

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SUNSHINE STATEMENT
4. SUSPEND REGULAR ORDER OF BUSINESS
 - 4.I. Presentation To Red Bank Parks & Recreation By Red Bank Elks Lodge No. 233
5. RESUME REGULAR ORDER OF BUSINESS
6. WORKSHOP
 - 6.I. Workshop Discussion Items
 - Reverse Tax Appeals
 - Extension of Riverview Parking agreement
 - Water Meter Contract
 - Grant Writing Contract Award
 - Budget Presentation
7. APPROVAL OF MINUTES
 - 7.I. Draft Minutes Of March 14, 2018
 - Documents:
 - [DRAFT MINUTES 3-14-2018.PDF](#)
 - 7.II. Draft Minutes Of March 18, 2018 (Special Meeting)
 - Documents:
 - [DRAFT MINUTES 3-18-2018 SPECIAL.PDF](#)
8. MAYORAL APPOINTMENTS
 - 8.I. Mayoral Appointments
 - Steve Goodman to Shrewsbury Avenue Advisory Committee for a term expiring on 12/31/2018.
 - Allan Gray to the Green Team sub-committee of the Environmental Commission for an unexpired 1-year term ending 12/31/2018.
9. REPORTS OF MAYOR AND COUNCIL MEMBERS
10. COMMUNICATIONS AND PETITIONS
 - 10.I. Request From Emmanuel Roman For Membership To The Liberty Hose Company Of The Red Bank Volunteer Fire Department.
11. PUBLIC COMMENT--Ordinances On First Reading And Resolutions Only
12. ORDINANCES - First Reading
 - 12.I. 2018-11 An Ordinance Amending And Supplementing Chapter 364, Flood Hazard Prevention.

Documents:

[2018-11 INTRO.PDF](#)

13. ORDINANCES - Public Hearing And Final Adoption

- 13.I. 2018-07 An Ordinance Amending Chapter 596: "Special Improvement District" To Include Additional Properties In The Special Improvement District And A New Exhibit A Attached Thereto Listing Said Properties.

Documents:

[2018-07 PUBLIC HEARING.PDF](#)

[2018-07 EXH A.PDF](#)

- 13.II. 2018-08 An Ordinance Amending And Supplementing Section 562, "Sidewalk Cafes And Restaurants."

Documents:

[2018-08 PUBLIC HEARING.PDF](#)

- 13.III. 2018-09 Bond Ordinance Amending And Supplementing Bond Ordinance Number 2017-21 Finally Adopted On July 26, 2017 To Increase The Total Appropriation Therein From \$600,000 To \$825,000, To Increase The Total Debt Authorization Therein From \$600,000 To \$825,000, And To Amend And Supplement Other Provisions Therein.

Documents:

[2018-09 PUBLIC HEARING.PDF](#)

- 13.IV. 2018-10 An Ordinance Awarding A Two-Year Lease, With An Optional Three-Year Extension, To Jubilee Ice Cream, LLC For Concession Rights At Riverside Gardens Park.

Documents:

[2018-10 PUBLIC HEARING.PDF](#)

14. RESOLUTIONS

- 14.I. 18-76 A Resolution Authorizing Renewal Of Plenary Retail Distribution License For 2017-2018.

Documents:

[18-76.PDF](#)

- 14.II. 18-77 A Resolution Authorizing The Release Of A Performance Guarantee And Acceptance Of A Maintenance Guarantee Posted By MW Red Bank, LLC For Block 37, Lot 6.01.

Documents:

[18-77.PDF](#)

- 14.III. 18-78 A Resolution Authorizing The Release Of An Irrevocable Letter Of Credit Posted

By Oakland Square, LLC Regarding Block 42, Lot 19.01.

Documents:

[18-78.PDF](#)

- 14.IV. 18-79 A Resolution Authorizing Tax Credits/Refunds Totaling \$67.52 Due To Judgement Of The Tax Court Of New Jersey.

Documents:

[18-79.PDF](#)

- 14.V. 18-80 A Resolution Authorizing The Mayor And The Borough Clerk To Extend An Interlocal Services Agreement Between The Red Bank Board Of Education And The Borough Of Red Bank To Provide Snow Plowing, Snow Removal And Vehicle Maintenance Services.

Documents:

[18-80.PDF](#)

- 14.VI. 18-81 A Resolution Approving The Hiring Of Michaela Ferrigine As Temporary Part Time Parks & Recreation Administrative Assistant.

Documents:

[18-81.PDF](#)

- 14.VII. 18-82 A Resolution To Authorize Shared Service Agreement Between The Borough Of Red Bank And The Township Of Shrewsbury For The Shared Use Of Municipal Court.

Documents:

[18-82.PDF](#)

- 14.VIII. 18-83 A Resolution Authorizing Tax Appeal Settlement Regarding Nitto Properties, LLC, 128 Broad Street, Block 60, Lot 15, Red Bank, New Jersey.

Documents:

[18-83.PDF](#)

- 14.IX. 18-84 A Resolution Authorizing The Borough's Redevelopment Attorney To Enter Into A Consent Order Preserving The Affordable Housing Restrictions Recorded On 3 Cedar Street, Unit 3, Red Bank, New Jersey, Notwithstanding Pending Foreclosure Proceedings.

Documents:

[18-84.PDF](#)

- 14.X. 18-85 A Resolution Extending The Agreement With Government Strategy Group To Provide Professional Management Services For Administrative And Financial Operations.

Documents:

[18-85.PDF](#)

- 14.XI. 18-86 A Resolution Approving The Sale Of 85 Parking Permits To Riverview Medical Center From April 15, 2018 Through October 15, 2018.

Documents:

[18-86.PDF](#)

- 14.XII. 18-87 A Resolution To Revise Resolution 18-68 To Authorize Additional Work By T&M Associates Related To The Construction Of Well No. 8 And SCADA Improvements.

Documents:

[18-87.PDF](#)

15. PROCLAMATIONS

16. PAYMENT OF VOUCHERS

- 16.I. A Resolution For Payment Of Bills Amounting To \$ 2,995,873.29.

Documents:

[PAYMENT OF VOUCHERS.PDF](#)

17. OLD BUSINESS

18. NEW BUSINESS

19. AUDIENCE

20. EXECUTIVE SESSION

- 20.I. Contact Negotiation/Litigation

21. ADJOURN EXECUTIVE SESSION

22. ADJOURNMENT

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 14, 2018
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Taylor, Whelan, Yngstrom, Ballard, Zipprich, and Horgan.

ALSO PRESENT: Interim Administrator DeRoberts, Borough Clerk Borghi, CFO Poulos, Attorney Cannon and Engineer Neumann

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on January 1, 2018.

SUSPEND REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to suspend the regular order of business, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Eagle Scout Presentation

18-61 Mayor Menna read “A Resolution Commending Benjamin “Jake” Riegelman on Attaining the Rank of Eagle Scout.”

Mayor Menna congratulated Mr. Riegelman on attaining the rank of Eagle Scout and presented him with a copy of the resolution.

Mr. Riegelman thanked the Mayor and Council.

Councilwoman Horgan noted that she and Councilman Yngstrom had attended the award ceremony and had presented Mr. Riegelman with a certificate to commemorate the accomplishment.

Presentation to Red Bank Middle School Girls’ Basketball Team

Mayor Menna reviewed a visit he had had in the public school earlier in the day.

Councilman Yngstrom reviewed the success of the Red Bank Middle School Girls’ Basketball team noting that they had taken the division title for the first time in 24 years and ended the season with a 13-2 record.

Councilman Yngstrom and Mayor Menna presented each team member with a Certificate of Achievement.

Superintendent Ramage thanked the Mayor and Council and talked about the positive attitude and mindset of the staff and students.

Presentation of Proclamation for Colorectal Cancer Awareness Month – March 2018.

Mayor Menna read a proclamation proclaiming March of 2018 as Colorectal Cancer Awareness Month in the Borough Red Bank. He presented the proclamation to Bonnie Woodward. He asked the doctors in attendance how Red Bank could help.

They asked that the Borough spread awareness about programs for the uninsured and underinsured.

RiverCenter Budget Presentation

RiverCenter Director James Scavone and RiverCenter Board of Directors Steve Catania reviewed the 2018 RiverCenter budget. Mr. Scavone noted that no taxpayer dollars contributed to the budget but said the funding came from an additional assessment on properties in the district. He noted that the assessment had been lowered in 2009 in response to the economic crisis at that time. He said it had remained flat ever since. He said, in 2018, they were requesting an increase but said the amount of the assessment would still be lower than the 2008 assessment. He reviewed the need for the increase.

Mayor Menna asked if there were any questions from the public regarding the RiverCenter budget.

Alberto Larontonda—242 Spring Street—questioned the need for RiverCenter and said he viewed it as a lobbying firm for business interests. He said Red Bank businesses had full time representation but the residents did not. He reviewed their mission statement which included a need to provide parking.

William Meyer—12 Monmouth Street—complained about maintenance issues. He suggested the Department of Public Works could help with snow removal. He also expressed concern about parking. He spoke about his vision for a garage and said the Borough's plan would be challenged. He call for RiverCenter to contribute money toward a parking resolution. He said he was against giving away Borough properties to developers.

Councilman Whelan made a motion of close the public comment, seconded by Councilman Zipprich.

18-62 Mayor Menna read, "A Resolution Approving the 2018 Budget of the Special Improvement District of the Borough of Red Bank."

Councilman Whelan offered a motion to approve the ordinance, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Public Hearing and final adoption scheduled for April 11, 2018 at 6:30 pm.

RESUME REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to resume the regular order of business, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Ballard, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

WORKSHOP

Sidewalk Café Ordinance – Councilman Taylor reviewed proposed changes to the ordinance which was on the agenda for introduction. He said those changes included moving to a full year season.

Councilman Yngstrom said it would also include a clause that stated any outstanding balance had to be paid before a new application would be accepted.

Mayor Menna said Shrewsbury Avenue businesses were looking forward to being included.

Councilman Ballard said he didn't necessarily disagree but wanted to note that the square footage fee had been dropped to \$4.00 from a proposed \$5.00 which would reduce revenue.

Councilman Taylor agreed and said he hoped more businesses would participate and help offset any loss.

Councilman Ballard agreed.

Councilman Yngstrom said the year round cafes would be allowed to have heaters as long as it was done properly.

A discussion followed on the benefits of the ordinance.

APPROVAL OF MINUTES – February 24, 2018 Special Meeting

Councilwoman Horgan offered a motion to approve the minutes, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

APPROVAL OF MINUTES – February 28, 2018

Councilman Whelan offered a motion to approve the minutes, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Zipprich, Horgan

NAYS: None

ABSTAIN: Ballard

There being five ayes, no nays and one abstention, the motion was declared approved.

MAYORAL APPOINTMENTS

Michael Paul Raspanti to the Environmental Commission as full member for an unexpired 3-year term ending 12/31/2019.

Kristina Bonatakis to the Environmental Commission as full member for an unexpired 3-year term ending 12/31/2018.

Roy Meyer to the Environmental Commission as Alternate No. 1 for an unexpired 2-year term ending 12/31/2018.

Nancy Facey-Blackwood to the Environmental Commission as Alternate No. 2 for an unexpired 2-year term ending 12/31/2019 and to the Green Team sub-committee of the Environmental Commission for an unexpired 1-year term ending 12/31/2018.

David Schmetterer to the Green Team sub-committee of the Environmental Commission for an unexpired 1-year term ending 12/31/2018.

Councilman Taylor offered a motion to confirm the appointments, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Mayor Menna offered his condolences to Councilman Ballard on the recent passing of his mother and spoke of the pride she felt in watch her son getting sworn in as a Councilman earlier in the year.

Councilman Ballard thanked the Mayor and thanked everyone for their thoughts. He said he wanted to particularly thank those that had attended his mother's memorial service. He reported the Finance Committee was still working on the budget. He said CFO Poulos had been working diligently around the clock. He said there would be a budget presentation on the 28th. He reported that the Business Administrator search was continuing. He said a meeting to interview candidates had been cancelled by a storm but another meeting had been scheduled for the coming Sunday. He said he expected the search to be concluded within the next two weeks.

Councilman Zipprich discussed recent programs he had attended on issues including the opioid epidemic and drug safety. He thanked the Department of Public Works teams for their recent efforts in the season's third Nor'easter and thanked the Office of Emergency Management team for their preparedness. He also thanked RiverCenter Director Scavone and RiverCenter Board President Catania for their budget presentation and for all the work they do. He thanked Mayor Menna for meeting with him, Mr. Scavone and Mr. Catania the previous week to discuss vision and strategic planning for the business district.

Councilwoman Horgan reported that the Education/Technology Committee had met on Monday, March 5 to discuss issues including a Fiber network being installed by the school district. She reviewed a potential cooperative project and the benefits that could be realized. She also reported that they were looking at replacing the Borough's antiquated phone system and upgrading to a Voice Over IP System. She said the Library had held its second annual Maker Day the previous Saturday. She said it was a state-wide event and reviewed the activities of the day.

Councilman Yngstrom reported that the first public meeting regarding Marine Park would be held on March 21. He said it would be the first of four meetings on the subject. He reported that the Egg Hunt would be held at Count Basie Park at 2pm on Sunday, March 24. He also said the Elks would be presenting a check to Parks & Recreation at the next Council meeting. He said the Parking Committee had met the previous night and said he was happy to announce that RiverCenter President Steve Catania had been added to that committee. He said the Parking Study RFP applications were due by 11am on Tuesday, April 3 and noted that 25 firms had requested RFP packages so far. He said the Committee was also discussing replacing some parking meter heads with smart meter heads so people could use cards rather than digging for change.

Councilman Whelan said he also wanted to thank the Police and Fire Departments for their efforts during the recent storms. He reviewed recent activities by the Human Relations Advisory Committee including their recent participation in DACA clinics. He said the Elks had also donated to the Police Department's canine unit and thanked them for their support. He said he also wanted to respond to comments that had been made regarding certain development projects and noted a project in Metuchen that had encouraged other business to come in and help transform a town that he said had been dying.

Councilman Taylor thanked OEM Coordinator Tom Welsh for his efforts with the Office of Emergency Management Committee during the recent storm. He said Mr. Welsh, along with Building Department Staff Fred Corcione and Kim Farrington as well as Interim Administrator DeRoberts and Public Works Director Keen had also helped coordinate efforts during recent unforeseen issues in the Building Department at the same time that the Borough was dealing with a storm. He said things were now working smoothly. He said the Environmental Commission and its subcommittees had not met but said a work meeting was scheduled for Tuesday, March 27. He said they were continuing work on the Earth Day Expo scheduled for April 21 from noon to 4pm and reviewed planned activities. He said they were looking for sponsorships. He said there would be a Community Garden clean-up day on March 24. He said there would also be volunteers on hand from TCNJ to assist with park clean ups. He also reported on an annual program to collect outdated prescription medication which would take place on April 24.

