

**MUNICIPAL COUNCIL MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 8, 2023 ♦ 6:30 PM**

SUNSHINE STATEMENT

Mayor Portman requested the minutes reflect that this meeting is 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 December 24, 2022.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Portman, Council Members: Jackson, Mirandi, Triggiano (virtual), Sturdivant, Ballard, and Zipprich

ABSENT: Councilmembers:

ALSO PRESENT: Interim Administrator McConnell, Borough Clerk Reinertsen, Borough Attorney Antonelli and Jack Burke

PROCLAMATIONS, ANNOUNCEMENTS, APPOINTMENTS – Women’s History Month Proclamation:

**PROCLAMATION
BOROUGH OF RED BANK
WOMEN’S HISTORY MONTH - MARCH**

WHEREAS, in honor of Women's History Month, we celebrate all of the achievements and contributions women have made. Over the course of the history of our nation, women have played a crucial role in advancing social justice, led groundbreaking scientific discoveries, enriched our culture with remarkable works of art and literature, and charted bold directions in our foreign policy; and

WHEREAS, the National Women's History Alliance, which creates and promotes National Women's History Month each March, has announced "Celebrating Women Who Tell Our Stories" as the 2023 theme; and

WHEREAS, this month we are encouraged to recognize women, past and present, who have been active in all forms of media and storytelling. Throughout their careers and lives, women from every part of society have devoted their lives and talents to producing art and news, pursuing truth, and reflecting the values of our society; and

WHEREAS, Women's history is one of resilience, and women went from being denied the right to vote or hold public office until the early 1900s to our country's first female Vice President being elected to office in 2020; and

WHEREAS, Women of the United States have stories to tell about their scientific contributions to the early space program, the modernization of computer programming, the development of a vaccine to combat the COVID-19 virus, and serving in positions of power in boardrooms, the education system, medicine, politics, and the military. This month we honor women for being the foundation upon which this nation was built.

NOW, THEREFORE, I, William Portman, Mayor of the Borough of Red Bank, do hereby proclaim and observe March is designated as “Women’s History Month, and call upon the citizens to observe March as Women’s History Month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of March 2023.

PRESENTATIONS Director Zuckerman – River Center

Summarized the history of Broadwalk and discussed the reasons for continuing the event. A power point presentation was provided for the governing body and the assemblage. Agrees there have been challenges but hopes to be able to address them.

Weekdays can be quiet proposed a public tent area for communal tables to enjoy food in an alternate location. To address daytime slow daytime foot traffic issue. Another draw would be to continue the programs: with parks & rec, vendors, etc. To be placed in front of Coco Paris would allow for plenty of space for emergency vehicles. Door Dash, Uber Eats implementation. River Center has reached out to those entities and are waiting for a response. Tables would be identified by a number. Tent would be secured with inclement weather in mind.

Unsightly barrels to draw attention to the short bollards. To address barrels with bollard covers to create additional height and get rid of the orange barrels.

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Created new loading zones but still trucks loading on Mechanic St. 1, 2, issue violations, 3. Work with vendors to notify their vendors they cannot use Mechanic of fines will be issued. bigger and better signage

Excessive trash - Staff member will clean community area everyday and hire additional staff to have clean area throughout the day. Also press the restaurants to keep their areas clean.

Streeteries did not participate last year due to the increased fees. Urges the lowering of the fees to 2021 levels.

Formal request to governing Body – May through October, keep fees constant, streeteries, lower the fees to bring them back. Respectfully requested the 2021 fee levels.

Clean up area would be extended and maintained in the area adjacent to the Broadwalk.

Broadwalk Committee – Mayor will recommend a committee to review with the River Center.

Fee structure was discussed for further consideration.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Phil Blackwood 34 Chestnut St. – Would like Council to consider implementing long term environmental policy. In regards to the DPW vehicles for purchase on the agenda, asked if environmental emissions was considered. Discussed the social costs of carbon and impact. Would like long term planning implemented so it does not have to be on a case by case basis. BA McConnel noted that he had a discussion with the DPW Consultant regarding electric trucks. Divulged that in the event of a snowstorm electric vehicles can only run for so many hours before they require recharge, cannot speak to the horsepower component.

Ben Forest 16 – Locust Ave – Broadwalk clean up needs to be a priority.

Boris Kofman 28 Riverside Ave. – Spoke in support of the continuation of Broadwalk

Suzanne Viscomi 25 Cedar St. – Concern with Uber deliver for Broadwalk communal tent proposal is the double parking- and idling. It's a good idea but needs to be thought out to be sure it doesn't create more problems.

Barbara Boas 135 Branch Ave – Loves what Broadwalk presented this evening, very concerned that Council is not ready to make a decision or move on it. Council said they were going to start preparation in the fall of last year so a plan would be ready for 2023; expressed disappointment that it did not happen.

Councilmember Triggiano opined that the programming falls under the River Center and the coordination of day-to-day operations falls under the Administrators and DPW Director's purview.

APPROVAL OF MINUTES AND REPORTS

- **Department Reports:** Public Utilities, Police Dept., Engineering, Finance, Grants, Animal Control, Tax Assessor, Tax Collector, Land Use (Planning & Zoning), Parks & Recreation, Fire Marshall, Emergency Management, Fire Dept., Senior Center, Building/Construction, Certification of Uncollectible Taxes

Motioned by Councilmember Zipprich, seconded by Councilmember Triggiano. Roll call: Ayes – Jackson, Mirandi, Sturdivant, Triggiano, Ballard, Zipprich

ORDINANCES

- Introduction Councilmember Ballard motioned to table the ordinance for introduction pending further information on a the claim that municipal taxes were charged by Air B and B for a Red Bank property; Councilmember Sturdivant seconded the motion. Roll cal, unanimous, affirmative.

- AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY IMPOSING THREE PERCENT (3%) TRANSIENT ACCOMMODATION OCCUPANCY TAX

Councilmember Ballard motioned to approve the ordinance on introduction, seconded by Councilmember Jackson Roll call: Ayes – Jackson, Mirandi, Sturdivant, Triggiano, Ballard, Zipprich.

- Public Hearing Adoption
 - 2023-07 CHANGING THE NAME OF A PORTION OF HERBERT STREET TO ORATORY WAY IN RED BANK BOROUGH, NEW JERSEY

Councilmember Zipprich motioned to open the floor to public comment on ordinance 2023-07; Councilmember Jackson seconded the motion.

COMMENTS:

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Anthony Privetera from St Anthony’s of Padua expressed heartfelt appreciation to the Mayor, Council and Clerk for making this happen.

Councilmember Zipprich motioned to close the floor to public comment on ordinance 2023-07; Councilmember Jackson seconded the motion.

Councilmember Triggiano motioned to approve ordinance 2023-07 for adoption; Councilmember Zipprich seconded the motion. Roll call: Ayes – Jackson, Mirandi, