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 - 10.I. Communication From Red Bank Animal Welfare Advisory Committee Regarding Trap/Neuter/Release (TNR) Informational Program Scheduled For Thursday, September 13, 2018 At 7pm.
 - 10.II. Recommended For Approval By The Special Events Committee. (All Approvals Subject To Final Plan Review By Special Events Committee.)
 - Request from Jersey Shore Ghost Tours to hold walking tours on Fridays and Saturdays from August 17 through November 9, 2018.
 - Request from Navesink Hook and Ladder Company to close Mechanic Street on Sunday August 26, 2018 from Globe Court to Broad Street from 1pm to 6pm for celebration in recognition of 50 year member.
 - Request from the Baraka Johnson family to hold their annual Neighborhood Block Party on Sunday September 2, 2018 from 10am to 10pm and to close Leighton Avenue from Locust Avenue to Herbert Street from 9:30am to 10pm with a rain date of September 3, 2018.
 - Request from Monmouth County Clean Energy to hold a march on Saturday, September 8, 2018 from 10am to Noon from Riverside Gardens Park to Maple Avenue to Monmouth Street to Broad Street ending in Marine Park for estimated 50-100 participants.
 - Request from residents of Elm Place to hold a Block Party on Saturday, September 22, 2018 and to close Elm Place in it's entirely from 2pm to 11pm.
 - Request from Red Bank Classic 5K Run to reserve date only for June 15, 2019 with detailed plan to be submitted and reviewed by Special Events Committee for further recommendation.

- Request from Boondocks Fishery to use six parking spaces in Marine Park for their “Strut Your Mutt” dog event on Sunday, September 9, 2018 from noon to 4pm.

11. PUBLIC COMMENT--Ordinances On First Reading And Resolutions Only

12. ORDINANCES - First Reading

- 12.I. 2018-22 An Ordinance Amending Borough Code Chapter 118: “Police Department” To Include New Article V: “Police Chaplain” And Setting The Qualifications, Duties, Rank And Salary, Term Of Office, And Appointment Requirements Therefor.

Documents:

[2018-22 INTRO.PDF](#)

13. ORDINANCES - Public Hearing And Final Adoption

- 13.I. 2018-21 Bond Ordinance Amending Bond Ordinance Number 2014-8 Finally Adopted On April 9, 2014, By The Borough Council Of The Borough Of Red Bank, In The County Of Monmouth, State Of New Jersey And Further Amended By Bond Ordinance Number 2014-11 Finally Adopted On May 14, 2014, To Increase The Total Section 2:20 Costs By \$150,000 From \$450,000 To \$600,000.

Documents:

[2018-21 PUBLIC HEARING.PDF](#)

14. RESOLUTIONS

- 14.I. 18-195 A Resolution Determining The Form And Other Details Of Not Exceeding \$1,825,000 Water Utility Bonds, Series 2018, Of The Borough Of Red Bank, In The County Of Monmouth, New Jersey, And Providing For Their Sale To The New Jersey Infrastructure Bank And The State Of New Jersey Pursuant To The State Fiscal Year 2019 New Jersey Water Bank.

Documents:

[18-195.PDF](#)

- 14.II. 18-196 A Resolution Authorizing The Execution And Delivery Of Loan Agreements To Be Executed By The Borough Of Red Bank In The County Of Monmouth, New Jersey And Each Of The New Jersey Infrastructure Bank And The State Of New Jersey, Acting By And Through The Department Of Environmental Protection, And Further Authorizing The Execution And Delivery Of An Escrow Agreement, All Pursuant To The State Fiscal Year 2019 New Jersey Water Bank.

Documents:

[18-196.PDF](#)

- 14.III. 18-197 A Resolution Authorizing The Borough’s Redevelopment Attorney To Enter Into A Consent Order Preserving The Affordable Housing Restrictions Recorded On 24 Cedar Crossing, Unit 16) Block 75.07, Lot 1-CO16), Red Bank, NJ Notwithstanding Pending Foreclosure Proceedings.

Documents:

[18-197.PDF](#)

- 14.IV. 18-198 A Resolution Fixing Compensation Of Certain Offices, Positions And Employees Of The Borough Of Red Bank.

To be available at the meeting.

- 14.V. 18-199 A Resolution Authorizing The Appointment Of Regular Crossing Guard(S) For The 2018-2019 School Year.

Documents:

[18-199.PDF](#)

- 14.VI. 18-200 A Resolution Appointing Special Law Enforcement Officers Class II.

Documents:

[18-200.PDF](#)

- 14.VII. 18-201 A Resolution Ratifying The Appointment Of Part-Time Parking Enforcement Officers.

Documents:

[18-201.PDF](#)

- 14.VIII. 18-202 A Resolution Ratifying The Appointment Of John Drucker As Acting Construction Official From November 29, 2017 To March 13, 2018 And Confirming Salary.

Documents:

[18-202.PDF](#)

- 14.IX. 18-203 A Resolution Supporting The Expansion Of The New Jersey Compassionate Use Marijuana Act.

Documents:

[18-203.PDF](#)

- 14.X. 18-204 A Resolution Authorizing The Submission Of A New Jersey Department Of Transportation—Transportation Alternatives Set-Aside Program (TA-SETASIDE) Grant Application For The Shrewsbury Avenue Streetscape Project.

Documents:

[18-204.PDF](#)

- 14.XI. 18-205 A Resolution Authorizing The Reduction Of The Performance Guarantee Posted By Fortune Square, LLC For 94 Drs. James Parker Boulevard, Block 75.01, Lot 86.

Documents:

[18-205.PDF](#)

- 14.XII. 18-206 A Resolution Authorizing The Release Of Maintenance Guarantee Posted By Union Street Village, LLC For Block 9.01, Lot 24.

Documents:

[18-206.PDF](#)

- 14.XIII. 18-207 A Resolution Authorizing The Release Of Maintenance Guarantee Posted By Lolich Red Bank, LLC And Mark Development, Inc. For Walgreens, 395 Broad Street, Block 120, Lot 53.09.

Documents:

[18-207.PDF](#)

- 14.XIV. 18-208 A Resolution Authorizing Contracts With Certain Approved State Contract Vendors For Contracting Units Pursuant To N.J.S.A. 40A:11-12a – Police Vehicles. (A Resolution To Repeal And Replace Resolution No. 18-189)

Documents:

[18-208.PDF](#)

- 14.XV. 18-209 A Resolution Requesting Approval Of Special Item Of Revenue And Appropriation According To N.J.S.A. 40A:4-87 – Clean Communities Fund, In The Amount Of \$21,388.61

Documents:

[18-209.PDF](#)

- 14.XVI. 18-210 A Resolution Requesting Approval Of Special Item Of Revenue And Appropriation According To N.J.S.A. 40A:4-87 – U.S. Older American Title III B Funding, An Additional Award Of \$2,923.00

Documents:

[18-210.PDF](#)

- 14.XVII. 18-211 A Resolution Recognizing Participants In The Municipal Green Business Recognition Program

Documents:

[18-211.PDF](#)

- 14.XVIII. 18-212 A Resolution Honoring Frederick D. Wikoff III On His 50th Anniversary In The Red Bank Volunteer Fire Department.

Documents:

[18-212.PDF](#)

- 14.XIX. 18-213 A Resolution Authorizing Place-To-Place Expansion Of Premises Transfer Of Plenary Retail Consumption License No. 1340-33-026 (Chubbys Waterside Café, Inc. T/A 26 West On The Navesink).

Documents:

[18-213.PDF](#)

15. PROCLAMATIONS

16. PAYMENT OF VOUCHERS

16.I. Payment Of Vouchers Information To Be Available Day Of Meeting

17. OLD BUSINESS

18. NEW BUSINESS

19. AUDIENCE

20. EXECUTIVE SESSION

21. ADJOURN EXECUTIVE SESSION

22. ADJOURNMENT

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JULY 18, 2018
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi, CFO Poulos, Attorney Cannon and, Engineer Neumann.

ABSENT: Councilman Yngstrom

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 June 13, 2018.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

Presentation from Monmouth Boat Club

Commodore Tom Bean and Vice Commodore Bob Markoff from the Monmouth Boat Club presented Mayor Menna with a check on behalf of the club. Mayor Menna thanked them and said the donation was appreciated.

Presentation to Emily Doherty

Mayor Menna review Ms. Doherty's accomplished and his personal history with her. He read a proclamation honoring her many years of public service. He and Councilwoman Horgan presented the proclamation to Ms. Doherty.

Ms. Doherty spoke of her love of education and encourage all to support the schools. She expressed her pride that 2018 was the first year to her knowledge that a Red Bank student had been named valedictorian.

Members of the Red Bank Regional Board of Education and members of the Council congratulated Ms. Doherty and reviewed their history with her.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

WORKSHOP

Workshop Meetings

Mayor Menna asked Administrator Shehady to review a resolution on the agenda that would set dates for Workshop meetings for the Mayor and Council.

Administrator Shehady explained the process of holding Workshop meetings was new to Red Bank but was something that was done in many other municipalities. He said the meetings would be open to the public and would be an opportunity for the Council to review agenda items for upcoming regular Council meetings. He said he liked to forecast items for 30/60/90 days out. He said the meetings would also include month reports from Department Heads. He said it would help create better synchronization between the Government Body and the Administration.

The Council members were in favor of the idea and discussed the proposed dates.

Grace Period for Payment of 3rd Quarter Taxes

Mayor Menna explained that there had been a delay in the certification of the tax rate by the Monmouth County Tax Board and noted that the borough was required to give property owners 25 days to pay. He said a resolution

on the agenda would extend the grace period to September 14, 2018.

APPROVAL OF MINUTES – June 27, 2018

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

ROLL CALL:

AYES: Taylor, Ballard, Zipprich, Horgan

NAYS: None

ABSTAIN: Whelan

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

MAYORAL APPOINTMENTS

Mayor Menna appointed Mary Harrison to the Red Bank Housing Authority for an unexpired five year term to 12/31/2021.

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

Mayor Menna reviewed the history of Ordinance 2018-16 “An Ordinance Amending Borough Code Chapter 231: “Animals” to Include New Article VIII, Regulating the Sale of Dogs and Cats and Prohibiting the Sale of Certain Dogs and Cats from Pet Shops” and announced that it had insufficient support to move forward and called for a motion to withdraw.

Councilwoman Horgan offered a motion to withdraw the ordinance, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Ballard reported that the Finance Committee had not met since the last Council meeting but wanted to report that the Borough was seeking alternative funding sources and noted they had gone to bid for a Grant Writing Consultant in April. He reviewed a summary prepared by the Administrator that gave an overview of the work that had been done since the appointment of that consultant. He said the total of grants that had been or were in the process of being applied for was \$1.75 million. He noted that the grants had not been awarded to the Borough but had only been applied for.

Councilman Zipprich reported that had met with RiverCenter, JCP&L and a vendor regarding the English Plaza project. He offered details of the meeting. He said he was looking forward to the Council workshop meetings and said he felt they would help with transparency. He thanked Administrator Shehady for the suggestion. He also reported that RiverCenter had four new businesses and reviewed upcoming events including the Indy Street Film Festival and the annual Sidewalk Sale.

Councilwoman Horgan noted that Councilman Yngstrom was not in attendance and said he had asked her to give his report. She review upcoming Parks & Recreation programs including Jazz in the Park concerts, Movies in the Park, a campout at Count Basie Park and a Dog Days events scheduled for August.

Councilwoman Horgan read a statement summarizing her reasons for her motion to withdraw the Animal ordinance. She said she had personally concluded there was rampant abuse but felt the Borough did not have the resources to address the issue. She said she would support a resolution to call upon State Legislators to take action. She read a draft of a proposed resolution. She thanked the Animal Welfare Advisory Committee, the advocacy groups, the Borough staff, the Mayor and Borough Attorney for their efforts on the matter.

Councilman Zipprich also thanked Councilwoman Horgan, the Animal Welfare Advisory Committee and the members of the Council for their efforts and said it was a very emotional issue. He said he was glad the Council had taken the time to sort it out.

Councilman Whelan said he had no report but wanted to compliment Councilwoman Horgan on her statement and thanked the Committee for their efforts.

Councilman Taylor said, due to personal commitments, he had not been able to call a meeting of the Code Committee. He offered an update on the efforts of the Environmental Commission efforts including the purchase of water stations through a grant. He said they were awaiting delivery of the first three and anticipated a fourth in the near future. He said the purchase was a direct result of the Committee’s Sustainable Jersey efforts. He noted they had obtained Bronze status last year and were now working toward Silver.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from the Borough's Parks & Recreation Department to hold an overnight Campout at Count Basie Park on Friday, July 27 and Saturday, July 28, 2018.

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

There being five 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.

Kate Triggiano—22 Leighton Avenue—said she was speaking as the Chair of the Environmental Commission and thanked the Council for getting the resolution for the Complete Streets Technical Assistance Grant Program onto the agenda. She reviewed the Commission's efforts in regard to grants and the assistance that had been provided by the Grant Writer. She reviewed the goals that would be met with the recently purchased water stations and the positive response they had received.

No one else appearing, Councilman Zipprich offered a motion to close the public comment portion of the meeting, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

ORDINANCES – First Reading

2018-21 Mayor Menna read "Bond Ordinance Amending Bond Ordinance Number 2014-8 Finally Adopted on April 9, 2014, by the Borough Council of the Borough of Red Bank, in the County of Monmouth, State of New Jersey and further Amended by Bond Ordinance Number 2014-11 Finally Adopted on May 14, 2014, to Increase the Total Section 2:20 Costs by \$150,000 from \$450,000 to \$600,000."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

ORDINANCES – Public Hearing and Final Adoption

2018-14 Mayor Menna read, "An Ordinance Establishing Salaries or Wages of Officials and Employees of the Borough of Red Bank."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, seconded by Councilwoman Horgan.

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Ballard offered a motion to approve the adoption of the ordinance as amended, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

Mayor Menna noted that Ordinance 2018-16, "An Ordinance Amending Borough Code Chapter 231: "Animals" to Include New Article VIII, "Regulating the Sale of Dogs and Cats and Prohibiting the Sale of Certain Dogs and Cats from Pet Shops" had been withdrawn earlier in the meeting.

2018-19 Mayor Menna read, "An Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Commercial Parking Facilities."

He noted the Planning Board had found the Ordinance was consistent with the Master Plan.

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

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

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Zipprich offered a motion to approve the adoption of the ordinance as amended, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

2018-20 Mayor Menna read, "An Ordinance Amending Chapter 680, "Vehicle and Traffic", Subsection 680-60, "Schedule XXVI: Restricted Parking for Handicapped Persons" of the Revised General Ordinances of the Borough of Red Bank."

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

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

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

RESOLUTIONS

18-182 Mayor Menna read, "A Resolution Authorizing Approval of Sidewalk Cafes."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-183 Mayor Menna read, "A Resolution of Support from Local Governing Body Authorizing the Application to the Complete Streets Technical Assistance Grant Program."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-184 Mayor Menna read, "A Resolution Appointing Special Law Enforcement Officer Class II."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-185 Mayor Menna read, "A Resolution of Governing Body Certifying Review of Recommendations and Findings of the Annual Audit."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-186 Mayor Menna read, "A Resolution Regarding the Borough of Red Bank Report of Audit for the Year Ended December 31, 2017 and Corrective Action Plan Required by Federal OMB Circular Reference Number A-133."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-187 Mayor Menna read, "A Resolution Providing for the Issuance of Special Emergency Notes in an Amount Not to Exceed \$60,000 to Fund the Revaluation of Real Property in and for the City. (Resolution will repeal and replace Resolution 18-158)"

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-188 Mayor Menna read, "A Resolution to Extend a Contract with Delisa Demolition, Inc. for Solid Waste and Recycling Collection.

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-189 Mayor Menna read, "A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a. (Police Vehicles)"

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-190 Mayor Menna read, "A Resolution Confirming Time and Place of Borough Council Meetings for 2018." (Workshop Meetings)

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-191 Mayor Menna read, "A Resolution Authorizing the Extension of the Grace Period on Taxes."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

18-192 Mayor Menna read, "A Resolution Requesting that the Governor and State Legislature Review the New Jersey Pet Purchase Protection Law and Enhance Regulations and Restrictions on the Sale of Dogs and Cats from Commercial Breeding Facilities."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

PROCLAMATIONS

None

PAYMENT OF VOUCHERS

18-193 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$5,405,607.58."

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

OLD BUSINESS

None.

NEW BUSINESS

Councilman Ballard thanked Mayor Menna for appointment Mary Harrison to the Red Bank Housing Authority and reviewed her experience on the matter.

Councilman Taylor said he wanted to thank the Council for their efforts on the Animal Ordinance regarding the sale of dogs and cats. He said he hoped these type of issues could be resolved a Workshop meetings to help obtain a Council consensus.

Councilman Zipprich and Councilwoman Horgan agreed.

AUDIENCE

Cindy Burnham—71 Wallace Street—reviewed the history of work at the Bellhaven property. She said trees had recent been questioned why trees had been removed without public comment.

Administrator Shehady reviewed meetings that were open to the public where the matter had been discussed including the Environmental Commission and the Parks and Recreation Committee. He said both he and Council members had been involved in those discussions. He noted the project had been scaled back to use funding in an existing bond ordinance.

Ms. Burnham claimed both the Council and residents had been opposed.

Mr. Shehady said he was looking toward the future.

Ms. Burnham said she also wanted to know who had made the phone call to authorize the removal of the trees.

Mr. Shehady said he did not know if there was a specific order and again noted that the project was moving forward.

Ms. Burnham again asked for a name.

Mr. Shehady said he did not know if that was relevant and said the project need to move forward.

Ms. Burnham said she felt it was relevant and said she wanted to know.

Councilman Taylor noted that no cutting was done without the approval of the Department of Environmental Protection.

Ms. Burnham said she had her own Forester come to the site and offered his opinion of the condition of the trees. She said she felt the Council should have reached out and said she felt it was sneaky. She criticize the expense for maintenance.

Freddie Boynton—PO Box 2074—told the Mayor he had called the Administrator and had not gotten a call back.

Administrator Shehady said the message that had been left with his Assistant had been received and said she had returned his call. He said she had requested more information to schedule a meeting. He said once that information was received, he would be happy to set up the meeting.