COMMUNICATIONS AND PETITIONS

Mayor Menna read the following request which had been recommended for approval by Special Events Committee and noted all approvals were subject to final plan review by the Committee:

- Request from “March for Our Lives” to End Gun Violence to hold a march on Saturday, March 24 from Red Bank Train Station travelling on Monmouth, Broad and Front streets and ending in Riverside Gardens Park. Events from 10am to 12noon.
- Request from Red Bank Public Library to hold a Townwide Yard Sale on Saturday, May 5, with a rain date of May 6.
- Request from Red Bank Catholic to hold Making Wishes Come True Benefit Carnival on Saturday, June 2, 2017 in St. James Parking Lot from 9am to 3pm.
- Request from Pilgrim Baptist Church to hold the Annual Community Unity & Bike Blessing Festival and to close Leonard Street from Leighton Avenue to Shrewsbury Avenue on Saturday, June 2, 2018 from 9am to 5pm.
- Request from Red Bank Charter School to hold the following events:
 - Spring Dance at Red Bank Senior Center, Friday, June 8, 2018 from 5 to 10:30pm.
 - Graduation ceremonies at Riverside Gardens, Thursday, June 14, 2018, 5pm (requesting practice in the morning from 9 to 11am and Rain Date of June 15, 2018.)
- Request from Count Basie Theatre to hold their annual Summer Gala on Saturday, June 30, 2018 and to close Monmouth Street from 5:00 am Saturday, June 30, 2018 through 2:00 am Sunday, July 1, 2018 for a tented dinner party in front of the theater.
- Request from Lunch Break to hold Annual Community Picnic/Softball Event at Count Basie Field on Saturday, August 18, 2018 from 8am to 4pm with a rain date of August 19, 2018.

Councilman Zipprich offered a motion to approve the requests en masse, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

PUBLIC COMMENT – Ordinances on First Reading and Resolutions Only

Mayor Menna opened the public comment portion of the meeting and asked if anyone would like to speak.

Alberto Larontonda – 242 Spring Street—said he wanted to comment on the resolution to authorize the electronic tax sale. He said he had had an ongoing dispute regarding his water bill and repairs that had escalated to the point where his account had been delinquent. He said he had found out that his mortgage company had paid the balance. He said he understood that the Borough was participating with an online company to sell tax liens on the internet. He said the process had been unregulated by the State and said there was only one company in the State offered the service. He said it had been called a pilot program for the past five years. He said the NJ Department of Community Affairs (DCA) had received numerous complaints and had launched an investigation. He said he believed, as a result of the investigation, they had decided to pass some regulations which would take effect this year. He said he understood that the resolution on the agenda was a boilerplate of previous resolutions and did not take into account the new DCA regulations. He urged the Mayor and Council to reword the resolution to state that Red Bank would follow the new regulations. He asked the Council to lead by example.

Mayor Menna said he appreciated Mr. Larontonda’s research. He said he had reviewed the matter with the Borough Attorney. He said they believed the resolution before the Council was adequate, however, he suggested they table the resolution for further review.

Councilman Ballard confirmed that the delay would not impact the ability to move forward with the sale.

Mayor Menna confirmed saying there was still time to take action. He called for a motion to table.

18-64 A Resolution Authorizing Tax Collector to Complete Application to Participate in Electronic Tax Sale Process.

Councilman Zipprich made a motion to table the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Mayor Menna noted resolution 18-65 was a parallel resolution that should be tabled also.

18-65 A Resolution Authorizing the Tax Collector to Charge a Fee Relating to Tax Sale Notice Mailings.

Councilman Ballard made a motion to table the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

John Kalfus—Tower Hill Avenue—said he wanted to speak in regard to Resolution 18-66. He reviewed his background in renewable energy and said he agreed with the resolution that they should support an RPS Standard but said he thought the wording was specious and unnecessary. He said he felt they should support the RPS Standard just as a matter of policy. He said he had some concerns about the Council supporting some of the item in the resolution that he said were speculative at best.

Councilwoman Horgan asked him to identify that areas that he thought were specious.

Mr. Kalfus read from several sections of the resolution. He said he agreed with the Council moving forward with the resolution and said he felt Red Bank could benefit from it in a lot of ways from renewable energy but said he felt the premises presented were concerning.

Mayor Menna reviewed the resolution and said the language he was concerned with would not affect the final resolution.

Councilman Yngstrom said he understood but the gist of it was that they wanted to implement the Renewable Portfolio Standard.

Councilmembers discussed how the resolution could be edited.

Councilman Whelan suggested they should table the resolution based on the fact that another speaker had just expressed concerns about a resolution that was then tabled and said they should give Mr. Kalfus the same courtesy.

Councilman Ballard said they were different circumstances in that this concern was over verbiage while Mr. Larontonda was concerned with regulation.

Councilwoman Horgan asked if the Environmental Commission had reviewed the resolution.

Councilman Taylor said they had not and he would like for them to have the opportunity.

Mayor Menna called for a motion to table the following resolution:

18-66 A Resolution Urging the State of New Jersey to Establish a Renewable Portfolio Standard (RPS)

Councilman Taylor made a motion to table the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

William Meyer—12 Monmouth Street—asked if the purpose of the resolution was to increase renewable energy in the private sector in Red Bank.

Mayor Menna said it was a general policy statement to encourage both public and private institutions to focus on renewable energy.

Mr. Meyer suggested they should consider encouraging those making improvements to incorporate green initiatives.

Councilman Taylor said both the Environmental Commission and Code Committee had discussed green building guidelines and were working on drafting Borough ordinances to be more reflective of that and to encourage people to be of the green building mindset.

No one else appearing, Mayor Menna called for a motion to close the public comment portion.

Councilman Zipprich made a motion to close the public comment, Councilman Whelan seconded.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

ORDINANCES – First Reading

2018-07 Mayor Menna read, “An Ordinance Amending Chapter 596: “Special Improvement District” to Include Additional Properties in the Special Improvement District and a New Exhibit A Attached Thereto Listing Said Properties.”

Councilman Zipprich offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Public Hearing and final adoption scheduled for March 28, 2018.

2018-08 Mayor Menna read “An Ordinance Amending and Supplementing Section 562, “Sidewalk Cafes and Restaurants.”

Councilman Taylor offered a motion to approve the introduction of the ordinance as amended, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Public Hearing and final adoption scheduled for March 28, 2018.

2018-09 Mayor Menna read, “Bond Ordinance Amending and Supplementing Bond Ordinance Number 2017-21 Finally Adopted on July 26, 2017 to Increase the Total Appropriation Therein from \$600,000 to \$825,000, to Increase the Total Debt Authorization Therein from \$600,000 to \$825,000, and to Amend and Supplement other Provisions Therein.”

Councilman Zipprich offered a motion to approve the introduction of the ordinance, seconded by Councilman Yngstrom.

Councilwoman Horgan asked if the bond was for the paving of East Bergen Place.

Engineer Neumann explained the need for the additional funds which included sanitary sewer improvements and the need to reinforce the roadway after the improvements.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Public Hearing and final adoption scheduled for March 28, 2018.

2018-10 Mayor Menna read, “An Ordinance Awarding a Two-Year Lease, with an Optional Three-Year Extension, to Jubilee Ice Cream, LLC for Concession Rights at Riverside Gardens Park.”

Councilwoman Horgan offered a motion to approve the introduction of the ordinance, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Public Hearing and final adoption scheduled for March 28, 2018.

ORDINANCES – Public Hearing and Final Adoption

2018-06 Mayor Menna read, “An Ordinance to Amend and Supplement the Code of the Borough of Red Bank to Revise Chapter 64, “Fire Department.”

Mayor opened the public hearing and asked if anyone would like to speak.

Carl Colmorgen—67 Oakland Street—reviewed his family’s history with Relief Engine Company. He said discussions over the past two years regarding the possibility of abolishing the oldest engine company in the Borough were disturbing. He thanked those that had drafted the ordinance and for recognizing the historic value of Relief Engine Company.

Mayor Menna thanked Mr. Colmorgen for his comments and for his service. He agreed that this was the right ordinance at this time due to changing circumstances. He noted the decrease in volunteerism.

Councilwoman Horgan stressed the importance of preserving memorabilia from Relief Engine Company.

No one else appearing, Councilman Zipprich offered a motion to close the public hearing, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Councilman Whelan offered a motion to approve the ordinance, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

RESOLUTIONS

18-63 Mayor Menna read, “A Resolution Authorizing Water/Sewer Refund due to Overpayment.”

Councilman Taylor offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

18-67 Mayor Menna read, “A Resolution Authorizing Change Order No. 2 Related to the Contract with A.C. Schultes for the Construction of Well No. 8 and SCADA Improvements.”

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

18-68 Mayor Menna read, “A Resolution Authorizing Additional Work by T&M Associates Related to the Construction of Well No. 8 and SCADA Improvements.”

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilman Ballard.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

18-69 Mayor Menna read, “A Resolution Appointing Fredrick C. Corcione as Acting Construction Official.”

Councilman Taylor offered a motion to approve the resolution, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

18-70 Mayor Menna read, "A Resolution Appointing Cary Costa as Acting Fire Subcode Official."

Councilman Taylor offered a motion to approve the resolution, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

18-71 Mayor Menna read, "A Resolution Appointing James McCormick as Acting Electrical Subcode Official."

Councilman Taylor offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

18-72 Mayor Menna read, "A Resolution Authorizing Transfer of Current Fund Appropriation Reserves."

Councilman Taylor offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming March 2018 as Women's History Month in the Borough of Red Bank.

PAYMENT OF VOUCHERS

18-73 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$836,766.87."

Councilman Whelan offered a motion to approve the resolution, seconded by Councilman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Zipprich, Horgan

NAYS: None

There being five ayes and no nays, the motion was declared approved.

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Alberto Larontonda-242 Spring Street—reviewed an ongoing issue he had been having with the Public Works Department. He said the issue had been going on for over a year and had escalated to the point where his mortgage company had gotten involved. He said the problem stemmed from the requirement that homeowners were responsible for any connection to their home for water that is under the street. He said he had disputed it from the very beginning when he had had a water leak in front of his home. He said he questioned why he should be responsible for a repair that was under a Borough street. He said he could not be insured for that. He said he felt that, at some point, the Water Department decided that the infrastructure that belongs to the water department would become the property of the property owner and the property owner would be responsible to repair it. He said when he bought his home twenty years ago, he was unaware that the rusting, rotting line under the street would be his responsibility. He said he had asked the previous Administrator if he would have an easement to make any necessary repair but said he was told that the Borough had a contracted company that was bonded and had the proper equipment to make the repair. He said he had been asked to sign a letter guaranteeing payment for the repairs. He said

he felt that was a contract and refused to sign. He said he felt the matter was an ethical policy issue and also a contractual issue. He said the Public Works Department does not have a service contract that water users sign which is done in other municipalities around the country. He said he hoped to resolve the issue and was not appearing just to complain. He also noted that, when they had dug up the pipe connected to his property, they had found that it was made of lead. He said that was a hazardous condition that could probably be found in hundreds of other homes. He said it was not just a local issue. He said he had asked why the new water meters weren't used to determine which houses might have lead connections.

Mayor Menna said he was aware of the issue and asked Attorney Cannon if he had reviewed matter.

Attorney Cannon said he had and said he was sorry to inform Mr. Larontonda that the contract for water service would be subject to all Borough ordinances when the water connection fee was paid. He said subsequent homeowners step into the shoes of the previous owners. He said there was nothing the Borough could do about it and said it had been the rule for years. He added that many other residents had paid for the same charge so, due to equal protection issues, they couldn't make an exception for him.

Mr. Larontona said the equal protection issue was his whole point. He said he believe the ordinance was wrong.

Mr. Cannon said he could challenge the ordinance in court.

Mr. Larontona asked if there were Council people he could discuss the matter with.

Mr. Cannon said individual Council members couldn't change the ordinance. He said he was certain that the Borough Engineer, the Director of Public Utilities and Thomas Branch would strongly recommend that the ordinance not be changed for a number of reasons.

Mr. Larotonda again said he felt homeowners should not have to pay for this type of repair and said he felt people were coerced to sign a document during an emergency situation.

William Meyer – 12 Monmouth Street – asked Mr. Larotonda specifics about his repair.

Mayor Menna asked Mr. Meyer to address the Council.

Mr. Meyer said he was concerned about water going through a lead pipe and continued to ask Mr. Larontonda questions.

Mayor Menna again asked him to address the Council.

Mr. Meyer talked about the dangers of lead.

Attorney Cannon asked DPW Director Keen to address Mr. Meyer's concerns.

Mr. Meyer said that was not necessary. He said he was satisfied with the information from Mr. Larontonda that there had been a significant piece of lead in front of his house and probably others. He said Red Bank had wonderful water that was regularly tested but said, by the time it went through the system and was delivered to a home or business, it could have travelled through a lead pipe and was not tested at the level. He said he had previous suggested the places that serve the public should have substantial filters that were checked by inspectors.

Mayor Menna acknowledged that Mr. Meyer had made that suggestion and he said, at that time, it had been referred to the Borough's professionals to look into drafting an ordinance. He said he did not recall the result but agreed that it merited review. He said the matter should be discussed with the Health Officer.

Mr. Meyer said he had talked to various establishments and found that they do not filter to the level of something that would take out lead. He again expressed concern about the potential dangers of lead. He said he implored the Council to look into it.

Mayor Menna said he would follow up on the matter with the Health Officer.

Councilman Whelan said many insurance companies were now offering home owners service line endorsements which would cover certain water line breaks.

Freddie Boynton—PO Box 2074—said he felt that was what people paid taxes for and claimed he had worked for the Street Department when that water main had been put in. He said the ordinance had been changed. He asked what people were paying taxes for.

Attorney Cannon pointed out that the water system was not funded by taxes buy by rent and user charges.

Mr. Boynton said other towns didn't do it that way.

Mr. Cannon said every town he was involved with did with the homeowner being responsible from the main to the house with the work being done a contractor appointed by the municipality.

No one else appearing, Councilman Zippirch offered a motion to close the audience portion of the meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

EXECUTIVE SESSION

18-60 Mayor Menna read a resolution to adjourn to executive session to discuss potential litigation; no action will be taken.

Councilman Zipprich offered a motion to adjourn to executive session, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Councilman Ballard offered a motion to adjourn from executive session and return to regular business, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

ADJOURNMENT

Councilman Whelan offered a motion to adjourn the meeting, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Respectfully submitted,

Pamela Borghi

**MINUTES
SPECIAL MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 18, 2018
1:30 P.M.**

PLEDGE OF ALLEGIANCE

PRESENT: Mayor Menna and Council Members Whelan, Yngstrom, Ballard, Zipprich and Horgan.
ABSENT: Councilman Taylor
ALSO PRESENT: Borough Clerk Borghi, Interim Administrator DeRoberts and Consultant Hartnett.

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on March 13, 2018.

EXECUTIVE SESSION

18-75 Mayor Menna read a resolution to adjourn to executive session to discuss personnel matters.

Councilman Zipprich offered a motion to adjourn to executive session to discuss contract negotiation, seconded by Councilman Ballard.

ROLL CALL:

AYES: Whelan, Yngstrom, Ballard, Zipprich and Horgan.

NAYS: None

There being five ayes and no nays, the motion was declared approved.

Councilman Zipprich offered a motion to adjourn from executive session, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Whelan, Yngstrom, Ballard, Zipprich and Horgan.

NAYS: None

There being five ayes and no nays, the motion was declared approved.

ADJOURNMENT

Councilwoman Horgan offered a motion to adjourn the meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Whelan, Yngstrom, Ballard, Zipprich and Horgan.

NAYS: None

There being five ayes and no nays, the motion was declared approved.

Respectfully submitted,

Pamela Borghi

ORDINANCE NO. 2018-11

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER 364, FLOOD HAZARD PREVENTION**

WHEREAS, the State of New Jersey has required that all municipalities enact model Flood Hazard Prevention Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 354 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Flood Hazard Prevention" is hereby amended and supplemented as follows:

SECTION ONE:

Chapter 364, "Flood Hazard Prevention" is hereby amended and replaced in its entirety as follows:

§ 364-1 Statutory authorization.

The Legislature of the State of New Jersey has, in N.J.S.A. 40:48-1 et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Governing Body of the Borough of Red Bank, of Monmouth County, New Jersey does ordain as follows:

§ 364-2 Findings of fact.

- A. The flood hazard areas of Borough of Red Bank are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§ 364-3 Purpose.

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;

- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 364-4 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

§ 364-5 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

ADVISORY BASE FLOOD ELEVATION (ABFE)

The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory still water elevation plus wave effect ($ABFE = SWEL + \text{wave effect}$) resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year.

[Added 11-6-2013 by Ord. No. 2013-25]

ADVISORY FLOOD HAZARD AREA (AFHA)

The land in the floodplain within a community subject to flooding from the one-percent annual chance event depicted on the Advisory Flood Hazard Map.

[Added 11-6-2013 by Ord. No. 2013-25]

ADVISORY FLOOD HAZARD MAP

The Official Map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

[Added 11-6-2013 by Ord. No. 2013-25]

APPEAL

A request for a review of the Borough Engineer's interpretation of any provision of this chapter or a request for a variance.

[Amended 11-6-2013 by Ord. No. 2013-25]

AREA OF SHALLOW FLOODING

A designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one-percent annual or greater chance of flooding to an average depth of one foot to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD

The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE)

The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30, the elevation represents the water surface elevation resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year. For zones VE and V1-30, the elevation represents the still water elevation (SWEL) plus wave effect ($BFE = SWEL + \text{wave effect}$) resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year.

[Added 11-6-2013 by Ord. No. 2013-25]

BASEMENT

Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA

The most recent available flood risk guidance FEMA has provided. The best available flood hazard data may be depicted on but not limited to Advisory Flood Hazard Area Maps, work maps or preliminary FIS and FIRM.

[Added 11-6-2013 by Ord. No. 2013-25]

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION

The most recent available flood elevation FEMA has provided. The best available flood hazard data elevation may be depicted on an Advisory Flood Hazard Area Map, work map, or preliminary FIS and FIRM.

[Added 11-6-2013 by Ord. No. 2013-25]

BREAKAWAY WALL

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

COASTAL A ZONE

The portion of the Special Flood Hazard Area (SFHA) starting from a Velocity (V) Zone and extending up to the landward Limit of the Moderate Wave Action delineation. Where no V Zone is mapped the Coastal A Zone is the portion between the open coast and the landward Limit of the Moderate Wave Action delineation. Coastal A Zones may be subject to wave effects, velocity flows, erosion, scour, or a combination of these forces. Construction and development in Coastal A Zones is to be regulated the same as V Zones/Coastal High Hazard Areas.

COASTAL HIGH HAZARD AREA

An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high-velocity wave action from storms or seismic sources.

[Added 11-6-2013 by Ord. No. 2013-25]

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

DIGITAL FLOOD INSURANCE RATE MAP (DFIRM)

The Official Map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

[Added 11-6-2013 by Ord. No. 2013-25]

ELEVATED BUILDING

A nonbasement building:

- A. Built, in the case of a building in an area of special flood hazard, to have the top of the elevated floor or, in the case of a building in a Coastal High-Hazard Area or Coastal A Zone, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water; and
- B. Adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an area of special flood hazard, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In Areas of Coastal High Hazard and Coastal A Zones "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

[Added 11-6-2013 by Ord. No. 2013-25]

FLOOD INSURANCE RATE MAP (FIRM)

The Official Map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

[Added 11-6-2013 by Ord. No. 2013-25]

FLOOD INSURANCE STUDY (FIS)

The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOOD or FLOODING

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters; and/or
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

FLOODPLAIN MANAGEMENT REGULATIONS

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

[Added 11-6-2013 by Ord. No. 2013-25]

FREEBOARD

A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior), or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

INSURANCE RATE MAP (FIRM)

The Official Map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

LIMIT OF MODERATE WAVE ACTION (LiMWA)

Inland limit of the area affected by waves greater than 1.5 feet during the Base Flood. Base Flood conditions between the V Zone and the LiMWA will be similar to, but less severe than those in the V Zone.

LOWEST FLOOR

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so to render the structure in violation of other applicable nonelevation design requirements of 44 CFR Section 60.3.

[Amended 11-6-2013 by Ord. No. 2013-25]

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a recreational vehicle.

MANUFACTURED HOME PARK or MANUFACTURED HOME SUBDIVISION

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

PRELIMINARY FLOOD INSURANCE RATE MAP (FIRM)

The draft version of the FIRM released for public comment before finalization and adoption.

[Added 11-6-2013 by Ord. No. 2013-25]

PRIMARY FRONTAL DUNE

A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

[Added 11-6-2013 by Ord. No. 2013-25]

RECREATIONAL VEHICLE

A vehicle which is:

- A. Built on a single chassis;
- B. Four hundred square feet or less when measured at the longest horizontal projections;
- C. Designed to be self-propelled or permanently towable by a light-duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SAND DUNES

Naturally occurring or man-made accumulations of sand in ridges or mounds landward of the beach.

[Added 11-6-2013 by Ord. No. 2013-25]

START OF CONSTRUCTION

For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348),[1] includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the

property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE

A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

[Amended 11-6-2013 by Ord. No. 2013-25]

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local Code Enforcement Officer and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

VARIANCE

A grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by this chapter.

VIOLATION

The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

[Added 11-6-2013 by Ord. No. 2013-25]

§ 364-6 Lands to which this chapter applies.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the Borough of Red Bank, Monmouth County, New Jersey.

§ 364-7 Basis for establishing areas of special flood hazard.

A. The areas of special flood hazard for the Borough of Red Bank, Community No. 340321, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) A scientific and engineering report "Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)," dated June 20, 2018..
- (2) Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions), as shown on index and panels 34025C0177F, 34025C0179F, 34025C0181F, 34025C0183G, whose effective date is June 20, 2018.
- (3) Best available flood hazard data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. Where the effective mapping or base flood elevation conflict or overlap with the best available flood hazard data, whichever imposes the more stringent requirement shall prevail.

[Added 11-6-2013 by Ord. No. 2013-25]

B. The foregoing documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and maps are on file at 90 Monmouth Street, Red Bank, NJ 07701-1614, and shall further remain on file in the office of the Borough Engineer.

§ 364-8 Violations and penalties.

No structure or land shall hereafter be constructed, re-located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined, imprisoned, or both, in accordance with the general penalty provision in Chapter 1, Article II, General Penalty, of the Code of the Borough of Red Bank for each violation, and in addition, shall pay all costs and expenses involved in the case, including reasonable attorney's fees. Nothing herein contained shall prevent the Borough of Red Bank from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 364-9 Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 364-10 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

§ 364-11 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Borough of Red Bank, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

§ 364-12 Establishment of development permit.

A development permit shall be obtained before construction or development begins including placement of manufactured homes, within any area of special flood hazard established in § 364-7. Application for a development permit shall be made on forms furnished by the Local Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- B. Elevation in relation to mean sea level to which any structure has been floodproofed;
- C. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in § 364-18; and
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

§ 364-13 Designation of Local Administrator/Floodplain Manager.

[Amended 11-6-2016 by Ord. No. 2013-25]

The Borough Engineer as defined in Chapter 490, Planning and Development Regulations, of the Code of the Borough of Red Bank, is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

§ 364-14 Duties and responsibilities of Local Administrator/Floodplain Manager.

[Amended 11-6-2016 by Ord. No. 2013-25]

Duties of the Local Administrator/Floodplain Manager shall include, but not be limited to:

A. Permit review.

- (1) Review all development permits to determine that the permit requirements of this chapter have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.

- (3) Review all development permits in the coastal high hazard and Coastal A Zone area to determine if the proposed development alters sand dunes or other natural coastal protections so as to increase potential flood damage.
- (4) Review plans for walls to be used to enclose space below the base flood level in accordance with § 364-19C.

B. Use of other base flood and floodway data. When base flood elevation and floodway data has not been provided in accordance with § 364-7, Basis for establishing areas of special flood hazard, the Local Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer § 364-18A, regarding residential construction, and § 364-18B, regarding nonresidential construction.

C. Information to be obtained and maintained.

- (1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures:
 - (a) Verify and record the actual elevation (in relation to mean sea level); and
 - (b) Maintain the floodproofing certifications required in § 364-12C.
- (3) In coastal high hazard and Coastal A Zone areas, certification shall be obtained from a registered professional engineer or architect that the provisions of § 364-19B(1) and 364-19B(2) (a) and (b) are met.
- (4) Maintain for public inspection all records pertaining to the provisions of this chapter.

D. Alteration of watercourses.

- (1) Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Bureau of Flood Control Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood-carrying capacity is not diminished.

E. Substantial Damage Review

- (1) After an event resulting in building damages, assess the damage to structure due to flood and non-flood causes.
- (2) Record and maintain the flood and non-floofflood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- (3) Ensure substantial improvements meet the requirements of § 364-18ASection 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, § 364-18B5.2-2, SPECIFIC STANDARDS NONRESIDENTIAL CONSTRUCTION and § 364-18C5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

F. Interpretation of FIRM boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in § 364-15.

§ 364-15 Variance procedure.

A. The Planning or Zoning Board of Adjustment of the Borough of Red Bank, whichever has jurisdiction, as established by Borough of Red Bank, shall hear and decide appeals and requests for variances from the requirements of this chapter.

[Amended 11-6-2016 by Ord. No. 2013-25]

B. The Planning or Zoning Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Local Administrator in the enforcement or administration of this chapter.

[Amended 11-6-2016 by Ord. No. 2013-25]

C. Those aggrieved by the decision of the Planning or Zoning Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court of the State of New Jersey, as provided by law.

[Amended 11-6-2016 by Ord. No. 2013-25]

D. In passing upon such applications, the Planning or Zoning Board of Adjustment shall consider all technical evaluations, all relevant factors, including any standards specified in other sections of this chapter, and:

- (1) The danger that materials may be swept onto other lands to the injury of others;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed facility and its contents to flood damage; and the effect of such damage on the individual owner;
- (4) The importance of the services provided by the proposed facility to the community;
- (5) The necessity to the facility of a waterfront location, where applicable;
- (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (7) The compatibility of the proposed use with existing and anticipated development;
- (8) The relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
- (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

E. Upon consideration of the factors of Subsection D of this section and the purposes of this chapter, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

F. The Administrative Officer shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

§ 364-16 Conditions for variances.

A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that all items in § 364-15D have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

B. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

C. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

E. Variances shall only be issued upon:

- (1) A showing of good and sufficient cause;
- (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in § 364-15D, or conflict with existing local laws or ordinances.

F. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

§ 364-17 General standards.

[Amended 11-6-2016 by Ord. No. 2013-25]

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

A. Anchoring.

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(2) All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

B. Construction materials and methods.

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Utilities.

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters;

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

(4) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. Subdivision proposals.

(1) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres (whichever is less).

E. Enclosure openings. All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with

screens, louvers, or other covering or devices, provided that they permit the automatic entry and exit of floodwaters.

§ 364-18 Specific standards.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in § 364-7, Basis for establishing areas of special flood hazard, or § 364-14B, regarding the use of other base flood data, the following standards are required. For Coastal A Zone construction see § 364-19 Coastal high hazard area and coastal A zone:

A. Residential construction.

[Amended 11-6-2013 by Ord. No. 2013-25]

(1) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement, together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation (published FIS/FIRM), or the best available flood hazard data elevation or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive, plus one foot.

(2) Require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above at least as high as the depth number specified in feet (at least three feet if no depth number is specified) or at or above the best available flood hazard data elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

B. Nonresidential construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone (for Coastal A Zone construction see § 364-19 Coastal high hazard area and coastal A zone) shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or advisory base flood elevation, whichever is more restrictive, plus one foot; or require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated above the highest adjacent grade one foot above at least as high as the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive, and require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or together with the attendant utilities and sanitary facilities, shall:

[Amended 11-6-2013 by Ord. No. 2013-25]

(1) Elevated to or above the base flood elevation (published FIS/FIRM), or the best available flood hazard data elevation or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive, plus one foot; and

(2) Require within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three feet if no depth

number is specified) or at or above the best available flood hazard data elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or

- (3) Be floodproofed so that below the base flood level plus one foot, or the best available flood hazard elevation or as required by ASCE/SEI 24-14, Table 6-1, plus one foot (whichever is more restrictive), the structure is watertight with walls substantially impermeable to the passage of water;
- (4) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- (5) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in § 364-14C.

C. Manufactured homes.

(1) Manufactured homes shall be anchored in accordance with § 364-17A.

(2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:

- i. Be consistent with the need to minimize flood damage,
- ii. Be constructed to minimize flood damage,
- iii. Have adequate drainage provided to reduce exposure to flood damage,
- iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation (published FIS/FIRM) or the best available flood hazard elevation, plus one foot, or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive; and,
- v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

[Amended 11-6-2013 by Ord. No. 2013-25]

§ 364-19 Coastal high hazard area and coastal A zone.

[Added 11-6-2013 by Ord. No. 2013-25]

Coastal high hazard areas (V or VE Zones) are located within the areas of special flood hazard established in § 364-7. These areas have special flood hazards associated with high-velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

A. Location of structures.

- (1) All buildings or structures shall be located landward of the reach of the mean high tide.
- (2) The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or subdivision.

