project, dated September 16, 2016, is hereby approved with a supplementary price increase of \$22,525.00; and

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

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

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

Dated: September 28, 2016

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-254

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A SIDEBAR AGREEMENT WITH PBA LOCAL #39**

offered the following resolution and moved its adoption:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank of Red Bank that the Mayor, after review of appropriate documents with labor counsel, is hereby authorized to execute a Sidebar Agreement with PBA Local #39 to effectuate a change in the contract that will authorize changes to the title of "Detective" to make it an assignment rather than a separate position within the Police Department and that assignment to Detective will not constitute a promotion;

BE IT FURTHER RESOLVED that the Agreement shall be subject to review and approval by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Borough Clerk shall forward Certified Copies of this Resolution to PBA Local #39.

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 28, 2016

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 16-255**

**RESOLUTION AUTHORIZING THE SALE OF MUNICIPALLY-OWNED
PROPERTY LOCATED AT 32 MECHANIC STREET, BLOCK 29, LOT 8
TO DAVID GLASSBERG FOR \$392,587**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank duly advertised for the receipt of bids for the sale of 32 Mechanic Street, Block 29, Lot 8; and

WHEREAS, in response to the invitation to bidders, four bids were received on August 30, 2016, the highest responsible bid being from David Glassberg in the amount of \$392,587.00; and

WHEREAS, the governing body wishes to accept the bid of David Glassberg and authorize the sale of the 32 Mechanic Street, Block 29, Lot 8 in the Borough of Red Bank for \$392,587.00.

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

1. That the Mayor and Borough Council do hereby authorize the sale of the 32 Mechanic Street, Block 29, Lot 8 in the Borough of Red Bank to David Glassberg for the sum of \$392,587.00.

2. That the Mayor and Borough Clerk are hereby authorized to execute any and all documents necessary to effectuate the transfer of the subject property to David Glassberg in accordance with the terms of the notice to bidders for the sale of said property, and the purchaser shall be responsible for the payment of the Borough's costs in conveying said property, i.e. attorney's fees and recording fees.

3. That a certified copy of this resolution be forwarded to the Chief Financial Officer and David Glassberg.

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 28, 2016

I, Pamela Hughes Borghi, RMC, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Red Bank at a meeting held on the **28th** day of **September, 2016**.

Pamela Hughes Borghi, RMC
Borough Clerk, Borough of Red Bank

RESOLUTION NO. 16 –256

RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT WITH YELLOWBROOK PROPERTY GROUP, LLC

offered the following ordinance and moved its introduction:

WHEREAS, Yellowbrook Property Group, LLC (the “Developer”) is the developer of real property located at Block 75.01, Lot 86, as shown on the Tax Map of the Borough of Red Bank; and

WHEREAS, by Zoning Board Resolution No. 2016-21, dated September 15, 2016, the Developer received preliminary and final major site plan approval, with minor subdivision and use and bulk variance relief for 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 Yellowbrook Property Group, 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 Yellowbrook Property Group, 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 28, 2016

CERTIFICATION

I, PAMELA HUGHES BORGHI, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Red Bank at a meeting held on the **28th** day of **September, 2016**.

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

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-

A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,558,120.98

offered the following resolution and moved its adoption:

BE IT RESOLVED by the Mayor and Council that the bills be paid as on the attached check registers totaling \$3,558,120.98.