Mr. Boynton said he did not like to go through a secretary and said he wanted to talk to the Administrator directly.

Administrator Shehady offered him the option of emailing him regarding the purpose of the meeting.

Mr. Boynton said he did not want to use email.

Administrator Shehady said, unfortunately, they would not be able to set up the meeting.

Suzanne Viscomi—25 Cedar Street—said she was following up on her earlier inquiries regarding the installation of the second water meter for outdoor usage. She said one year ago she was told there were 600 meters that had not been changed which was supposedly holding up the second meter option.

Mayor Menna said he had questioned the statement from the previous Administrator that the installation of the second meters had to wait until all of the initial meters were installed.

Administrator Shehady said they had been holding meetings every two weeks on the topic and noted there were 300 meters left to be installed. He reviewed the steps to complete the project and said letters would be going out to the remaining 300 to advise of their options.

Ms. Viscomi asked if fines had been issued to those that had not complied.

Administrator Shehady said no fines have been issued. He said he wanted to make sure that the Borough had done everything possible before fines were issued.

Mayor Menna said he understood some of the hold ups were not the fault of the residents but with the contractor.

Ms. Viscomi asked Mayor Menna if he regretted extending the contract.

Mayor Menna clarified that not all of the delays were from the contractor. He said many were from the residents.

Ms. Viscomi said she felt the second meter option should not be mutually exclusive to the completion of the project.

Mayor Menna said he understood they were waiting for the specifications.

Ms. Viscomi asked who was taking the lead on that.

Mayor Menna said the Administrator had an accountability program and that matter on his list of action items.

Katrina Fair—35 Cedar Crossing—called for better traffic enforcement in the area of Drs. James Parker Blvd.

Councilman Whelan said the matter could be referred to the Police Department.

Cindy Burnham—71 Wallace Street—in response to Mayor Menna's comment about accountability, again asked who had made the phone call to take down the trees at the Bellhaven property. She said she had received an answer from the Director of Public Works but said she wanted an answer from the Council.

Administrator Shehady said he did not see the relevance of who made the phone call. He said he would look into it and get back to her.

No one else appearing, Councilman Zipprich offered a motion to close the audience portion and to adjourn the meeting, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

EXECUTIVE SESSION

18-181 Mayor Menna read a resolution to adjourn to executive session to discuss Potential Litigation; no action to be taken.

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

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, 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 and to adjourn the meeting, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Ballard, Zipprich, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi

ORDINANCE NO. 2018-22

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING BOROUGH CODE CHAPTER 118: "POLICE DEPARTMENT" TO INCLUDE NEW ARTICLE V: "POLICE CHAPLAIN" CREATING THE NEW POSITION OF POLICE CHAPLAIN AND SETTING THE QUALIFICATIONS, DUTIES, RANK AND SALARY, TERM OF OFFICE, AND APPOINTMENT REQUIREMENTS THEREFOR

offered the following ordinance and moved for its introduction:

BE IT ORDAINED by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, that Chapter 118: "Police Department" of the Borough's Revised General Ordinances is hereby amended and supplemented to add thereto the following:

ARTICLE V: Police Chaplain.

§ 118-27 Position(s) Created.

The position of Police Chaplain for the Borough of Red Bank Police Department is hereby created in accordance with N.J.S.A. 40A:14-141. The position will be a volunteer position. The number of Police Chaplains appointed for any given year shall be determined by the Chief of Police. The Police Chaplain(s) shall be under the direction and control of the Chief of Police and shall serve at the sole discretion of the Chief of Police. The Police Chaplain(s) may be removed from the position by the Chief of Police at any time, without cause or hearing.

§ 118-28 Qualifications.

Any person appointed as Police Chaplain shall be ordained clergy in good standing in the religious body from which he/she is selected. In addition, the Chief of Police can appoint a Faith based Police Officer to function in similar capacity as a Chaplain Liaison Officer/Chaplain. The Police Chaplain(s) shall have basic training and shall be a certified Police Chaplain credentialed in accordance with the rules and regulations of the Borough of Red Bank Police Department and shall be qualified under N.J.S.A. 40A:14-141.

§ 118-29 Duties of Police Chaplain.

The duties of the Police Chaplain(s) shall include, but not be limited to, assisting the Borough of Red Bank Police Department in death notifications, station house adjustments, community outreach and any other duties that may be assigned by the Chief of Police.

§ 118-30 Rank and Salary.

Any person appointed as Police Chaplain shall serve in that capacity without Rank or Salary.

§ 118-31 Term of Office.

The Police Chaplain(s) shall be appointed for a one (1) year term, beginning January 1st and ending December 31st each year.

§ 118-32 Appointment.

All applicants for the position of Police Chaplain shall be reviewed by the Chief of Police to determine the applicants' qualifications in accordance with this Ordinance. The Chief of Police shall identify persons that he/she believes meet the qualifications of N.J.S.A. 40A:14-141 and the character standards, rules, and regulations of the Borough of Red Bank Police Department. Prior to December 15th of each year, the Chief of Police shall make recommendations to the Mayor regarding the number of Police Chaplains to be appointed and the person(s) whom the Chief of Police recommends be appointed as Police Chaplain(s) for the following year. The Mayor shall appoint the Police Chaplain(s) in accordance with this Ordinance with the advice and consent of the Borough Council.

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.

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

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: August 15, 2018

**BOROUGH OF RED BANK
ORDINANCE NUMBER 2018-21**

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2014-8 FINALLY ADOPTED ON APRIL 9, 2014, BY THE BOROUGH COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND FURTHER AMENDED BY BOND ORDINANCE NUMBER 2014-11 FINALLY ADOPTED ON MAY 14, 2014, TO INCREASE THE TOTAL SECTION 2:20 COSTS BY \$150,000 FROM \$450,000 TO \$600,000

Councilman Ballard offered the following ordinance and moved for 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: Bond Ordinance Number 2014-8 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 April 9, 2014 and entitled, "BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY; APPROPRIATING THE SUM OF \$2,253,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,140,350; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING", as further amended by Bond Ordinance Number 2014-11 finally adopted by the Borough Council on May 14, 2014 and entitled, "ORDINANCE AMENDING BOND ORDINANCE 2014-8 OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY", (the "Prior Ordinances"), are hereby amended to the extent and with the effect as set forth below:

(a) The permitted costs under Section 40A:2-20 of the Local Bond Law as set forth in Section 6 of the Prior Ordinances are increased by \$150,000, from \$450,000 to \$600,000.