B. Construction methods.

- (1) Elevation. All new construction and substantial improvements shall be elevated on piling or columns so that:
 - (a) The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to above the base flood elevation, advisory base flood elevation or as required by the Uniform Construction Code (N.J.A.C. 5:23), whichever is more restrictive; and
 - (b) With all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Subsection C(2).
- (2) Structural support.
 - (a) All new construction and substantial improvements shall be securely anchored on piling or columns.
 - (b) The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values, each of which shall have a one-percent chance of being equaled or exceeded in any given year (one-hundred-year mean recurrence interval).
 - (c) There shall be no fill used for structural support.
- (3) Certification. A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for compliance with the provisions of Subsection B(1) and (2)(a) and (b).

C. Space below the lowest floor.

- (1) Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this section shall not enclose the space below the lowest floor unless breakaway walls, open wood latticework or insect screening are used as provided for in this section.
- (2) Breakaway walls, open wood latticework or insect screening shall be allowed below the base flood elevation, provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
 - (a) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 - (b) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and

nonstructural). Water-loading values used shall be those associated with the base flood. Wind-loading values used shall be those required by applicable state or local building standards.

(3) If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.

(4) Prior to construction, plans for any breakaway wall must be submitted to the Building Subcode Official for approval.

D. Sand dunes. Prohibit man-made alteration of sand dunes within Zones Coastal A, VE and V on the community's DFIRM which would increase potential flood damage.

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. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

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:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

First Reading: March 28, 2018

Final Reading:

ORDINANCE NO. 2018-07

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 596: "SPECIAL IMPROVEMENT DISTRICT" TO INCLUDE ADDITIONAL PROPERTIES IN THE SPECIAL IMPROVEMENT DISTRICT AND A NEW EXHIBIT A ATTACHED THERETO LISTING SAID PROPERTIES

Councilman Zipprich offered the following ordinance and moved for its introduction:

WHEREAS, the Borough Tax Assessor of the Borough of Red Bank (the "Borough") and the Borough's Designated District Management Corporation, RiverCenter, have recommended that the Borough's Special Improvement District be expanded to include certain properties and to exclude certain presently included properties that are no long subject to assessment under Chapter 596: "Special Improvement District" of the Borough's Revised General Ordinances;

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. That the Governing Body hereby amends the Special Improvement District with respect to the properties listed in Exhibit A attached hereto.
2. That Chapter 596: "Special Improvement District" of the Borough's Revised General Ordinances is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

§ 596-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

DISTRICT MANAGEMENT CORPORATION

Special Improvement District of Red Bank, New Jersey, Inc., d/b/a Red Bank RiverCenter (also referred to as "Management Corporation"), an entity incorporated pursuant to Title 15A of the New Jersey Statutes and designated by municipal ordinance to receive funds collected by a special assessment within the Special Improvement District, as authorized by this article and any amendatory supplementary ordinances.

EXPANDED DISTRICT PROPERTIES

The properties identified by block and lot number and street address in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07.

ORIGINAL DISTRICT PROPERTIES

The properties identified by block and lot number and street address on Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07.

SPECIAL IMPROVEMENT DISTRICT (sometimes also referred to as DISTRICT)

An area within the Borough of Red Bank designated by this article as an area in which a special assessment on property within the District shall be imposed for the purposes of promoting the economic and general welfare of the District and the municipality. The Special Improvement District includes the expanded district properties.

§ 596-2 Findings.

The Mayor and Council find and declare:

- A. That the Expanded District Properties, as identified by block and lot number and street address ~~in Exhibit A to this article~~ in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07, will benefit from being included within the Special Improvement District;
- B. That the District Management Corporation will provide administrative, management and other services to benefit the businesses, employees, residents

and consumers in the Original District Properties and the Expanded District Properties;

- C. That a special assessment shall be imposed and collected by the Borough with the regular property tax payment or payment in lieu of taxes or otherwise, and that all or a portion of these payments shall be transmitted to the District Management Corporation to effectuate the purposes of this article and to exercise the powers granted to it pursuant to this article;
- D. That it is in the best interests of the Borough to expand the Special Improvement District to include the Expanded District Properties and designate the District Management Corporation to administer the District, inclusive of the Original District Properties and the Expanded District Properties;
- E. That the business community should be encouraged to provide self-help and self-financing programs to meet local business needs, goals and objectives.

§ 596-3 Creation of District.

- A. There is hereby created and designated within the Borough of Red Bank a Special Improvement District, to be known as the "Red Bank Special Improvement District," consisting of the properties designated and listed on Schedule A by tax lot and block number and street addresses, as amended by Exhibit A to Ordinance No. 2018-07, including the expanded district properties as set forth and identified by block and lot number and street address in Exhibit A of Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07. The Special Improvement District shall be subject to special assessments on all affected property within the District, which assessment shall be imposed by the Borough of Red Bank for the purposes of promoting the economic and general welfare of the District and the municipality.
- B. All business properties within the Special Improvement District, including all private, nonresidential assessed properties, are deemed included in the assessing and taxing provisions of this article and are expressly subject to potential tax or assessment made for Special Improvement District purposes.
- C. All properties within the Special Improvement District that are tax-exempt or are used exclusively for residential purposes are deemed excluded from the assessing or taxing provisions of this chapter and are expressly exempt from any tax or assessment made for Special Improvement District purposes. The tax-exempt and residential properties that shall be accordingly exempt from any tax or assessment for special improvement district purposes are specifically identified in Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07, and in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07, as "Tax-Exempt Properties" and "Residential Properties."
- D. All properties within the Special Improvement District that are of a mixed use, and where the residential use is equal to 75% or more of the fair market value of the property as determined by the Borough Assessor, are deemed excluded from the assessing or taxing provisions of this chapter and are expressly exempt from any tax or assessment made for Special Improvement District purposes.
- E. The status of the properties identified in Schedule A to Ordinance No. 1994-17,

as amended by Exhibit A to Ordinance No. 2018-07, and in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07, as "Tax-Exempt Properties" and "Residential Properties" are based upon the current uses for such properties. In the event that any residential property use shall change to a commercial use, or any tax-exempt property shall become subject to taxation and used for commercial purposes, such property will be subject to the assessment pursuant to Ordinance No. 2007-4 and Ordinance No. 1994-17 and Ordinance No. 2018-07. Should any commercial property currently subject to assessment pursuant to Ordinance No. 2007-4 and Ordinance No. 1994-17 and Ordinance No. 2018-07 change its legal use from commercial to residential, or should any such property become legally tax-exempt, such property shall no longer be subject to assessment hereunder.

§ 596-4 Appeal of property owner from inclusion in District.

Any owner of property included within the Special Improvement District, including the properties identified in Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07, and the expanded district properties set forth in Exhibit A of Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07, and subject to the assessing and taxing provisions of this article, may appeal to the Tax Assessor of the Borough of Red Bank requesting to be excluded from the District and from any assessment and taxing provisions of this chapter. This appeal is only as to whether or not a property should be included within the District under the standards set forth in § 596-3 of this article. It is not an appeal with regard to any taxes. Appeals with regard to taxes should be taken in the usual manner to the Monmouth County Board of Taxation or to the Tax Court. This appeal seeking exclusion from the District and any assessment and taxing provisions of this article shall be in writing and specifically detail the factual basis for the appeal. The Assessor shall investigate the matter and conduct an informal hearing or conference within 30 days of receipt of the appeal. Within 10 days after the conclusion of the informal hearing or conference, the Assessor shall file a report and recommendation with the governing body. The governing body shall review the matter and act within 30 days upon receipt of the report and recommendation from the Assessor.

§ 596-5 Assessments.

- A. Operation and maintenance of District. Annual operation and maintenance costs relating to services peculiar to the District, including the properties identified in Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07, and the expanded district properties set forth in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07, as distinguished from services normally provided by the Borough, will provide benefits primarily to the properties included within the District rather than to the Borough as an entirety. These annual costs shall be assessed and taxed to the benefited properties pursuant to the provisions of this chapter and N.J.S.A. 40:56-65 et seq.
- B. Development, construction or acquisition costs. All costs of development, construction and acquisition relating to improvements to the District, including the properties identified in Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07, and the expanded district properties set forth in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to

Ordinance No. 2018-07, shall be financed and assessed to properties especially benefited thereby. The Borough may, by separate ordinance, or by amendment to this chapter, provide that improvements and facilities hereinafter acquired or developed shall be operated and maintained and the costs taxed to the benefited properties.

§ 596-6 Designation of District Management Corporation.

The nonprofit corporation, Special Improvement District of Red Bank, Inc., d/b/a/ Red Bank RiverCenter, is hereby designated as the District Management Corporation for the District. This Management Corporation shall conduct its business in accordance with the Open Public Meetings Law. This Corporation shall have no power of condemnation or eminent domain. It shall regularly file copies of the minutes of its meetings with the Borough Clerk so the minutes shall be conveniently available to the public for inspection.

§ 596-7 Powers of District Management Corporation.

The District Management Corporation, in addition to acting as an advisory board to the Mayor and Council, shall have all powers and responsibilities necessary and requisite to effectuate the purposes of this article and the District, including, but not limited to:

A. Bylaws; Board of Directors.

- (1) Adopt bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations and policies in connection with the performance of its functions and duties; these bylaws shall be submitted to the Mayor and Council for approval and may not thereafter be modified without the approval of the Mayor and Council, and the bylaws and other corporate documents shall provide that the Corporation shall conduct its business in accordance with the Open Public Meetings Law, shall conduct regular meetings not less than quarterly and that the Board of Directors shall consist of 30 members. As to the membership of the Board of Directors, it shall include the Mayor or the Mayor's designee; a member of the Borough Council selected by the Borough Council; and two residents of the Borough, who shall not be owners or occupants of property within the District, to be selected by the Borough Council. All of these appointments shall serve at the pleasure of the appointing authority.
- (2) Additionally, the Board of Directors shall consist of one member appointed by each of the following bodies:
 - (a) Riverview Medical Center.
 - (b) The Monmouth County Arts Council.
 - (c) Eastern Monmouth Area Chamber of Commerce.
- (3) The members appointed by these bodies shall serve at the pleasure of the appointing body. Not less than 16 of the remaining 23 members of the Board of Directors shall consist of owners or occupants of property located within the District, including the expanded district properties. The existing Board shall continue to carry on the duties of the nonprofit corporation and hereafter members shall be, in accordance with the bylaws, elected to the Board of Directors by owners and/or occupants of property included within the District. Any vacancies with regard to these

elected members shall be filled by a majority of the Board members for the balance of the term.

- B. Employ such persons as may be required, and fix and pay their compensation from funds available to the corporation;
- C. Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grant or donation of property or money;
- D. Make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the corporation, including contracts with any person, firm, corporation, governmental agency or other entity;
- E. Administer and manage its own funds and accounts and pay its own obligations;
- F. Borrow money from private lenders and from governmental entities;
- G. Fund the improvement for the exterior appearance of properties in the District through grants or loans. Standards for eligibility and for terms of such grants and loans shall be established by the Board of Directors.
- H. Fund the rehabilitation of properties in the District through grants or loans. Standards for eligibility and for terms of such grants and loans shall be established by the Board of Directors.
- I. Accept, purchase, rehabilitate, sell, lease or manage property in the District;
- J. Enforce the conditions of any loan, grant, sale or lease made by the corporation;
- K. Provide security, sanitation and other services to the District, supplemental to those provided normally by the municipality;
- L. Undertake improvements designated to increase the safety or attractiveness of the District to businesses which may wish to locate there or to visitors to the District including, but not limited to, litter cleanup and control, landscaping, parking areas and facilities, recreational and rest areas and facilities, pursuant to pertinent regulations of the Borough of Red Bank;
- M. Publicize the District and the businesses included within the District boundaries;
- N. Recruit new businesses to fill vacancies in, and to balance the business mix of, the District;
- O. Organize special events in the District;
- P. Provide special parking arrangements for the District; and
- Q. Provide temporary decorative lighting in the District.

§ 596-8 Annual budget, hearing and assessments.

- A. The fiscal year of the District and of the Management Corporation shall be the calendar year. The current budget has been approved by the Mayor and Council. Hereafter, the District Management Corporation shall submit no later than December 1 of each year a detailed annual budget for the following year for approval by the Mayor and Council. The budget shall be processed and adopted by the Borough on or before April 1 of each year in accordance with the procedures set forth in N.J.S.A. 40:56-84.
- B. The budget shall be submitted with a report which explains how the budget contributes to goals and objectives for the Special Improvement District. The budget shall be reasonably itemized, including any different tax rate or different tax tier for various properties within the District, and shall include a summary of the categories of cost properly chargeable as follows:

- (1) The amount of such costs to be charged against the general funds of the municipality, if any.
 - (2) The amount of costs to be charged and assessed against properties benefited in the District, including the properties identified in Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07, and the expanded district properties set forth in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07, in proportion to benefits which shall be the aggregate of costs of annual improvements to be made in the District during the ensuing year;
 - (3) The amount of costs, if any, to be specially taxed against properties in the District, including the properties identified in Schedule A to Ordinance No. 1994-17, as amended by Exhibit A to Ordinance No. 2018-07, and the expanded district properties set forth in Exhibit A to Ordinance No. 2007-4, as amended by Exhibit A to Ordinance No. 2018-07.
- C. Each year, when the Mayor and Council shall have acted on the estimated costs and/or on the budget, the Municipal Assessor shall prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessable properties in the District, including expanded district properties. Descriptions of such properties, and the names of the then-current owners of such properties, so far as names are available, shall be included in each annual assessment roll. The assessment roll, when so prepared, shall be filed in the Office of the Municipal Clerk and be there available for inspection. The Mayor and Council shall annually meet to consider objections to the amounts of such special assessments at least 10 days after a notice of hearing has been published once in the official newspaper and mailed to the named owners of all tracts, parcels and lots of property proposed to be assessed. The notice shall set forth the time and place of meeting and set forth the purpose of such meeting, but may refer to the assessment roll for further particulars. When the governing body shall have approved the amounts of the special assessments set forth therein, or as may be changed by it, the Municipal Clerk shall forthwith certify a copy of the assessment roll, with such changes, if any, to the Monmouth County Tax Board.
- D. For the purpose of this section, "annual improvements" shall mean and include any reconstruction, replacement or repair of trees and plantings and other facilities of the Special Improvement District and the furnishing of any other local improvement which benefits properties within the District, including expanded district properties. For the purpose of this chapter, "costs" shall, with respect to annual improvements to and operation and maintenance of the Special Improvement District, mean costs of annual improvements; and all other costs, including planning costs, incurred or to be incurred in connection with annual improvements to and operation and maintenance of the District.
- E. Moneys appropriated and collected on account of annual improvement costs, and costs of operating and maintaining a Special Improvement District, shall be credited to a special account. The Mayor and Council may incur the annual costs of improving, operating and maintaining a Special Improvement District, during

any fiscal year, though not specifically provided for by line item or other category in an approved estimate for such fiscal year, if in its discretion it shall be deemed necessary to provide for such annual improvements or operation or maintenance prior to the succeeding fiscal year and so long as the total amount of the account as approved for that year is not exceeded by that expenditure. Any balances to the credit of the account and remaining unexpended at the end of the fiscal year shall be conserved and applied towards the financial requirements of the succeeding year.