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 28, 2016

Bill List September 28 2016

Borough of Red Bank

Current Operating Fund	1	Computer Checks	\$ 2,734,696.65		
		Revenue \$			
		Manual Checks(1)	\$ 386,769.78		
		Manual Checks(2)			
		Manual Checks(3)			
Subtotal			\$ 3,121,466.43		
Grant Fund	2	Computer Checks	\$ 779.41		
		Manual Checks(1)	\$ 11,375.33		
		Manual Checks(2)			
		Subtotal			\$ 12,154.74
		Capital Fund	C4	Computer Checks	
Manual Checks(1)					
Manual Checks(2)					
MCIA-Manual M-15					
Subtotal				\$ -	
Water Operating	5	Computer Checks	\$ 167,627.55		
		Manual Checks(1)	\$ 53,362.93		
		Manual Checks-Projects(1)			
		Manual Checks(2)			
		Project Checks			
		Subtotal			\$ 220,990.48
Water Capital Fund	W6	Computer Checks			
		Manual Checks(1)	\$ 2,700.00		
		Manual Checks(2)			
		Subtotal			\$ 2,700.00
Parking Capital Fund	P8	Computer Checks			
		Manual Checks(1)			
		Manual Checks(2)			

		Subtotal	\$ -
Parking Operating	9	Computer Checks	\$ 37,350.64
		Manual Checks(1)	\$ 7,857.86
		Manual Checks(2)	
		Subtotal	\$ 45,208.50
Park & Rec Trust	21	Computer Checks	
		Manual Checks(1)	
		Manual Checks(2)	
		Subtotal	\$ -
Trust	T12	Computer Checks	\$ 89,400.00
		Manual Checks(1)	\$ 15,430.00
		Manual Checks(2)	
		Subtotal	\$ 104,830.00
TTL	T13	Computer Checks	\$ 38,652.76
		Manual Checks(1)	
		Manual Checks(2)	
		Subtotal	\$ 38,652.76
RCA	T14	Computer Checks	\$ 8.00
		Manual Checks(1)	\$ 217.68
		Manual Checks(2)	
		Subtotal	\$ 225.68
Animal	15	Computer Checks	
		Manual Checks(1)	

		manual Checks(2)		
		Subtotal	\$	-
Law Enforcement	16	Computer Checks	\$	843.00
		Manual Checks(1)		
		manual Checks(2)		
		Subtotal	\$	843.00
Unemployment	T17	Computer Checks		
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	-
Coah	T18	Computer Checks		
		Manual Checks(1)		
		manual Checks(2)		
		Subtotal	\$	-
Online Liens	T19	Computer Checks		
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	-
Escrow	E20	Computer Checks		
		Manual Checks(2)		
		Billed with Project ID	\$	7,825.39
		Manual Checks(project)		
		Subtotal	\$	7,825.39
Recreation Trust(VNB)	T-23	Computer Checks		
		Manual Checks(1)		

Manual Checks(2)

Subtotal	\$	-
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MCIA

Computer Checks	\$	3,224.00
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Manual Checks(1)

Manual Checks(2)

MCIA M-15 CAPITAL

Subtotal	\$	3,224.00
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Total Computer Checks	\$	3,072,582.01
Total Revenue \$	\$	-
Total Manual Checks(1)	\$	477,713.58
Total Manual Checks(2)	\$	-
Total Manual Checks(3)	\$	-
Water Projects	\$	-
Escrow Projects	\$	7,825.39

Total Manual Checks(1)	\$	477,713.58
Total Manual Checks(2)	\$	-
Total Manual Checks(3)	\$	-
Total Computer Checks	\$	3,080,407.40
PAYROLL ACCOUNTS #T-22	\$	4,208.57

Minus Void Checks

Check Register Total	\$	3,562,329.55
PAYROLL ACCOUNTS #T-22	\$	(4,208.57)
Grand Total	\$	3,558,120.98