SECTION 2: Except as expressly amended hereby, the Prior Ordinances shall remain in full force and effect.

SECTION 3: This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Seconded by Councilwoman Horgan and Introduced 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: July 18, 2018

**ADOPTED ON FIRST READING
DATED: July 18, 2018**

**PAMELA BORGHI
Borough Clerk**

**ADOPTED ON SECOND READING
DATED: August 15, 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 July 18, 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, on August 15, 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 AMENDING BOND ORDINANCE NUMBER 2014-8 FINALLY ADOPTED ON APRIL 9, 2014, BY THE BOROUGH COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND FURTHER AMENDED BY BOND ORDINANCE NUMBER 2014-11 FINALLY ADOPTED ON MAY 14, 2014, TO INCREASE THE TOTAL SECTION 2:20 COSTS BY \$150,000 FROM \$450,000 TO \$600,000

Purpose(s): To increase the Section 2:20 costs by \$150,000 from \$450,000 to \$600,000.

Appropriation: No Change

**Bonds/Notes
Authorized:** No Change

Down Payment: No Change

Section 2-20 Costs: Increase by \$150,000 from \$450,000 to \$600,000

Useful Life: No Change

**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 August 15, 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 AMENDING BOND ORDINANCE NUMBER 2014-8 FINALLY ADOPTED ON APRIL 9, 2014, BY THE BOROUGH COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND FURTHER AMENDED BY BOND ORDINANCE NUMBER 2014-11 FINALLY ADOPTED ON MAY 14, 2014, TO INCREASE THE TOTAL SECTION 2:20 COSTS BY \$150,000 FROM \$450,000 TO \$600,000**

Purpose(s): To increase the Section 2:20 costs by \$150,000 from \$450,000 to \$600,000.

Appropriation: No Change

Bonds/Notes Authorized: No Change

Down Payment: No Change

Section 2-20 Costs: Increase by \$150,000 from \$450,000 to \$600,000

Useful Life: No Change

**PAMELA BORGHI,
Borough Clerk**

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 July 18, 2018 at 6:30 p.m. at the Borough's Municipal Building 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

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 August 15, 2018 at 6:30 p.m. at the Borough's Municipal Building 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**

CLERK'S CERTIFICATE

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 July 18, 2018 and finally adopted on August 15, 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 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)

RESOLUTION NO. 18-195

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$1,825,000 WATER UTILITY BONDS, SERIES 2018, OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2019 NEW JERSEY WATER BANK

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank (the "Local Unit"), in the County of Monmouth, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2019 New Jersey Water Bank (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water Utility Bonds, Series 2018, to the I-Bank (the "I-Bank Loan Bond") and Water Utility Bonds, Series 2018, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed \$1,825,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) I-Bank Loan Bond to the I-Bank in accordance with the provisions hereof and (b) Fund Loan Bond to the State in accordance with the provisions hereof, said Local Unit Bonds in an aggregate principal amount not to exceed \$1,825,000. The Local Unit Bonds have been referred to and are described in bond ordinance #2016-01 of the Local Unit, which bond ordinance is entitled "Bond Ordinance Providing an Appropriation of \$1,825,000 for Water Plant Improvements at Chestnut Street and Tower Hill for and by the Borough of Red Bank, in the County of Monmouth, New Jersey and Authorizing the Issuance of \$1,825,000 Bonds or Notes of the Borough for Financing Part of the Appropriation" and was finally adopted by the Local Unit at a meeting duly called and held on

February 10, 2016, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the I-Bank Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 30 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-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: August 15, 2018

RESOLUTION NO. 18-196

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 2019 NEW JERSEY WATER BANK

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank (the "Local Unit"), in the County of Monmouth, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2019 New Jersey Water Bank (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water Utility Bonds, Series 2018, to the I-Bank (the "I-Bank Loan Bond") and Water Utility Bonds, Series 2018, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed \$1,825,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively,

the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-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: August 15, 2018

RESOLUTION NO. 18-197

**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 24 CEDAR CROSSING,
UNIT 16 (BLOCK 75.07, LOT 1-CO16), RED BANK, NJ
NOTWITHSTANDING PENDING FORECLOSURE PROCEEDINGS**

offered the following resolution and moved its approval:

WHEREAS, on or about June 13, 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 24 Cedar Crossing, Unit 16 (Block 75.07, Lot 1-CO16), Red Bank, NJ (the "Property"); and

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough"), although not 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 nonetheless had an interest in the outcome of that action, in seeing to the preservation of the affordable housing restrictions upon the Property; and

WHEREAS, in consequence of the foregoing, on or about August 2, 2018, the Borough filed, among other things, an application to intervene in the foreclosure action, to among other things file and serve a Contesting Answer to the NJHMFA's Foreclosure Complaint and Counterclaim and Crossclaim, seeking to preserve the affordable housing restrictions recorded on the Property in favor of the Borough; and

WHEREAS, in response to the Borough's August 2, 2018 filing, 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 aforesaid Consent Order would resolve the issues raised by the Borough's August 2, 2018 filing, including those set forth in the proposed Contesting Answer and Counterclaim and Crossclaim, 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 G. 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, both with the courts and as necessary, in the public land records; 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 approved on roll call by the following vote:

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

Dated: August 15, 2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-199

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF
REGULAR CROSSING GUARDS FOR THE 2018-2019 SCHOOL YEAR**

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 individuals be appointed as Regular School Crossing Guards for the 2018-2019 School Year pending completion of physical and background investigation:

Jana Albert
Frank Alexander
Jaqueline Bacon
Carl Colmorgen
Nikeya Fazio
Mary Harrison
David Hicks
Stella Johnson
Robert Lane
Philip Maletto
Kristen McConnell
Richard Moran
Sam Pierce
Nicholas Robinson
William Smith
Diane Summey
Kristina Talerico
Fred Wikoff

BE IT FURTHER RESOLVED that the position will be for a term of 9/1/2018 through 6/1/2019 and will be paid at the rate of \$29.24 per day as set by Borough Ordinance.