- F. The Mayor and Council shall pay over funds to the Management Corporation quarterly on the first day of March, June, September and December of each year.

§ 596-9 Annual audit of the District Management Corporation.

The District Management Corporation shall cause an annual audit of its books, accounts and financial transactions to be made and filed with the Mayor and Council, and for that purpose, the Corporation shall employ a certified public accountant of New Jersey. The annual audit shall be completed and filed with the governing body within four months after the close of the fiscal year of the Corporation, and a certified duplicate copy of the audit shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs within five days of the filing of the audit with the Mayor and Council.

§ 596-10 Annual report to municipality.

The District Management Corporation shall, within 30 days after the close of each fiscal year, make an annual report of its activities for the preceding fiscal year to the Mayor and Clerk of the Borough.

§ 596-11 Municipal powers retained.

Notwithstanding the creation of a Special Improvement District, the Borough of Red Bank expressly retains all its powers and authority over the area designated as within the Special Improvement District. No improvements or modifications shall be made to any public property without the prior formal approval of the Borough governing body.

§ 596-12 Ordinance reenactment.

This article reenacts in its entirety the ordinance entitled "An Ordinance Creating a Special Improvement District Within the Borough of Red Bank and Designating a District Management Corporation," as heretofore adopted, amended and supplemented.

BE IT FURTHER ORDAINED that a copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies for their review and comment pursuant to applicable New Jersey Statutes.

BE IT FURTHER ORDAINED that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

BE IT FURTHER ORDAINED that, 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.

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

	Yes	No	Abstain	Absent
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()
Councilman Yngstrom	(x)	()	()	()
Councilman Ballard	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()

Dated: February 28, 2018

SPECIAL IMPROVEMENT DISTRICT

596 Attachment 3

Borough of Red Bank

Exhibit A

**Special Improvement District Amendments to District Properties List
[Adopted by Ord. No. 2018-07]**

Amendments to District Properties List

The following properties are hereby deleted from Schedule A: “Special Improvement District Original District Properties”, which was adopted by and made a part of Ordinance No. 1994-17:

Block	Lot	Qual	Address
9.01	24		11-13 Wharf Avenue
29	24, 25		25 Wallace Street

The following properties are hereby deleted from Exhibit A: “Special Improvement District Expanded District Properties”, which was adopted by and made a part of Ordinance No. 2007-4, and amended by Ordinance No. 2007-13:

Block	Lot	Qual	Address
37	6.01		Edmond Wilson Plaza
42	1		153 Monmouth Street
42	2		153 Monmouth Street

The following properties are hereby added to the Special Improvement District:

Block	Lot	Qual	Address
3	4.01		192 Riverside Avenue
3	9.01		176 Riverside Avenue
9.01	24	C00C1	11 Wharf Avenue, Unit C1
9.01	24	C00C2	11 Wharf Avenue, Unit C2
9.01	24	C00C3	11 Wharf Avenue, Unit C3
9.01	24	C00C4	11 Wharf Avenue, Unit C4

29	24	C101	23 Wallace Street, Unit 101
30	43		40 White Street
31	15.03		30 Monmouth Street
31	23		32 Monmouth Street
34	3.01		141 West Front Street
37.01	1		186 Monmouth Street
37.01	2		184 Monmouth Street
37.01	3.01		25 Bridge Avenue
37	6.02	C000A	1 Bridge Avenue
37	6.02	C000B	1 Bridge Avenue
38	1.01		212-220 Monmouth Street
44	2.02		77-77A Monmouth Street

ORDINANCE NO. 2018-08

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
SECTION 562, "SIDEWALK CAFES AND RESTAURANTS"

Councilman Taylor offered the following ordinance and moved its introduction:

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Section 562 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Sidewalk Cafes and Restaurants," is hereby amended and supplemented as follows:

SECTION ONE: Chapter 652, "Sidewalk Cafes and Restaurants," is amended and supplemented as follows: (*strikeouts denote deletions, underlined text denote additions*):

Chapter 562 SIDEWALK CAFES AND RESTAURANTS

562-1 License Required. Sidewalk cafes and restaurants may be established as an ancillary use to a permitted restaurant, retail food establishment with greater than 7,000 s.f. of gross floor area, club or primary liquor service establishment in any zoning district that permits restaurants, retail food establishments, clubs or primary liquor service establishments or has been approved by the Zoning Board for a combination or hybrid of such uses. No person, however, shall establish, maintain, own or operate a sidewalk café or restaurant nor serve food liquor or other beverages on any public street, sidewalk or alleyway without first having obtained a license from the Clerk of the Borough of Red Bank. It is recommended that applicants located within the Special Improvement District consult with the Special Improvement District of Red Bank, Inc. (RiverCenter) prior to submitting any application.

562.2 Application, Investigation, Issuance or Denial.

- a. Application to Borough Clerk. [No Change]
- b. Referral of Application to the Special Improvement District of Red Bank, Inc. [No Change]
- c. Referral to the ~~Chief of Police~~ Office of Code Enforcement
 1. The Borough Clerk, ~~upon receipt of the written report from the Special Improvement District, or the expiration of the fifteen (15) days,~~ shall forward the application to the ~~Chief of Police~~ Office of Code Enforcement who shall conduct an investigation, ~~including consultation with the Borough's Construction and Fire Code Officials,~~ and review the data contained in the application and ~~in the report of the Special Improvement District.~~ Upon completion of the investigation by the ~~Chief of Police~~ Code Enforcement Officer, he will make a report and recommendation to the Mayor and Council.
 2. ~~If the premises subject to the application are not located within the Special Improvement District, the Borough Clerk shall promptly forward the application to the Chief of Police who shall conduct an investigation, including consultation with the Borough's Construction and Fire Code Officials fire prevention officials, and review the data contained in the application and, thereafter, make a report and recommendation to the Mayor and Council.~~
- d. Action by Mayor and Council.

The Mayor and Council will review the report of the ~~Chief of Police~~ Code Enforcement Officer, the application and the report, if any, of the Special Improvement District. The Mayor and Council shall issue or deny the license as in their unlimited discretion they deem appropriate. The Mayor and Council shall take into consideration the location, potential interference with pedestrian or vehicular traffic, appropriateness of design, the business record of the applicant, any proposed public safety, health and welfare considerations. It is contemplated that no less than five feet of unobstructed sidewalk shall be open and maintained for pedestrians, and that no chairs, tables, or other property shall be located, whether in use or not, within three feet of any curb. Any umbrella or other cover shall maintain a clearance of not less than seven feet for the fabric and not less than eight feet for any frame or rigid material. No license shall be issued until a resolution of the Mayor and Council of the Borough authorizing the issuance of a license shall have been adopted.

562.3 Application Fees and Licensing Fees.

Any person submitting an application for a sidewalk cafe or restaurant permit, extension permit, or renewal thereof, shall submit an annual application fee in the amount of one hundred (\$100.00) dollars with said application. Should an application be approved by the Mayor and Council of the Borough by resolution as specified herein, the applicant shall pay an ~~annual~~ initial licensing fee in the amount of two (\$2.00) dollars per square foot of sidewalk utilized for said sidewalk cafe or restaurant per permit or permit extension. Applicants seeking renewals of said licenses or permit extensions shall pay an annual licensing fee in the second and all subsequent years in the amount of four (\$4.00) dollars per square foot of sidewalk area utilized for the sidewalk cafe or restaurant. Any changes in plans shall require a new application and fee. No sidewalk café application will be accepted if there remains an outstanding balance on the applicant's previous year's permit fees.

562-4 ~~Season~~ Term.

- a. ~~Any and all licenses issued pursuant to the terms of this chapter shall permit sidewalk cafe operations to begin no earlier than April 1. Any and all sidewalk cafe operations so established shall terminate no later than November 1 of the year in which the permit is issued. The term of a sidewalk café permit shall be one (1) year, beginning April 1st and terminating March 31 of the following year in which the permit is issued. Any sidewalk café permit issued after April 1st will expire on March 31 of the following year with no pro rating of the fee for part of the year. A permit issued pursuant to this section is subject to the following conditions:~~
- b. ~~A permit issued pursuant to this section may be extended for the period November 1 through March 31, subject to the following conditions:~~
 - ~~(1) A separate application shall be submitted accompanied by the appropriate fee pursuant to § 562-3 of this chapter.~~
 - ~~(1) (2) Sidewalk cafe furniture shall be removed during snow fall and when sidewalks are snow-covered to facilitate snow removal.~~
 - ~~(2) (3) A minimum sixty-inch clear, unobstructed sidewalk path shall be maintained at all times.~~
 - ~~(3) (4) No auxiliary or temporary heating appliances, devices, or systems shall~~

be utilized or installed for outdoor cafe use unless such devices, appliances, or systems and their use have been installed and approved in accordance with the provisions of the Uniform Construction Code and/or the Uniform Fire Code.

562-5 Annual renewal.

Any license for a sidewalk cafe permit and/or any permit extension issued pursuant to the terms of this chapter shall be renewed annually before April 1 ~~and November 1~~ of each year, as applicable, and at the discretion of the Mayor and Council.

562-6 Violations and penalties. [No Change]

562-7 Applicability of other provisions. [No Change]

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

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

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

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

	Yes	No	Abstain	Absent
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()
Councilman Yngstrom	(x)	()	()	()
Councilman Ballard	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilman Horgan	(x)	()	()	()

Dated: March 14, 2018

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

ORDINANCE NUMBER 2018-09

BOND ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2017-21 FINALLY ADOPTED ON JULY 26, 2017 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$825,000, TO INCREASE THE TOTAL DEBT AUTHORIZATION THEREIN FROM \$600,000 TO \$825,000, AND TO AMEND AND SUPPLEMENT OTHER PROVISIONS THEREIN

Councilman Zipprich offered the following ordinance and moved its introduction:

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

SECTION 1. The bond ordinance of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), heretofore finally adopted by the Borough Council on July 26, 2017, numbered 2017-21 and entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS BY THE WATER/SEWER UTILITY OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OR NOTES TO FINANCE THE COST THEREOF" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth below:

(a) The total appropriation in the Original Ordinance is hereby increased by \$225,000, from \$600,000 to \$825,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as the Water/Sewer Utility of the Borough is self-liquidating.

(b) The total bonds/notes debt authorization in the Original Ordinance is hereby increased by \$225,000, from \$600,000 to \$825,000.

(c) The permitted costs under Section 40A:2-20 of the Local Bond Law as set forth in Section 7(d) of the Original Ordinance are increased by \$100,000, from \$85,000 to \$185,000.

SECTION 2. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough for the improvements and purposes authorized by the Original Ordinance, as amended and supplemented hereby, and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 2 shall not apply, however, with respect to any contribution or grant-in-aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant-in-aid.

SECTION 3. The Capital Budget of the Borough is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this amendatory and supplemental bond ordinance by \$225,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(b) For the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby, an additional sum of \$100,000 is hereby included for items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense equal to an aggregate amount not exceeding \$185,000, such total amount being included in the estimated cost indicated herein for the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by the Original Ordinance, as amended and supplemented hereby. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 6. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, and paid prior to the issuance of any bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, with the proceeds of such bonds or notes. This Section 6 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, used to reimburse the Borough for costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized in the Original

Ordinance, as amended and supplemented hereby, or another issue of debt obligations of the Borough other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, will be issued in an additional amount not to exceed \$225,000 and a total amount not to exceed \$825,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, is paid, or (ii) the date the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 7. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 8. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 9. This amendatory and supplemental bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

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

	Yes	No	Abstain	Absent
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()
Councilman Yngstrom	(x)	()	()	()
Councilman Ballard	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()

Dated: March 14, 2018

ADOPTED ON FIRST READING
DATED: March 14, 2018

PAMELA BORGHI
Borough Clerk

ADOPTED ON SECOND READING
DATED: March 28, 2018

PAMELA BORGHI
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ___ DAY OF _____, 2018.

PASQUALE MENNA, Mayor
Borough of Red Bank

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

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the governing body of the Borough of Red Bank, in the County of Monmouth, State of New Jersey on March 14, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Borough's Municipal Building, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey 07701, March 28, 2018 at 6:30 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2017-21 FINALLY ADOPTED ON JULY 26, 2017 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$825,000, TO INCREASE THE TOTAL DEBT AUTHORIZATION THEREIN FROM \$600,000 TO \$825,000, AND TO AMEND AND SUPPLEMENT OTHER PROVISIONS THEREIN**

Purpose(s): To increase the total appropriation from \$600,000 to \$825,000, increase the total bonds/notes debt authorization from \$600,000 to \$825,000, and increase the Section 2-20 costs from \$85,000 to \$185,000

Appropriation: Increase of \$225,000 from \$600,000 to \$825,000

Bonds/Notes Authorized: Increase of \$225,000 from \$600,000 to \$825,000

Grants Appropriated None

Down Payment: None

Section 2-20 Costs: Increase of \$100,000 from \$85,000 to \$185,000

Useful Life: No Change (20 years)

**PAMELA BORGHI,
Borough Clerk**

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

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by Borough Council of the Borough of Red Bank, in the County of Monmouth, State of New Jersey on March 28, 2018 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2017-21 FINALLY ADOPTED ON JULY 26, 2017 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$825,000, TO INCREASE THE TOTAL DEBT AUTHORIZATION THEREIN FROM \$600,000 TO \$825,000, AND TO AMEND AND SUPPLEMENT OTHER PROVISIONS THEREIN**

Purpose(s): To increase the total appropriation from \$600,000 to \$825,000, increase the total bonds/notes debt authorization from \$600,000 to \$825,000, and increase the Section 2-20 costs from \$85,000 to \$185,000

Appropriation: Increase of \$225,000 from \$600,000 to \$825,000

Bonds/Notes Authorized: Increase of \$225,000 from \$600,000 to \$825,000

Grants Appropriated None

Down Payment: None

Section 2-20 Costs: Increase of \$100,000 from \$85,000 to \$185,000

Useful Life: No Change (20 years)

**PAMELA BORGHI,
Borough Clerk**

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Borough Council of the Borough duly called and held on March 14, 2018 at 6:30 p.m. at the Borough's Municipal Complex and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the Borough Council and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough as of this ___ day of _____, 2018.

(SEAL)

PAMELA BORGHI,
Borough Clerk

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Borough Council of the Borough duly called and held on March 28, 2018 at 6:30 p.m. at the Borough's Municipal Complex and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the Borough Council and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Borough as of this __ day of _____, 2018.