Range of Checking Accts: First to Last Range of Check Dates: 09/15/16 to 09/28/16
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
CURRENT -VALLEY		CURRENT OPERATING-VALLEY BK			
5802	09/15/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	360,915.93		9180
5803	09/15/16	A0223 AT&T (BOX 105068)	32.08		9188
5804	09/15/16	J0045 JCP&L	16,931.50		9188
5805	09/15/16	C00297 MICHAEL CLAY	15.00		9189
5806	09/15/16	P0164 EUGENIA POULOS	94.19		9189
5807	09/22/16	P0164 EUGENIA POULOS	10.00		9191
5808	09/22/16	B0010 VERIZON	694.69		9192
5809	09/22/16	B0185 BROADVIEW NETWORKS	844.96		9192
5810	09/22/16	J0045 JCP&L	7,231.43		9192
5811	09/28/16	A0056 AUTOMATED DATA PROCESSING LLC	5,686.64		9195
5812	09/28/16	A0111 MADELINE ABBATEMARCO	314.70		9195
5813	09/28/16	A0262 MARY AHERN	629.40		9195
5814	09/28/16	B0044 BILL BERGEN	629.40		9195
5815	09/28/16	B0077 RICHARD BENNETT	314.70		9195
5816	09/28/16	B0085 JOAN BOUCHER	314.70		9195
5817	09/28/16	B0149 JAMES N.BUTLER JR ESQ	2,400.00		9195
5818	09/28/16	B0178 BYRNES O'HERN LLC	1,361.00		9195
5819	09/28/16	B0208 DAVID W BARR	314.70		9195
5820	09/28/16	C0001 JAMES CLAYTON	347.80		9195
5821	09/28/16	C0027 CENTRAL JERSEY HEALTH INS.FUND	513,502.80		9195
5822	09/28/16	C0037 CITY CENTRE PLAZA LLC	328.00		9195
5823	09/28/16	C0120 FRANK CALANDRIELLO	629.40		9195
5824	09/28/16	C0121 GEORGE CLAYTON	314.70		9195
5825	09/28/16	C0168 JOHN CAIN JR	314.70		9195
5826	09/28/16	C0212 ROBERT CLAYTON	620.40		9195
5827	09/28/16	C0258 CHARLES CIABURRI	629.40		9195
5828	09/28/16	C0269 ROBERT J. COLMORGEN	632.10		9195
5829	09/28/16	C0270 LAURAJEAN M COLLIER	680.10		9195
5830	09/28/16	C0328 CRANEY INTERPRETING	387.50		9195
5831	09/28/16	C0332 CONCEPT PRINTING INC	476.00		9195
5832	09/28/16	C0344 CLEARY GIACOBBE ALFIERI&JACOBS	1,918.67		9195
5833	09/28/16	C0345 CivicPlus	4,917.36		9195
5834	09/28/16	D0109 ELEANOR DEPONTE	314.70		9195
5835	09/28/16	D0149 CAROL A DOOLING	314.70		9195
5836	09/28/16	D0151 CAROL A DOWLEN	314.70		9195
5837	09/28/16	D0178 DYNAMIC TESTING SERVICE	205.00		9195
5838	09/28/16	D0186 ANDREW DAVIS	308.70		9195
5839	09/28/16	D0200 DE LAGE LANDEN	196.38		9195
5840	09/28/16	D0324 DENNIS PATRICIA	680.10		9195
5841	09/28/16	D0331 DELISA DEMOLITION INC	41,333.33		9195
5842	09/28/16	D0332 PETER DEFAZIO	365.40		9195
5843	09/28/16	E0033 RAYMOND ENGLAND	629.40		9195
5844	09/28/16	E0034 JOHN ENGLAND	314.70		9195
5845	09/28/16	E0085 WILLIAM B EWALD	317.40		9195
5846	09/28/16	E0205 JANE EIGENRAUCH	511.50		9195
5847	09/28/16	F0026 MARIA FORGIONE	314.70		9195
5848	09/28/16	F0075 VALERIE FERBER	632.10		9195
5849	09/28/16	G0057 LOUIS GALASSI	629.40		9195
5850	09/28/16	G0078 GAGLIANO & COMPANY	1,400.00		9195

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY		CURRENT OPERATING-VALLEY BK			Continued
5851	09/28/16	G0088 JESSE GARRISON	629.40		9195
5852	09/28/16	G0161 IVAN GRILLI	532.80		9195
5853	09/28/16	G0163 GILMORE & MOHAHAN	6,190.96		9195
5854	09/28/16	G0167 GluckWalrath LLP	608.00		9195
5855	09/28/16	H0011 ARLENE HOLIDAY	314.70		9195
5856	09/28/16	H0041 GERTRUDE HOOKER	314.70		9195
5857	09/28/16	H0073 THOMAS HINTELMANN	629.40		9195
5858	09/28/16	H0118 TERYE HEYER	314.70		9195
5859	09/28/16	H0198 DEBORAH M HALL	365.40		9195
5860	09/28/16	J0043 DOLORES A JOHNSON	314.70		9195
5861	09/28/16	J0104 BOBBY JONES	629.40		9195
5862	09/28/16	K0013 KEANSBURG AMUSEMENT PARK	1,047.50		9195
5863	09/28/16	K0022 KEVIN E KENNEDY ESQ	1,128.00		9195
5864	09/28/16	K0035 ROBERT A. KUHN	629.40		9195
5865	09/28/16	K0069 ROBERT J KENNEDY	314.70		9195
5866	09/28/16	L0006 LANIGAN ASSOCIATES	1,355.60		9195
5867	09/28/16	L0032 BRUCE E LOVERSIDGE	511.50		9195
5868	09/28/16	L0060 PAUL LANG	314.70		9195
5869	09/28/16	L0114 MILDRED LEWIS	314.70		9195
5870	09/28/16	L0125 ROBERT T. LANE	629.40		9195
5871	09/28/16	LO057 MARY LAMBERSON	314.70		9195
5872	09/28/16	M0074 SUSAN MYERS	314.70		9195
5873	09/28/16	M0109 MAUREEN MASSARI	314.70		9195
5874	09/28/16	M0169 JOSEPH MARASCIO	730.80		9195
5875	09/28/16	M0366 MONOC - Monmouth Ocean Hospita	5,000.00		9195
5876	09/28/16	M0375 GEORGETTE MOTLEY	314.70		9195
5877	09/28/16	N0244 NATIONAL PARTS SUPPLY CO.	884.63		9195
5878	09/28/16	O0035 ARTHUR OSBORNE	629.40		9195
5879	09/28/16	P0037 POWERHOUSE SIGN WORKS	85.00		9195
5880	09/28/16	P0049 FLORENCE M PATTERSON	314.70		9195
5881	09/28/16	P0050 DONALD PATTERSON	605.40		9195
5882	09/28/16	R0011 FREDERICK A RICHART	629.40		9195
5883	09/28/16	R0012 RED BANK REGIONAL BOE	770,755.75		9195
5884	09/28/16	R0013 RED BANK BOARD OF EDUCATION	1,336,907.67		9195
5885	09/28/16	R0028 RED BANK VETERINARY HOSPITAL	54.60		9195
5886	09/28/16	R0160 RUTGERS,ST UNIV OF NJ(GEOR.ST)	379.00		9195
5887	09/28/16	R0174 RR DONNELLEY	882.00		9195
5888	09/28/16	S0003 PATRICIA SATTER	314.70		9195
5889	09/28/16	S0027 SEABOARD WELDING SUPPLY INC	34.00		9195
5890	09/28/16	S0028 STAFFORD TIRE CENTER INC	45.00		9195
5891	09/28/16	S0102 ROSE SESTITO	314.70		9195
5892	09/28/16	S0113 LYDIA STATHUM	314.70		9195
5893	09/28/16	S0114 RICHARD SIMS	314.70		9195
5894	09/28/16	S0238 STAPLES	216.75		9195
5895	09/28/16	S0248 ADELINE F SCHMIDT	511.50		9195
5896	09/28/16	S0313 ISAAC STAMPS	314.70		9195
5897	09/28/16	T0063 GEORGIANNA TERRY	314.70		9195
5898	09/28/16	T0176 HELEN TWEED	314.70		9195
5899	09/28/16	U0023 UL LABORATORIES	2,590.00		9195
5900	09/28/16	V0044 ERNEST VANPELT	314.70		9195
5901	09/28/16	W0001 WATCHUNG SPRING WATER CO	86.81		9195
5902	09/28/16	W00107 GARY A WATSON SR.	314.70		9195