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: August 15, 2018

BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-200

A RESOLUTION APPOINTING SPECIAL LAW ENFORCEMENT OFFICERS CLASS II

offered the following resolution and moved its adoption:

WHEREAS, the Governing Body of the Borough of Red Bank is in agreement with the recommendation of the Chief of Police to appoint one Special Law Enforcement Officer Class II to the Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that Luke Cahill be and is hereby appointed to the position of Special Law Enforcement Officer Class II to the Borough of Red Bank Police Department retroactive to August 1, 2018 to July 31, 2019 at a rate of pay of \$15.00 per hour.

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

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: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-201**

**A RESOLUTION RATIFYING THE APPOINTMENT OF PART-TIME PARKING
ENFORCEMENT OFFICERS**

offered the following resolution and moved its adoption:

WHEREAS, the Borough of Red Bank desires to fill a vacancy in the position of Parking Enforcement Officer; and

WHEREAS, on the recommendation of the Parking Utility Supervisor and Director of Public Utilities, the Business Administrator has appointed Colin Weinberger and Timothy McCann as part-time parking enforcers.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Red Bank hereby ratifies the appointment of Colin Weinberger and Timothy McCann as part-time Parking Enforcement Officers effective August 16, 2018, pending satisfactory completion of a criminal background investigation, at an hourly rate of \$16.00 not to exceed 20 hours per week. The appointment is subject to satisfactory completion of a probationary period of 90 days.

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: August 15, 2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-202

**A RESOLUTION RATIFYING THE APPOINTMENT OF JOHN DRUCKER
AS ACTING CONSTRUCTION OFFICIAL FROM NOVEMBER 29, 2017
TO MARCH 13, 2018 AND CONFIRMING SALARY**

offered the following resolution and moved its adoption:

WHEREAS, John Drucker was appointed as Acting Construction Official from November 29, 2017 to March 13, 2018; and

WHEREAS, Mr. Drucker is due additional compensation for the additional duties performed during that time.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Red Bank, Monmouth County, New Jersey that appointment of John Drucker as Acting Construction Official between November 29, 2017 and March 13, 2018 is hereby ratified; and

BE IT FURTHER RESOLVED that John Drucker shall hereby receive compensation in the amount of a five percent of his annual salary prorated for the length of the time he served in the position of Acting Construction Official.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to John Drucker and the Personnel Office.

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: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-203**

**A RESOLUTION SUPPORTING THE EXPANSION OF
THE NEW JERSEY COMPASSIONATE USE MARIJUANA ACT**

offered the following resolution and moved its approval:

WHEREAS, the “New Jersey Compassionate Use Marijuana Act” (the Act) (N.J.S.A. 24:6I-1 et seq.) provides legal protection for the cultivation, processing, dispensing and use of marijuana for medical purposes; and

WHEREAS, the State of New Jersey has determined pursuant to the Act that it is necessary to expand New Jersey’s Medical Marijuana Program in order to meet the needs of qualified patients by announcing its acceptance of applications for the issuance of six (6) additional Alternative Treatment Centers; and

WHEREAS, the Borough of Red Bank supports the expansion of New Jersey’s Medical Marijuana Program to fulfill the needs of those patients who use marijuana to alleviate suffering from certain medical conditions and is in favor of an Alternative Treatment Center (“ATC”) operating within Red Bank; and

WHEREAS, the Borough of Red Bank is planning to adopt an ordinance to permit the operation of an ATC within Red Bank;

WHEREAS, the Borough of Red Bank wishes to allow medical marijuana businesses that intend to operate an ATC within Red Bank to begin the application process with the New Jersey Department of Health while Red Bank adopts an ordinance to permit the operation of an ATC within Red Bank;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF RED BANK, THAT Red Bank supports the expansion of New Jersey’s Medical Marijuana Program in order to meet the needs of qualified patients who use medical marijuana to alleviate suffering from certain medical conditions; and

BE IT FURTHER RESOLVED, THAT the Mayor and Council shall immediately initiate the necessary proceedings to adopt an ordinance permitting an ATC to operate within Red Bank; and

BE IT FURTHER RESOLVED, THAT the Mayor and Council direct that medical marijuana businesses that intend to operate an ATC in Red Bank may begin the application process for a permit with the New Jersey Department of Health while the adoption of an ordinance permitting the operation of an ATC in Red Bank is pending; and

BE IT FURTHER RESOLVED THAT the Mayor and Council members may immediately begin to issue letters in support of responsible medical marijuana businesses applying to the New Jersey Department of Health for an ATC permit.

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: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-204**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A NEW JERSEY DEPARTMENT OF
TRANSPORTATION – TRANSPORTATION ALTERNATIVES
SET-ASIDE PROGRAM (TA-SETASIDE) GRANT APPLICATION
FOR THE SHREWSBURY AVENUE STREETScape PROJECT**

offered the following resolution and moved its adoption:

WHEREAS, the Transportation Alternatives Set-Aside Program Grant (TA-Set Aside) provides federal funds for community based “non-traditional” surface transportation projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation’s intermodal system; and,

WHEREAS, the Borough of Red Bank has prepared a TA-Set Aside Grant application for the completion of the project titled Shrewsbury Avenue Streetscape; and,

WHEREAS, a TA-Set Aside grant would provide the funding necessary to complete the aforementioned project; and,

WHEREAS, the proposed project that funding is being sought for is directly related to surface transportation; correlates with other local/regional plans; will have a regional/community impact; and will help to increase and improve upon the local economy/tourism, user mode of choice and cultural/historical resources.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank:

- *Authorization to Submit Application:* The Borough of Red Bank is hereby authorized to submit a TA-Set Aside Grant application, identified as TA-2018-Shrewsbury Avenue Streetscape-00110 to the New Jersey Department of Transportation for the completion of the Shrewsbury Avenue Streetscape project.
- *Responsible Charge:* The Borough of Red Bank will assign Ziad A. Shehady, to serve as the Borough employee designated as the “responsible charge” for this project. Ziad A. Shehady serves as the Borough Administrator and is employed full-time and directly by the Borough of Red Bank.
- *Maintenance Commitment:* Following the completion of the proposed project, the Borough of Red Bank certifies that it will be responsible for the continual ownership and maintenance for the useful life of the project after the construction is completed.
- *Ownership Assurances:* The project area is located within right-of-ways controlled by the Borough of Red Bank as well as the County of Monmouth. The Borough of Red Bank approves of all project activities that will occur within municipal right-of-ways. The County of Monmouth has reviewed the project scope and approves of all project activities that will take place within County right-of-ways. A copy of a resolution from the Monmouth County Board of Chosen Freeholders is included with this application affirming this.
- *ADA Compliance:* All proposed construction will comply with the provisions set forth within the Americans with Disabilities Act (ADA) and the entire project area will be ADA compliant.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor, Borough Administrator and Borough Clerk are hereby authorized to sign the grant agreement and that their signatures constitute as acceptance of the terms and conditions of the grant agreement.