(SEAL)

PAMELA BORGHI,
Borough Clerk

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

**CERTIFICATE AS TO BOND ORDINANCE
ADOPTION PROCESS**

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

1. Attached hereto is the bond ordinance introduced on March 14, 2018 and finally adopted on March 28, 2018 and approved by the Mayor on _____, 2018.
2. After introduction, the bond ordinance was published as required by law on _____, 2018 in The Asbury Park Press.
3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Borough at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Borough who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body. Copies of the bond ordinance were made available to all who requested same.

4. After final passage, the bond ordinance was duly approved by the Mayor of the Borough and published as required by law on _____, 2018 in The Asbury Park Press. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Borough as of this ___ day of _____, 2018.

PAMELA BORGHI,
Borough Clerk

(SEAL)

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

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

I, the undersigned, clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Eugenia Poulos, the Chief Financial Officer of the Borough as of March 14, 2018, that such Supplemental Debt Statement was filed in my office on or by March 14, 2018 and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on March __, 2018.

**PAMELA BORGHI,
Borough Clerk**

ORDINANCE 2018-10

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AWARDING A TWO-YEAR LEASE, WITH AN OPTIONAL THREE-YEAR EXTENSION, TO JUBILEE ICE CREAM, LLC FOR CONCESSION RIGHTS AT RIVERSIDE GARDENS PARK

Councilwoman Horgan offered the following ordinance and moved its introduction:

WHEREAS, the Borough of Red Bank duly advertised for the receipt of bids for a two-year lease, with an optional three-year extension, for Concession Rights at Riverside Gardens Park; and

WHEREAS, in response, two (2) bids were received on January 31, 2018; and

WHEREAS, the bids have been reviewed by the Borough Administrator, and it has been determined that Jubilee Ice Cream, LLC submitted the highest responsible bid in accordance with the bid specifications, said bid being \$16,800.00 for 2018 and \$18,000.00 for 2019; and

WHEREAS, it is the desire of the governing body to award a two-year lease for Concession Rights at Riverside Gardens Park to Jubilee Ice Cream, LLC, the highest responsible bidder.

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

1. That the Mayor and Borough Council do hereby award a two-year contract, with an optional three-year extension, for Concession Rights at Riverside Gardens Park to Jubilee Ice Cream, LLC at \$16,800.00 for 2018 and \$18,000.00 for 2019.
2. That the Mayor and Borough Clerk are hereby authorized to execute a two-year lease agreement with Jubilee Ice Cream, in accordance with the bid submitted by Jubilee Ice Cream, LLC, and the bid specifications, and with the approval of the Borough Attorney.
3. That a certified copy of this resolution be forwarded to the Administrator, Director of Recreation, Director of Public Utilities, Chief Financial Officer, Jubilee Ice Cream, LLC, and G&D Organic Ice Cream, LLC; and

BE IT FURTHER ORDAINED that 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; and

BE IT FURTHER ORDAINED that, 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.

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

	Yes	No	Abstain	Absent
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()
Councilman Yngstrom	(x)	()	()	()
Councilman Ballard	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()

Dated: March 14, 2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-76

**A RESOLUTION AUTHORIZING RENEWAL OF
PLENARY RETAIL DISTRIBUTION LICENSE FOR 2017-2018**

offered the following resolution and moved its adoption:

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Plenary Retail Distribution Licenses issued for the period July 1, 2017 through June 30, 2018 are hereby renewed:

1340-44-034 Rekon Limited Liability Company Inactive/Pocket

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

RESOLUTION NO. 18-77

A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE AND ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED BY MW RED BANK, LLC FOR BLOCK 37, LOT 6.01

offered the following resolution and moved its approval:

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough"), required the posting of a performance guarantee by MW Red Bank, LLC for the installation of certain site improvements with respect to the approvals given by the Borough's Zoning Board for Block 37, Lot 6.01 under Resolution 12-156; and

WHEREAS, the Borough has received a request from MW Red Bank, LLC for the release of the performance guarantee; and

WHEREAS, the Borough's Zoning Board Engineer and Planning and Zoning Department have determined that all site improvements have been completed in substantial compliance with the applicant's approvals; and

WHEREAS, the Borough's Zoning Board Engineer and Planning and Zoning Department have recommended the release of the performance guarantee for the site improvements for Block 37, Lot 6.01 posted by MW Red Bank, LLC through: (1) Irrevocable Standby Letter of Credit No. SB-IB-2012-44 issued by Investors Bank, 101 JFK Parkway, Short Hills, NJ 07078 in the amount of \$537,280.00, and (2) a \$59,698.00 cash deposit, together with interest, now totaling \$60,079.77, subject to the posting of a maintenance guarantee through either: (1) a bond in the amount of \$74,622.00; or (2) by maintaining the cash deposit on-hand in the amount of \$60,079.77; and

WHEREAS, the Governing Body of the Borough has been advised by the Borough Planning and Zoning Department that MW Red Bank, LLC has posted a maintenance guarantee in the amount of \$60,079.77 by maintaining the cash deposit on-hand in the amount of \$60,079.77 for Block 37, Lot 6.01; and

WHEREAS, the acceptance of this maintenance guarantee is permitted, and in accordance with the provisions of the New Jersey Municipal Land Use Law and the Borough's Planning and Development Regulations;

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

1. That the Governing Body does hereby authorize the release of the performance guarantee posted by MW Red Bank, LLC, consisting of the Irrevocable Standby Letter of Credit No. SB-IB-2012-44 issued by Investors Bank, 101 JFK Parkway, Short Hills, NJ 07078 in the amount of \$537,280.00 for the site improvements for the above-listed property; and
2. That the Governing Body does hereby accept the maintenance guarantee posted by MW Red Bank, LLC, consisting of a cash deposit in the amount of \$60,079.77, already on deposit with the Borough, for the above-listed property; and
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Borough Planning and Zoning Department, and MW Red Bank, LLC.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

RESOLUTION NO. 18-78

A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF AN IRREVOCABLE LETTER OF CREDIT POSTED BY OAKLAND SQUARE, LLC REGARDING BLOCK 42, LOT 19.01

offered the following resolution and moved its approval:

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough"), required the posting of an irrevocable letter of credit in the amount of \$1,265,474 by Oakland Square, LLC to guarantee the completion of certain affordable housing units with respect to the approvals given for Block 42, Lot 19.01; and

WHEREAS, by Resolution 15-66, the Borough accepted from Oakland Square, LLC Irrevocable Letter of Credit No. 1861 issued by Amboy Bank on February 26, 2015 in the amount of \$1,265,474 to guarantee the construction of certain affordable housing units required by the approvals granted for Block 42, Lot 19.01; and

WHEREAS, the Borough has received a request from Oakland Square, LLC for the release of Irrevocable Letter of Credit No. 1861 issued by Amboy Bank on February 26, 2015 in the amount of \$1,265,474; and

WHEREAS, the Borough's Planning and Zoning Department has determined that the affordable housing units have been constructed in compliance with the applicant's approvals and the developer's agreement for Block 42, Lot 19.01;

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

1. That the Governing Body hereby authorizes the release of Irrevocable Letter of Credit No. 1861 issued by Amboy Bank on February 26, 2015 in the amount of \$1,265,474 on behalf of Oakland Square, LLC to guarantee the construction of certain affordable housing units required by the approvals granted for Block 42, Lot 19.01

2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Red Bank Planning and Zoning Department, and Oakland Square, LLC.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 17-79**

**A RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS TOTALING \$67.52
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 \$67.52 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	Year	\$ Amount
B 81 L 20	90 Bank Street	Wm K & Teresa Poku	2017	\$ 67.52
		TOTAL		\$ 67.52

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
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilman Horgan	()	()	()	()

Dated: March 28, 2018

Property Owner property Address	Block	Lot	Year	Tax Rate	Original Assessment	Judgment	Reduced by	Credit or Refund	Orginal Billing	New Billing	Credit	
POKU, WM K & TERESA 90 BANK ST	81	20	2017	2.110	168,200.00	165,000.00	3,200.00	67.52	3,549.02	3,481.50	67.52	Judgment final 2/8/2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-80

RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXTEND AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE RED BANK BOARD OF EDUCATION AND THE BOROUGH OF RED BANK TO PROVIDE SNOW PLOWING, SNOW REMOVAL, STREET SWEEPING AND VEHICLE MAINTENANCE SERVICES

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank and the Board of Education had previously entered into an Interlocal Services Agreement with the Board of Education under which the Borough provided Snow Plowing, Snow Removal, Street Sweeping and Vehicle Maintenance Services to the Board of Education; and

WHEREAS, both the Borough and the Board of Education desire to continue this interlocal agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Mayor and the Borough Clerk are hereby authorized to execute an extension of the Interlocal Agreement with the Board of Education of the Borough of Red Bank through January 31, 2024 to provide snow plowing, snow removal, street sweeping and vehicle maintenance services in exchange for an annual payment of

Contract year	Payment Due
2/1/19 – 1/31/20	\$14,362 due July 2019
2/1/20 – 1/31/21	\$14,721 due July 2020
2/1/21 – 1/31/22	\$15,089 due July 2021
2/1/22 – 1/31/23	\$15,466 due July 2022
2/1/23 – 1/31/24	\$15,853 due July 2023

to the Borough, as set forth in the existing contract.

BE IT FURTHER RESOLVED that the Clerk forward certified true copies of this resolution to the Board of Education of the Borough of Red Bank.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

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 March 28, 2018.

Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-81

**A RESOLUTION APPROVING THE HIRING OF MICHAELA FERRIGINE
AS TEMPORARY PART TIME PARKS & RECREATION ADMINISTRATIVE ASSISTANT**

offered the following resolution and moved its adoption:

WHEREAS, the Parks & Recreation Director has advised that it is desirable to fill the position of Temporary Part Time Administrative Assistant for the Parks & Recreation Office; and

WHEREAS, he has recommended that Michaela Ferrigine be appointed to the position of Temporary Part Time Administrative Assistant.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank that the hiring of Michaela Ferrigine as Temporary Part Time Administrative Assistant is hereby approved effective April 16, 2018.

BE IT FURTHER RESOLVED that Ms. Ferrigine shall be compensated at a rate of \$16.50 per hour.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-82

**RESOLUTION TO AUTHORIZE SHARED SERVICE AGREEMENT BETWEEN THE
BOROUGH OF RED BANK AND THE TOWNSHIP OF SHREWSBURY FOR THE SHARED
USE OF MUNICIPAL COURT**

offered the following resolution and moved its adoption:

WHEREAS, the Mayor and Council of the Borough of Red Bank adopted Resolution No. 17-287 Authorizing a Shared Services Agreement between the Borough of Red Bank and the Township of Shrewsbury for the Shared Use of Municipal Court and December 13, 2017; and

WHEREAS, the Mayor and Council wish to rescind the previous agreement and replace it with the following:

WHEREAS, the Uniform Shares Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to contract with each other for shared services; and

WHEREAS, the Borough of Red Bank ("Borough") wishes to enter into a shared service agreement with the Township of Shrewsbury ("Township") for the provisions and sharing of the Municipal Court, facilities, personnel and services of the Borough on behalf of the Township for an annual fee of \$7,000.00 per year for a period commencing January 1, 2018 and terminating December 31, 2021; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Shrewsbury, County of Monmouth, State of New Jersey, that the Mayor is hereby authorized to enter into a shared service agreement with the Borough of Red Bank for shared Municipal Court facilities, personnel and services for the benefit of Shrewsbury Township.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

ATTEST:

Pamela Borghi
Municipal Clerk

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 March 28, 2018.

Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-83**

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT
REGARDING NITTO PROPERTIES, LLC, 128 BROAD STREET,
BLOCK 60, LOT 15, RED BANK, NEW JERSEY**

offered the following resolution and moved its adoption:

WHEREAS, the plaintiff, Nitto Properties, LLC, appealed to the Tax Court of the State of New Jersey under Docket No. 006031-2014 pertaining to the tax assessment for the 2014 tax year on property designated on the municipal tax records as Block 60, Lot 15, and with an address of 128 Broad Street, Red Bank, New Jersey; and

WHEREAS, the Assessor and the Attorney have advised the Governing Body that they, along with the Borough's valuation expert, have carefully considered the appeal and upon reviewing all the facts and based upon appropriate adjustments of fair market value that they recommend settlement providing for the settlement of the aforementioned appeals as follows:

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
		<u>Tax Year 2014</u>	
Land	\$1,187,700	<u>n/a Direct Appeal</u>	\$900,000
Improvements	<u>\$928,100</u>	<u>n/a</u>	<u>\$300,000</u>
Total	\$2,115,800	n/a	\$1,200,00

WHEREAS, the aforementioned judgment will result in a refund to the plaintiff in the amount of **\$ 18,471.68**.

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

BE IT FURTHER RESOLVED that the Tax Collector is authorized and directed to issue any required refunds/credits in accordance with the judgment(s) entered by Tax Court; and

BE IT FURTHER RESOLVED that the attorney is authorized and directed to take appropriate steps to implement this resolution.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Borough's Attorney of Record on these appeals, the Tax Assessor, the Tax Collector and to Nitto Properties c/o Joel Meyers, Esq., 37 Beach Road, Monmouth Beach, New Jersey 07750.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

RESOLUTION NO. 18-84

A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH'S REDEVELOPMENT ATTORNEY TO ENTER INTO A CONSENT ORDER PRESERVING THE AFFORDABLE HOUSING RESTRICTIONS RECORDED ON 3 CEDAR STREET, UNIT 3, RED BANK, NEW JERSEY NOTWITHSTANDING PENDING FORECLOSURE PROCEEDINGS

offered the following resolution and moved its approval:

WHEREAS, on February 26, 2018, the New Jersey Housing and Mortgage Finance Agency (the "NJHMFA") filed a Foreclosure Complaint in the Superior Court of New Jersey, Chancery Division, Monmouth County against the real property commonly known as 3 Cedar Street, Unit 3, Red Bank, NJ (the "Property"); and

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") was named as a defendant in the NJHMFA's Foreclosure Complaint by virtue of the affordable housing restrictions recorded on the Property in favor of the Borough; and

WHEREAS, on March 6, 2018, the Borough filed a Contesting Answer to the NJHMFA's Foreclosure Complaint and Counterclaim seeking to preserve the affordable housing restrictions recorded on the Property in favor of the Borough; and

WHEREAS, in response to the Borough's Contesting Answer and Counterclaim, the NJHMFA has proposed that it enter into a Consent Order with the Borough, which is attached hereto as Exhibit A; and

WHEREAS, the entry of the Consent Order would resolve the issues raised by the Borough's Contesting Answer and Counterclaim and preserve the affordable housing restrictions recorded on the Property in favor of the Borough, while eliminating the need for expending further legal expenses on the part of the Borough in defending its recorded interests in the Property;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Borough's Redevelopment Attorney, Leslie London, Esq. of McManimon, Scotland & Baumann, LLC, is authorized to execute the Consent Order attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the Borough's Redevelopment Attorney is hereby authorized to ensure the proper and timely filing of the fully executed Consent Order on behalf of the Borough of Red Bank; and

BE IT FURTHER RESOLVED that the Clerk shall forward a certified copy of this Resolution to the Borough Administrator and the Borough Redevelopment Attorney.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-85

**A RESOLUTION EXTENDING THE AGREEMENT WITH
GOVERNMENT STRATEGY GROUP TO PROVIDE PROFESSIONAL
MANAGEMENT SERVICES FOR ADMINISTRATIVE AND FINANCIAL OPERATIONS**

offered the following resolution and moved its adoption:

WHEREAS, there existed and continues to exist a need for professional management services for administrative and financial operations and

WHEREAS, the Borough's Governing Body, under Resolution No. 18-21, previously approved a proposal from Government Strategy Group to provide these services through March 31, 2018; and

WHEREAS, the Borough's Governing Body is pleased with the progress of the services being rendered to the Borough by Government Strategy Group and wishes to extend the agreement through April 30, 2018; and

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

The proposal from Government Strategy Group dated December 28, 2017, to provide professional management services for administrative and financial operations is hereby extended for thirty days through April 30, 2018, subject to the certification of availability of funds by the Chief Financial Officer.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

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 March 28, 2018.

Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-86

A RESOLUTION APPROVING THE SALE OF 85 PARKING PERMITS TO RIVERVIEW MEDICAL CENTER FROM APRIL 15, 2018 THROUGH OCTOBER 15, 2018

offered the following resolution and moved its adoption:

WHEREAS, the Council previously approved the sale of parking permits for spaces in Marine Park to Riverview Medical Center for a period of October 31, 2017 through March 31, 2018; and

WHEREAS, Riverview Medical Center has requested an extension on the approval; and

WHEREAS, this request has been reviewed by the Council Parking Committee and recommended for approval.

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. The Mayor and Council approval the sale of 85 Red Bank Parking Permits at \$500.00 each for a total of \$42,500.00.
2. Each permit shall be valid from April 15, 2018 through October 15, 2018.
3. The space shall be allowed as follows: 30 in Marine Park, 48 in the Mechanic Street Lot, 5 in the Union Street lot and 2 in the Globe Court Garage.
4. Space assignments are subject to change according to the needs of Riverview Hospital and/or the Borough of Red Bank.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

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 March 28, 2018.

Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-87**

**RESOLUTION TO REVISE RESOLUTION 18-68 TO AUTHORIZE
ADDITIONAL WORK BY T&M ASSOCIATES RELATED TO THE
CONSTRUCTION OF WELL NO. 8 AND SCADA IMPROVEMENTS**

offered the following resolution and moved its adoption:

WHEREAS, the Mayor and Council previously adopted Resolution 18-68 to authorize additional work in regard to the Construction of Well No. 8 and SCADA Improvements project; and

WHEREAS, Resolution 18-68 contained an incorrect dollar amount and needs to be revised; and

WHEREAS, the Borough Engineer has identified additional work that needs to be performed due to the passage of the Water Quality Accountability Act (WQAA) adopted in October of 2017 and also due to the need to replace the current aerator support structure; and

WHEREAS, these changes yield a total net cost increase of ~~\$15,300~~ \$29,800;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the additional work outlined in the estimate dated February 9, 2018 in regard to the Construction of Well No. 8 and SCADA Improvements project, is hereby approved with a supplementary price increase of ~~\$15,300~~ \$29,800; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in account(s) no. W-06-16-001-398; and

BE IT FURTHER RESOLVED that this resolution is further contingent upon the 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
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()

Dated: March 28, 2018

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 March 28, 2018.

Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-

A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,995,873.29

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 \$2,995,873.29.

Seconded by

and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilman Yngstrom	()	()	()	()
Councilman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilman Horgan	()	()	()	()

Dated: March 28, 2018

Bill List 3/28/18

Borough of Red Bank

Current Operating Fund	1	Computer Checks	\$ 2,297,201.43
		Revenue \$	\$ 1,875.00
		Manual Checks(1)	\$ 401,541.73
		Manual Checks(2)	
		Manual Checks(3)	
		Subtotal	\$ 2,700,618.16
Water Operating	5	Computer Checks	\$ 66,004.48
		Manual Checks(1)	\$ 113,442.09
		Manual Checks-Projects(1)	
		Manual Checks(2)	
		Project Checks	
		Subtotal	\$ 179,446.57
Parking Operating	9	Computer Checks	\$ 6,402.23
		Manual Checks(1)	\$ 8,218.36
		Manual Checks(2)	
		Subtotal	\$ 14,620.59
Escrow-TD	E20	Computer Checks	
		Manual Checks(1)	
		Project ID	\$ 16,768.86
		Manual Checks(project)	
		Subtotal	\$ 16,768.86
Escrow-2 River Bznk	E20	Computer Checks	
		Manual Checks(1)	
		Project ID	
		Manual Checks(project)	
		Subtotal	\$ -
Grant Fund	2	Computer Checks	\$ 6,551.15
		Manual Checks(1)	\$ 9,715.13
		Manual Checks(2)	

		Subtotal	\$	16,266.28
Capital Fund	C4	Computer Checks	\$	9,024.21
		Manual Checks(1)		
		Manual Checks(2)		
		MCIA-Manual M-15		
		Subtotal	\$	9,024.21
MCIA	M	Computer Checks		
		Manual Checks(1)		
		Manual Checks(2)		
		MCIA M-15 CAPITAL		
		Subtotal	\$	-
Trust	T12	Computer Checks	\$	9,791.71
		Manual Checks(1)	\$	16,952.04
		Manual Checks(2)		
		Subtotal	\$	26,743.75
TTL	T13	Computer Checks	\$	2,675.62
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	2,675.62
RCA	T14	Computer Checks		
		Manual Checks(1)	\$	234.10
		Manual Checks(2)		
		Subtotal	\$	234.10
Animal	15	Computer Checks	\$	341.50
		Manual Checks(1)	\$	300.00
		manual Checks(2)		
		Subtotal	\$	641.50
Law Enforcement	16	Computer Checks		
		Manual Checks(1)		

		manual Checks(2)		
		Subtotal	\$	-
Unemployment	T17	Computer Checks		
		Manual Checks(1)	\$	18.99
		Manual Checks(2)		
		Subtotal	\$	18.99
Coah	T18	Computer Checks		
		Manual Checks(1)		
		manual Checks(2)		
		Subtotal	\$	-
Online Liens	T19	Computer Checks		
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	-
Park & Rec Trust green acres	21	Computer Checks		
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	-
Recreation Trust	23	Computer Checks	\$	320.00
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	320.00
Water Capital Fund	W6	Computer Checks	\$	27,932.84
		Manual Checks(1)	\$	561.82
		Manual Checks(2)		
		Subtotal	\$	28,494.66
Parking Capital Fund	P8	Computer Checks		
		Manual Checks(1)		
		Manual Checks(2)		
		Subtotal	\$	-

Total Computer Checks	\$	2,426,245.17
Total Revenue \$	\$	1,875.00
Total Manual Checks(1)	\$	550,984.26
Total Manual Checks(2)	\$	-
Total Manual Checks(3)		
Water Projects	\$	-
Escrow Projects	\$	16,768.86
Water Projects-2	\$	-
Total Manual Checks(1)	\$	-
Total Manual Checks(2)		
Total Manual Checks(3)	\$	-
Total Computer Checks	\$	-
PAYROLL ACCOUNTS #T-22	\$	2,984.22

Minus Void Checks

Check Register Total	\$	2,998,857.51
PAYROLL ACCOUNTS #T-22	\$	(2,984.22)
Grand Total	\$	2,995,873.29

Range of Checking Accts: First to Last Range of Check Dates: 03/15/18 to 03/28/18
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CAPITAL ACCOUNT CAPITAL ACCOUNT-SSB					
2199	03/28/18	C0321 CME ASSOCIATES	989.00		10424
2200	03/28/18	T0004 T&M ASSOCIATES	8,035.21		10424

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	9,024.21	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	9,024.21	0.00

CURRENT -VALLEY CURRENT OPERATING-VALLEY BK					
8697	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	362,910.97		10399
8698	03/15/18	V0075 VFIS	18,348.00		10407
8699	03/15/18	A0152 AT&T (105107)	0.12		10409
8700	03/15/18	A0223 AT&T (BOX 105068)	32.97		10409
8701	03/15/18	J0045 JCP&L	2,957.58		10409
8702	03/15/18	J0142 JCP&L	1,340.64		10409
8703	03/22/18	B0010 VERIZON	697.84		10414
8704	03/22/18	B0185 BROADVIEW NETWORKS	912.94		10414
8705	03/22/18	C0244 COMCAST LLC	143.71		10414
8706	03/22/18	J0045 JCP&L	11,856.31		10414
8707	03/22/18	M0205 MONMOUTH TELECOM	278.31		10414
8708	03/22/18	N0021 NEW JERSEY NATURAL GAS CO	2,062.34		10414
8709	03/28/18	91309 National Parts Supply INC	697.05		10420
8710	03/28/18	A0028 AMERICAN WEAR INDUST.UNIFORM	595.20		10420
8711	03/28/18	A0066 AIR BRAKE & EQUIPMENT	467.67		10420
8712	03/28/18	A0080 AIR DYNAMIC SYSTEMS	391.94		10420
8713	03/28/18	A0111 MADELINE ABBATEMARCO	360.00		10420
8714	03/28/18	A0253 AMAZON.COM LLC	269.18		10420
8715	03/28/18	A0262 MARY AHERN	804.00		10420
8716	03/28/18	B0044 HANNELORE BERGEN	402.00		10420
8717	03/28/18	B0084 BEACON AWARDS & SIGNS	98.75		10420
8718	03/28/18	B0085 JOAN BOUCHER	327.00		10420
8719	03/28/18	B0107 BAKER & TAYLOR BOOKS W510486	0.00	03/28/18 VOID	0
8720	03/28/18	B0107 BAKER & TAYLOR BOOKS W510486	0.00	03/28/18 VOID	0
8721	03/28/18	B0107 BAKER & TAYLOR BOOKS W510486	0.00	03/28/18 VOID	0
8722	03/28/18	B0107 BAKER & TAYLOR BOOKS W510486	3,049.29		10420
8723	03/28/18	B0108 BAKER & TAYLOR ENTER.W510334	521.80		10420
8724	03/28/18	B0208 DAVID W BARR	384.00		10420
8725	03/28/18	B0238 DEBORAH BOYNTON	268.00		10420
8726	03/28/18	C0001 JAMES CLAYTON	732.00		10420
8727	03/28/18	C0037 CITY CENTRE PLAZA LLC	253.00		10420
8728	03/28/18	C0120 FRANK CALANDRIELLO	744.00		10420
8729	03/28/18	C0121 GEORGE CLAYTON	562.50		10420
8730	03/28/18	C0168 JOHN CAIN JR	393.00		10420
8731	03/28/18	C0212 ROBERT CLAYTON	714.00		10420
8732	03/28/18	C0258 CHARLES CIABURRI	660.00		10420
8733	03/28/18	C0269 ROBERT J. COLMORGEN	699.00		10420
8734	03/28/18	C0270 LAURAJEAN M COLLIER	720.00		10420
8735	03/28/18	C0321 CME ASSOCIATES	3,873.43		10420
8736	03/28/18	C0347 ELLEN CLAYTON	396.00		10420
8737	03/28/18	C0350 CENTER POINT LARGE PRINT INC	102.48		10420

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY		CURRENT OPERATING-VALLEY BK			Continued
8738	03/28/18	D0109 ELEANOR DEPONTE	357.00		10420
8739	03/28/18	D0149 CAROL A DOOLING	1,125.00		10420
8740	03/28/18	D0151 CAROL A DOWLEN	402.00		10420
8741	03/28/18	D0178 DYNAMIC TESTING SERVICE LLC	250.00		10420
8742	03/28/18	D0186 ANDREW DAVIS	330.00		10420
8743	03/28/18	D0324 DANIELS, PATRICIA	804.00		10420
8744	03/28/18	D0331 DELISA DEMOLITION INC	56,375.20		10420
8745	03/28/18	D0332 PETER DEFAZIO	470.30		10420
8746	03/28/18	D0339 DIFRANCESCO, BATEMAN, KUNXMAN,	13,917.77		10420
8747	03/28/18	E0009 EDMUNDS AND ASSOCIATES	760.00		10420
8748	03/28/18	E0012 ELECTRO MAINTENANCE INC	966.00		10420
8749	03/28/18	E0033 RAYMOND ENGLAND	268.00		10420
8750	03/28/18	E0034 JOHN ENGLAND	451.20		10420
8751	03/28/18	E0085 WILLIAM B EWALD	345.00		10420
8752	03/28/18	E0205 JANE EIGENRAUCH	402.00		10420
8753	03/28/18	F0026 MARIA FORGIONE	402.00		10420
8754	03/28/18	F0036 FIRE & SAFETY SYSTEMS COMPANY	785.00		10420
8755	03/28/18	F0075 VALERIE FERBER	771.00		10420
8756	03/28/18	F0104 FINS AND FEATHERS	131.00		10420
8757	03/28/18	F0188 AMANDA FROST	210.00		10420
8758	03/28/18	F0198 MARK FITZGERALD	375.00		10420
8759	03/28/18	G0057 LOUIS GALASSI	768.00		10420
8760	03/28/18	G0088 JESSE GARRISON	663.00		10420
8761	03/28/18	G0161 IVAN GRILLI	556.00		10420
8762	03/28/18	H0011 ARLENE HOLIDAY	330.00		10420
8763	03/28/18	H0038 DOREEN HOFFMANN	93.93		10420
8764	03/28/18	H0041 GERTRUDE HOOKER	402.00		10420
8765	03/28/18	H0073 THOMAS HINTELMANN	881.40		10420
8766	03/28/18	H0118 TERYE HEYER	324.00		10420
8767	03/28/18	H0198 DEBORAH M HALL	402.00		10420
8768	03/28/18	H0205 HALF MOON IMPRINTS	185.00		10420
8769	03/28/18	J0020 JERSEY ELEVATOR CO INC	217.13		10420
8770	03/28/18	J0043 DOLORES A JOHNSON	333.00		10420
8771	03/28/18	J0104 THELMA JONES	324.00		10420
8772	03/28/18	K0035 ROBERT A. KUHN	738.00		10420
8773	03/28/18	K0069 ROBERT J KENNEDY	357.00		10420
8774	03/28/18	L0006 LANIGAN ASSOCIATES	60.00		10420
8775	03/28/18	L0032 BRUCE E LOVERSIDGE	1,125.00		10420
8776	03/28/18	L0060 PAUL LANG	314.70		10420
8777	03/28/18	L0114 MILDRED LEWIS	402.00		10420
8778	03/28/18	L0125 ROBERT T. LANE	629.40		10420
8779	03/28/18	L0057 MARY LAMBERSON	402.00		10420
8780	03/28/18	M0024 MGL PRINTING SOLUTIONS LLC	177.00		10420
8781	03/28/18	M0040 MONMOUTH BUILDING CENTER LLC	522.55		10420
8782	03/28/18	M0074 SUSAN MYERS	314.70		10420
8783	03/28/18	M0109 MAUREEN MASSARI	396.00		10420
8784	03/28/18	M0169 JOSEPH MARASCIO	562.50		10420
8785	03/28/18	M0375 GEORGETTE MOTLEY	314.70		10420
8786	03/28/18	N0035 NJRPA	375.00		10420
8787	03/28/18	N0250 NORCIA CORPORATION	1,621.30		10420
8788	03/28/18	N0260 NJ NARCOTIC ENFORCEMENT OFFICE	65.00		10420
8789	03/28/18	O0035 ARTHUR OSBORNE	651.00		10420