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK Continued					
5903	09/28/16	W0057 JAMES WALKER	629.40		9195
5904	09/28/16	W0062 WILLIAM HIMELMAN	314.70		9195
5905	09/28/16	W0070 KEVIN P WIGENTON ESQ	1,420.00		9195
5906	09/28/16	W0075 W.B.MASON CO INC	929.10		9195
5907	09/28/16	W0077 ALBERT WORDEN	686.40		9195
5908	09/28/16	W0084 ROSE WESCOTT	314.70		9195
5909	09/28/16	W0089 JAMES WILLIAMS	365.40		9195
5910	09/28/16	W0092 SHARON S WEBER	317.40		9195
5911	09/28/16	X0002 XEROX FINANCIAL SERVICES	750.00		9195

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	110	0	3,121,466.43	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	110	0	3,121,466.43	0.00

DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK					
3140	09/28/16	140047 ZEIK REALTY HOLDING LLC	478.00		9198
3141	09/28/16	G0167 Gluckwalrath LLP	552.50		9198
3142	09/28/16	N0253 T.O.NAJARIAN ASSOCIATES INC	592.00		9198
3143	09/28/16	T0004 T&M ASSOCIATES	0.00	09/28/16 VOID	0
3144	09/28/16	T0004 T&M ASSOCIATES	4,757.89		9198
3145	09/28/16	W0115 MASER CONSULTING P.A	1,445.00		9198

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	5	1	7,825.39	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	5	1	7,825.39	0.00

GRANT FUND-VNB GRANT FUND-VALLEY NATIONAL					
1127	09/15/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	11,375.33		9184
1128	09/28/16	D0139 DRAGER SAFETY DIAGNOSTICS INC	169.00		9199
1129	09/28/16	F0025 FOODTOWN RB	220.22		9199
1130	09/28/16	W0006 WESTERN PEST SERVICE	40.00		9199
1131	09/28/16	W0075 W.B.MASON CO INC	209.56		9199
1132	09/28/16	X0002 XEROX FINANCIAL SERVICES	140.63		9199

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	6	0	12,154.74	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	12,154.74	0.00

LAW ENFORCMT-2R LAW ENFORCEMENT-TWO RIVER BK					
1254	09/28/16	V0058 ERRICO VESCIO	843.00		9204

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	843.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	843.00	0.00

MCIA LEASE MCIA NON CASH MEMO ONLY					
668	09/28/16	A0050 ATHLETES ALLEY	3,224.00		9200

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
MCIA LEASE					
MCIA NON CASH MEMO ONLY					
Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	3,224.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	3,224.00	0.00
PAYROLL					
PAYROLL ACCOUNT					
1974	09/15/16	N0247 BARBARA NUSSBAUM	844.73		9186
1979	09/15/16	B0211 BOSTON MUTUAL LIFE INSURANCE C	187.62		9190
1980	09/15/16	A0314 AFLAC	3,176.22		9190
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	3	0	4,208.57	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	4,208.57	0.00
PKINGOP2RIVER					
PARKING OPERATING TWO RIVER BK					
1222	09/15/16	B0019 BOROUGH OF RED BANK, PAYROLL AC	7,501.58		9178
1223	09/15/16	A0040 ASBURY PARK PRESS	309.25		9179
1224	09/22/16	B0010 VERIZON	47.03		9193
1225	09/28/16	C0027 CENTRAL JERSEY HEALTH INS. FUND	34,758.45		9197
1226	09/28/16	C0345 CivicPlus	1,076.19		9197
1227	09/28/16	I0080 INTERGRATED TECHNIAL SYSTEM IN	1,516.00		9197
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	45,208.50	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	45,208.50	0.00
TRUST ACCOUNT					
TRUST ACCOUNT-SSB					
4954	09/15/16	B0019 BOROUGH OF RED BANK, PAYROLL AC	15,430.00		9182
4955	09/28/16	C0338 CHRISTIANA TRT CUST GSRAN-Z LL	89,400.00		9201
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	104,830.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	104,830.00	0.00
TTL REDEMPTION					
TAX LIEN REDEMPTION					
3414	09/28/16	C0338 CHRISTIANA TRT CUST GSRAN-Z LL	34,109.48		9202
3415	09/28/16	IN0338 CHRISTIANA TRT CUST GSRAN-Z LL	4,543.28		9202
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	38,652.76	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	38,652.76	0.00
TWO RIVERS					
RCA WITH MANALAPAN					
1795	09/15/16	B0019 BOROUGH OF RED BANK, PAYROLL AC	217.68		9183
1796	09/28/16	M0051 MON CTY CLERKS OFFICE	8.00		9203