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

Dated: August 15, 2018

I hereby certify the above to be a true copy of a resolution adopted by the County of the Borough of Red Bank, in the County of Monmouth, at a meeting held on August 15, 2018.

Pamela Borghi, Municipal Clerk

RESOLUTION NO. 18-205

**A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, AUTHORIZING THE REDUCTION OF THE
PERFORMANCE GUARANTEE POSTED BY FORTUNE SQUARE, LLC
FOR 94 DRS JAMES PARKER BOULEVARD, BLOCK 75.01, LOT 86**

offered a motion to adopt the following resolution:

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough"), required the posting of a performance guarantee by Fortune Square, LLC for the installation of certain site improvements with respect to approvals granted for 94 Drs. James Parker Boulevard, Block 75.01, Lot 86; and

WHEREAS, the Borough has received a request from Fortune Square, LLC to reduce the performance guarantee; and

WHEREAS, the Borough Engineer has determined that the site improvements are 70% completed according to the applicant's approvals; and

WHEREAS, the Borough Engineer has recommended the reduction of the original performance guarantee for the site improvements for Block 75.01, Lot 86 posted by Fortune Square, LLC, which consisted of: (1) a bond issued by The Service Insurance Company, 80 Main Street, Suite 330, West Orange, New Jersey 07052 in the amount of \$655,765.74, and (2) a \$72,862.86 cash deposit, now totaling \$72,980.44 with accrued interest; and

WHEREAS, the Borough Engineer has recommended the retention of 30% of the original performance guarantee for the site improvements for Block 75.01, Lot 86 posted by Fortune Square, LLC, through: (1) a new bond to be issued in the amount of \$196,729.72, and (2) a \$21,858.86 cash deposit;

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 Governing Body hereby authorizes the reduction of the performance guarantee posted by Fortune Square, LLC for Block 75.01, Lot 86.
2. The performance bond posted by Fortune Square, LLC in the amount of \$655,765.74 issued by The Service Insurance Company, 80 Main Street, Suite 330, West Orange, New Jersey 07052 is hereby released, subject to Fortune Square's compliance with the provisions of paragraph 4 hereof.
3. A portion of the cash deposit posted by Fortune Square, LLC, specifically \$51,121.58, is hereby released, subject to Fortune Square's compliance with the provisions of paragraph 4 hereof.
4. Fortune Square, LLC shall post a new bond in the amount of \$196,729.72, and \$21,858.86 of Fortune Square's original cash deposit shall be retained.
5. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Red Bank Planning and Zoning Department, and Fortune 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: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-206**

**A RESOLUTION AUTHORIZING THE RELEASE OF MAINTENANCE GUARANTEE
POSTED BY UNION STREET VILLAGE, LLC FOR BLOCK 9.01, LOT 24**

offered the following resolution and moved its approval:

WHEREAS, by Resolution No. 10-29, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") released the performance guarantee posted by Union Street Village, LLC in connection with a development project at Union Street and Wharf Avenue, Block 9.01, Lot 24 (the "Property"), and required the posting of a two-year maintenance guarantee by Union Street Village, LLC in the amount of \$17,940.00 in the form of a cash deposit; and

WHEREAS, the Borough has received a request from Union Street Village, LLC for the release of the maintenance guarantee; and

WHEREAS, the two-year time period applicable to the subject maintenance guarantee under the Revised General Ordinances of the Borough expired on or about January 11, 2012;

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 maintenance guarantee posted by Union Street Village, LLC in the form of a cash deposit, now totaling \$19,185.64 with accrued interest.
2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Planning/Zoning Department, and Union Street Village, LLC.

Seconded by

and approved on roll call by the following vote:

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

Dated: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-207**

**A RESOLUTION AUTHORIZING THE RELEASE OF MAINTENANCE GUARANTEE
POSTED BY LOLICH RED BANK, LLC AND MARK DEVELOPMENT, INC. FOR
WALGREENS, 395 BROAD STREET, BLOCK 120, LOT 53.09**

offered the following resolution and moved its approval:

WHEREAS, by Resolution No. 16-43, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") released the performance guarantee posted by Lolich Red Bank, LLC and Mark Development, Inc. in connection with a development project at 395 Broad Street, Block 120, Lot 53.09 (the "Property"), and required the posting of a two-year maintenance guarantee in the amount of \$30,641.00 in the form of a cash deposit; and

WHEREAS, Lolich Red Bank, LLC has since changed its name to Mark Lolich, LLC by filing a Certificate of Amendment with the N.J. Division of Revenue and Enterprise Services; and

WHEREAS, the Borough has received a request from Mark Lolich, LLC and Mark Development, Inc. for the release of the maintenance guarantee; and

WHEREAS, the two-year time period applicable to the subject maintenance guarantee under the Revised General Ordinances of the Borough expired on or about February 10, 2018;

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 maintenance guarantee to Mark Lolich, LLC and Mark Development, Inc. in the form of a cash deposit, now totaling \$30,783.30 with accrued interest.
2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Planning/Zoning Department, Mark Lolich, LLC, and Mark Development, Inc.

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: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-208**

(A Resolution to repeal and replace resolution No. 18-189)

A RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a (Police Vehicles)

offered the following resolution and moved its adoption:

WHEREAS, there were errors in the quote for the purchase of police vehicles that was provided for resolution No. 18-189 resulting in an incorrect dollar amount being stated and this resolution will repeal and replace the prior resolution to correct that error; and

WHEREAS, the Borough of Red Bank, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Red Bank has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Red Bank intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Red Bank authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts.