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT -VALLEY CURRENT OPERATING-VALLEY BK Continued					
8790	03/28/18	00060 ON-TECH CONSULTING INC	475.72		10420
8791	03/28/18	P0037 POWERHOUSE SIGN WORKS	68.00		10420
8792	03/28/18	P0049 FLORENCE M PATTERSON	314.70		10420
8793	03/28/18	P0050 DONALD PATTERSON	417.00		10420
8794	03/28/18	P0146 PITNEY BOWES GLOBAL (371887)	1,208.01		10420
8795	03/28/18	P0164 EUGENIA POULOS	38.80		10420
8796	03/28/18	R0011 FREDERICK A RICHART	694.20		10420
8797	03/28/18	R0012 RED BANK REGIONAL BOE	774,298.42		10420
8798	03/28/18	R0013 RED BANK BOARD OF EDUCATION	1,380,480.50		10420
8799	03/28/18	R0081 RED BANK SELF STORAGE	465.00		10420
8800	03/28/18	R0187 RECORDED BOOKS	286.39		10420
8801	03/28/18	R0195 RED BANK CHARTER SCHOOL	1,875.00		10420
8802	03/28/18	S0003 PATRICIA SATTER	402.00		10420
8803	03/28/18	S0020 STAVOLA ASPHALT COMPANY INC	420.00		10420
8804	03/28/18	S0027 SEABOARD WELDING SUPPLY INC	579.13		10420
8805	03/28/18	S0029 SHREWSBURY OFFICE SUPPLY	1,615.45		10420
8806	03/28/18	S0102 ROSE SESTITO	324.00		10420
8807	03/28/18	S0113 LYDIA STATHUM	402.00		10420
8808	03/28/18	S0114 RICHARD SIMS	391.20		10420
8809	03/28/18	S0207 SCIENTIFIC WATER CONDITIONING	971.00		10420
8810	03/28/18	S0248 ADELINE F SCHMIDT	402.00		10420
8811	03/28/18	S0287 SHI INTERNATIONAL CORP	342.90		10420
8812	03/28/18	S0337 SOBEL HAN,LLP	6,449.14		10420
8813	03/28/18	T0004 T&M ASSOCIATES	3,821.00		10420
8814	03/28/18	T0063 GEORGIANNA TERRY	330.00		10420
8815	03/28/18	T0176 HELEN TWEED	402.00		10420
8816	03/28/18	T0216 TIFFIN METAL PRODUCTS CO	168.40		10420
8817	03/28/18	V0044 ERNEST VANPELT	336.00		10420
8818	03/28/18	W00107 GARY A WATSON SR.	670.00		10420
8819	03/28/18	W0037 GEORGE WALL LINCOLN MERCURY IN	298.78		10420
8820	03/28/18	W0057 JAMES WALKER	780.00		10420
8821	03/28/18	W0075 W.B.MASON CO INC	448.04		10420
8822	03/28/18	W0077 ALBERT WORDEN	743.40		10420
8823	03/28/18	W0084 ROSE WESCOTT	402.00		10420
8824	03/28/18	W0089 JAMES WILLIAMS	562.50		10420
8825	03/28/18	W0092 SHARON S WEBER	387.00		10420
8826	03/28/18	W0120 BRIAN T WILTON ESQ	2,500.00		10420
8827	03/28/18	W0126 WEINER LAW GROUP LLP	840.00		10420
8828	03/28/18	X0003 XEROX CORPORATION	349.18		10420
8829	03/28/18	Z0016 ZEBRAS R US	227.50		10420

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	130	3	2,700,618.16	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	130	3	2,700,618.16	0.00

DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK					
3436	03/28/18	170019 RW AT RED BANK RIDGE LLC	6,118.69		10423
3437	03/28/18	A0341 ASHA REALTY ONE, LLC	2,878.00		10423
3438	03/28/18	H0207 STEPHEN HOUCK	40.01		10423
3439	03/28/18	M0403 M&N BAGEL STORE LLC	1,848.12		10423
3440	03/28/18	T0004 T&M ASSOCIATES	4,109.94		10423

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
DEVELESCROW DEVELOPERS ESCROW-COMMERCE BK Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	5	0	14,994.76	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	5	0	14,994.76	0.00
DEVESCROW2RIVER DEV ESCROW TWO RIVER BK					
1042	03/28/18	C0321 CME ASSOCIATES	406.25		10415
1043	03/28/18	C0321 CME ASSOCIATES	170.00		10416
1044	03/28/18	C0321 CME ASSOCIATES	582.00		10417
1045	03/28/18	C0321 CME ASSOCIATES	560.50		10418
1046	03/28/18	L0043 MICHAEL R LECKSTEIN ESQ	55.35		10419
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	5	0	1,774.10	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	5	0	1,774.10	0.00
DOG LICENSE AC DOG LICENSE A/C-SSB					
1920	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	300.00		10404
1921	03/28/18	A0028 AMERICAN WEAR INDUST.UNIFORM	30.00		10428
1922	03/28/18	R0028 RED BANK VETERINARY HOSPITAL	311.50		10428
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	3	0	641.50	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	3	0	641.50	0.00
GRANT FUND-VNB GRANT FUND-VALLEY NATIONAL					
1291	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	9,715.13		10401
1292	03/28/18	D0139 DRAEGER INC	434.60		10425
1293	03/28/18	L0006 LANIGAN ASSOCIATES	5,597.55		10425
1294	03/28/18	P0065 POSTMASTER-RED BANK(PERMITS)	225.00		10425
1295	03/28/18	W0006 WESTERN PEST SERVICE LLC	44.00		10425
1296	03/28/18	W0120 BRIAN T WILTON ESQ	250.00		10425
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	16,266.28	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	16,266.28	0.00
PAYROLL PAYROLL ACCOUNT					
2094	03/16/18	A0314 AFLAC	2,824.08		10410
2095	03/16/18	B0211 BOSTON MUTUAL LIFE INSURANCE C	160.14		10410
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	2,984.22	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	2,984.22	0.00
PKINGOP2RIVER PARKING OPERATING TWO RIVER BK					
1523	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	8,171.12		10406
1524	03/22/18	B0010 VERIZON	47.24		10412
1525	03/28/18	91309 National Parts Supply INC	63.60		10422

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PKINGOP2RIVER PARKING OPERATING TWO RIVER BK Continued					
1526	03/28/18	A0028 AMERICAN WEAR INDUST.UNIFORM	95.40		10422
1527	03/28/18	C0321 CME ASSOCIATES	243.70		10422
1528	03/28/18	I0080 INTERGRATED TECHNIAL SYSTEM IN	1,896.00		10422
1529	03/28/18	N0037 NJ LEAGUE OF MUNICIPALITIES	115.00		10422
1530	03/28/18	P0194 PRIMEPOINT LLC	654.00		10422
1531	03/28/18	R0081 RED BANK SELF STORAGE	270.00		10422
1532	03/28/18	S0337 SOBEL HAN,LLP	564.53		10422
1533	03/28/18	T0218 TOM CALU CONSULTING, LLC	2,500.00		10422
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	11	0	14,620.59	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	11	0	14,620.59	0.00
RECREATION-VNB RECREATION TRUST-VNB					
1136	03/28/18	N0035 NJRPA	320.00		10429
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	320.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	320.00	0.00
TRUST ACCOUNT TRUST ACCOUNT-SSB					
5251	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	16,952.04		10402
5252	03/28/18	93288 AM-PM TOWING INC	315.00		10426
5253	03/28/18	A0028 AMERICAN WEAR INDUST.UNIFORM	63.60		10426
5254	03/28/18	M0339 MONMOUTH CTY HIGHWAY	1,651.80		10426
5255	03/28/18	N0250 NORCIA CORPORATION	4,673.36		10426
5256	03/28/18	W0070 KEVIN P WIGENTON ESQ	1,500.00		10426
5257	03/28/18	W0075 W.B.MASON CO INC	1,087.95		10426
5258	03/28/18	W0118 MONMOUTH WIRE RECYCLING CO INC	500.00		10426
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	8	0	26,743.75	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	8	0	26,743.75	0.00
TTL REDEMPTION TAX LIEN REDEMPTION					
3635	03/28/18	IN0066 US BANK CUST FOR PC6, (3085)	348.28		10427
3636	03/28/18	U0066 US BANK CUST FOR PC6 (3085)	2,327.34		10427
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	2,675.62	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	2,675.62	0.00
TWO RIVERS RCA WITH MANALAPAN					
1840	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	234.10		10405

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
Continued					
TWO RIVERS		RCA WITH MANALAPAN			
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 1	0	234.10	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 1	0	234.10	0.00
UNEMPLOYTRUST		UNEMPLOYMENT TRUST-			
1095	03/20/18	S0082 NJ DEPT OF LABOR&WRKFRCE(059)	18.99		10411
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 1	0	18.99	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 1	0	18.99	0.00
WATER CAPITAL		WATER/SEWER CAPITAL-SSB			
1923	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	561.82		10403
1924	03/28/18	C0321 CME ASSOCIATES	6,693.00		10430
1925	03/28/18	T0004 T&M ASSOCIATES	21,239.84		10430
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 3	0	28,494.66	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 3	0	28,494.66	0.00
WATER OPERATING		WATER OPERATING SSB			
10211	03/15/18	B0019 BOROUGH OF RED BANK,PAYROLL AC	37,270.71		10400
10212	03/15/18	J0045 JCP&L	2,982.75		10408
10213	03/15/18	N0014 NJ AMERICAN WATER COMPANY	69,947.31		10408
10214	03/15/18	N0239 AMERICAN WATER	52.54		10408
10215	03/22/18	B0010 VERIZON	218.92		10413
10216	03/22/18	J0045 JCP&L	2,969.86		10413
10217	03/28/18	A0028 AMERICAN WEAR INDUST.UNIFORM	252.60		10421
10218	03/28/18	A0114 ALLIED OIL COMPANY	1,328.20		10421
10219	03/28/18	A0234 A.P.CERTIFIED TESTING LLC	500.00		10421
10220	03/28/18	A0340 ALMERINI,LOUIS & LAURA	1,168.99		10421
10221	03/28/18	C0051 COMPLETE SECURITY SYSTEMS INC	1,510.00		10421
10222	03/28/18	C0321 CME ASSOCIATES	843.62		10421
10223	03/28/18	E0009 EDMUNDS AND ASSOCIATES	760.00		10421
10224	03/28/18	K0073 KYOCERA DOCUMENT SOLUTIONS AME	134.19		10421
10225	03/28/18	M0026 MIDDLETOWN PLUMBING & HEATING	74.42		10421
10226	03/28/18	N0053 NJ WATER SUPPLY AUTHORITY	52,172.71		10421
10227	03/28/18	O0047 ONE CALL CONCEPTS	226.25		10421
10228	03/28/18	P0194 PRIMEPOINT LLC	1,275.90		10421
10229	03/28/18	R0081 RED BANK SELF STORAGE	510.00		10421
10230	03/28/18	R0179 E RUNYTON T/A AQUATIC SERV	652.00		10421
10231	03/28/18	S0337 SOBEL HAN,LLP	2,039.29		10421
10232	03/28/18	T0004 T&M ASSOCIATES	2,556.31		10421
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 22	0	179,446.57	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 22	0	179,446.57	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
Continued					
WATER OPERATING	WATER OPERATING	SSB			
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	202	3	2,998,857.51	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>202</u>	<u>3</u>	<u>2,998,857.51</u>	<u>0.00</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	7-01	7,861.15	0.00	0.00	7,861.15
	7-05	1,950.73	0.00	0.00	1,950.73
	7-09	<u>824.37</u>	<u>0.00</u>	<u>0.00</u>	<u>824.37</u>
Year Total:		10,636.25	0.00	0.00	10,636.25
	8-01	2,690,882.01	1,875.00	0.00	2,692,757.01
	8-05	177,495.84	0.00	0.00	177,495.84
	8-09	<u>13,796.22</u>	<u>0.00</u>	<u>0.00</u>	<u>13,796.22</u>
Year Total:		2,882,174.07	1,875.00	0.00	2,884,049.07
	C-04	9,024.21	0.00	0.00	9,024.21
	G-01	684.60	0.00	0.00	684.60
	G-02	<u>15,581.68</u>	<u>0.00</u>	<u>0.00</u>	<u>15,581.68</u>
Year Total:		16,266.28	0.00	0.00	16,266.28
	T-12	26,743.75	0.00	0.00	26,743.75
	T-13	2,675.62	0.00	0.00	2,675.62
	T-14	234.10	0.00	0.00	234.10
ANIMAL CONTROL TRUST FUND	T-15	641.50	0.00	0.00	641.50
	T-17	18.99	0.00	0.00	18.99
PAYROLL FUND BUDGET	T-22	2,984.22	0.00	0.00	2,984.22
RECREATION TRUST	T-23	<u>320.00</u>	<u>0.00</u>	<u>0.00</u>	<u>320.00</u>
Year Total:		33,618.18	0.00	0.00	33,618.18
	w-06	28,494.66	0.00	0.00	28,494.66
Total of All Funds:		<u>2,980,213.65</u>	<u>1,875.00</u>	<u>0.00</u>	<u>2,982,088.65</u>

Project Description	Project No.	Project Total
Bond Asha Realty One, LLC	PB11286	2,878.00
Inspection-RB Ridge @ Clifton	PI6244	1,738.54
Rev-KLE Properties, LLC. (2)	PR12385	637.35
Review - RB Ridge @ Clifton Pt	PR6244	4,380.15
Home & Land Devel. Corp(5)	PR7553	170.00
Review - M&N BageĀ Store, LLC	PR9292	1,848.12
Rev-Juanito's Laundromat	ZR12115	700.00
Rev-Stephen & Melissa Houck	ZR12197	40.01
Esc-YellowBrookProp.Co/Brownst	ZR12368	3,409.94
Rev-Family Resource Associates	ZR12541	560.50
Home & Land Devel. Corp(6)	ZR12586	406.25
Total Of All Projects:		<u>16,768.86</u>