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
TWO RIVERS RCA WITH MANALAPAN Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	225.68	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	225.68	0.00
WATER CAPITAL WATER/SEWER CAPITAL-SSB					
1812	09/15/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	2,700.00		9185
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	2,700.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	2,700.00	0.00
WATER OPERATING WATER OPERATING SSB					
9443	09/15/16	B0019 BOROUGH OF RED BANK,PAYROLL AC	36,519.40		9181
9444	09/15/16	J0045 JCP&L	14,344.90		9187
9445	09/15/16	N0014 NJ AMERICAN WATER COMPANY	2,103.65		9187
9446	09/22/16	B0010 VERIZON	217.93		9194
9447	09/22/16	C0244 COMCAST	124.85		9194
9448	09/22/16	N0239 AMERICAN WATER	52.20		9194
9449	09/28/16	C0027 CENTRAL JERSEY HEALTH INS.FUND	161,094.75		9196
9450	09/28/16	C0345 CivicPlus	4,987.80		9196
9451	09/28/16	D0178 DYNAMIC TESTING SERVICE	45.00		9196
9452	09/28/16	P0065 POSTMASTER-RED BANK(PERMITS)	1,500.00		9196
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	10	0	220,990.48	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	10	0	220,990.48	0.00
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	149	1	3,562,329.55	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	149	1	3,562,329.55	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	5-01	1,398.99	0.00	0.00	1,398.99
	6-01	3,120,067.44	0.00	0.00	3,120,067.44
	6-05	220,990.48	0.00	0.00	220,990.48
	6-09	45,208.50	0.00	0.00	45,208.50
Year Total:		<u>3,386,266.42</u>	<u>0.00</u>	<u>0.00</u>	<u>3,386,266.42</u>
	G-01	2,313.60	0.00	0.00	2,313.60
	G-02	9,841.14	0.00	0.00	9,841.14
Year Total:		<u>12,154.74</u>	<u>0.00</u>	<u>0.00</u>	<u>12,154.74</u>
	M-13	3,224.00	0.00	0.00	3,224.00
	T-12	104,830.00	0.00	0.00	104,830.00
	T-13	38,652.76	0.00	0.00	38,652.76
	T-14	225.68	0.00	0.00	225.68
	T-16	843.00	0.00	0.00	843.00
PAYROLL FUND BUDGET	T-22	4,208.57	0.00	0.00	4,208.57
Year Total:		<u>148,760.01</u>	<u>0.00</u>	<u>0.00</u>	<u>148,760.01</u>
	W-06	2,700.00	0.00	0.00	2,700.00
Total of All Funds:		<u><u>3,554,504.16</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>3,554,504.16</u></u>

Project Description	Project No.	Project Total
inspection Rivermedical Center	PI11160	920.00
Review - Lauria Properties, LL	PR10571	159.44
Review Meridian Hospitals Corp	PR11655	525.00
Bond - Zeik Realty Holding	ZB9651	478.00
Review - Riverwalk Commons RB	ZR10249	592.00
Review Tudor village Apartment	ZR11571	2,506.23
Review - Count Basie Theatre	ZR11770	2,644.72
Total of All Projects:		<u>7,825.39</u>