BE IT FURTHER RESOLVED that funds in the amount of ~~\$84,622~~ **\$85,909** are currently available for this purpose as certified by the Chief Financial Officer as demonstrated by the attached certification in account no(s). M-17-00-101-101.

BE IT FURTHER RESOLVED that the governing body of the Borough of Red Bank, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Red Bank and the Referenced State Contract Vendors shall be from January 1, 2018 to December 31, 2018.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Chief Financial Officer.

Seconded by Councilman Ballard 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: August 15, 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 August 15, 2018.

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
(2) 2018 Ford PUI @ \$27,949 <u>@ \$26,525</u>	Winner Ford of Cherry Hill 250 Haddonfield-Berlin Road Cherry Hill, NJ 08034	#T2776
Subtotal: \$55,898 <u>Subtotal: \$53,050</u>		

2018 Ford F150 SSV @ \$28,724 @ \$32,859	Winner Ford of Cherry Hill 250 Haddonfield-Berlin Road Cherry Hill, NJ 08034	#88728
Subtotal: \$28,724 <u>Subtotal: \$32,859</u>		

~~Total Purchase: \$84,622~~
Total Purchase: \$85,909

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-209

**A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND
APPROPRIATION ACCORDING TO N.J.S.A. 40A:4-87 – Clean Communities Fund, in the
amount of \$21,388.61**

offered the following resolution and moved its approval:

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Red Bank in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$21,388.61, under the title of Clean Communities Fund,

BE IT FURTHER RESOLVED, that the like sum of \$21,388.61 is hereby appropriated under the caption of Clean Communities Fund; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey through the State of New Jersey through the New Jersey Clean Communities Program in the amount of \$21,388.61.

Seconded by

and approved on roll call by the following vote:

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

Dated: August 15, 2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-210

A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION ACCORDING TO N.J.S.A. 40A:4-87 – U.S. Older American Title III B Funding, an additional Award of \$2,923.00

offered the following resolution and moved its approval:

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Red Bank in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018, for an additional sum of \$2,923.00, which represents additional award to Red Bank Senior Center from the U.S. Older American Grant, Title III B, Grant Agreement #13-012., through the County of Monmouth Department of Human Services, Division on Aging, Disabilities and Veterans Services.

BE IT FURTHER RESOLVED, that the additional sum of \$2,923.00 is hereby appropriated under the caption of U.S. Older American - Senior; and

BE IT FURTHER RESOLVED, that the above is the result of federal funds under Title III B, Grant Agreement #13-012 of U.S. Older American Grant through the County of Monmouth Department of Human Services, Division on Aging, Disabilities and Veterans Services, for an additional amount of \$2,923.00.

Seconded by

and approved on roll call by the following vote:

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

Dated: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-211**

**A RESOLUTION RECOGNIZING PARTICIPANTS IN THE MUNICIPAL GREEN BUSINESS
RECOGNITION PROGRAM**

offered the following resolution and moved its adoption:

WHEREAS the Borough of Red Bank strives to build a community that is sustainable economically, environmentally, and socially; and

WHEREAS, in an attempt to focus attention on environmental issues the Borough of Red Bank established a Green Business Recognition Program (GBRP) in 2017, aligned with Sustainable Jersey economic initiatives; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Red Bank that we do hereby recognize the local businesses registered with the GBRP as of August 15th, 2018.

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Red Bank that the individual businesses recognized are as follows:

DoubleTake Boutique, 97 Broad Street

Hobbymasters, 62 White Street

The Millington Group, 17 Waverly Place

Siam Garden, 2 Bridge Avenue

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: August 15, 2018

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-212**

**A RESOLUTION HONORING FREDERICK D. WIKOFF III ON HIS 50TH ANNIVERSARY
IN THE RED BANK VOLUNTEER FIRE DEPARTMENT**

offered the following resolution and moved its adoption:

WHEREAS, Frederick "Fred" D. Wikoff, III has served over 50 years in the Red Bank Volunteer Fire Department, joining in May of 1968; and

WHEREAS, Mr. Wikoff continues a tradition of service that has been matched by few in the history of the department and has devoted a lifetime of dedicated and selfless service to the people of Red Bank; and

WHEREAS, Fred was elected to serve as 3rd Assistant Engineer of Navesink Hook & Ladder Company in 1970, as 2nd Assistant Engineer in 1971 and 3rd Assistant Engineer in 1972 and 1973 and was again elected to serve as 2nd Lieutenant of the company in 1974, 1st Lieutenant in 1975; and Captain in 1976; and

WHEREAS, He was elected to serve as Vice President of Navesink Hook & Ladder Company in 1977 and was elected to serve as both President, and Chief Engineer of Navesink Hook & Ladder Company in 1978.

WHEREAS, in 1994 Fred joined the Red Bank Fire Police and he continues to serve as an active member.

WHEREAS, throughout all his many years of service he has earned the admiration and respect of his fellow citizens and has been sustained by the love and support of his family; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank to commend and congratulate Frederick D. Wikoff III on the accomplishment of such a milestone and express to him and his family the deepest thanks and warmest best wishes from all of Red Bank's residents for continuing health and happiness.

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: August 15, 2018

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 18-213

**A RESOLUTION AUTHORIZING PLACE-TO-PLACE EXPANSION OF PREMISES
TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-026
(Chubbys Waterside Café, Inc. t/a 26 West on the Navesink)**

offered the following resolution and moved its adoption:

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Red Bank, Monmouth County, New Jersey to transfer Plenary Retail Consumption License No. 1340-33-026, currently issued to Chubbys Waterside Café, Inc. trading as 26 West on the Navesink, for premises located at 26 West Front Street, Red Bank, NJ;

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the place-to-place expansion of premises transfer of the Plenary Retail Consumption License No. 1340-33-026 issued to Chubbys Waterside Cafe, Inc. trading as 26 West on the Navesink for premises located at 183 Riverside Avenue, Red Bank, New Jersey is hereby approved to include the second floor roof.

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: August 15, 2018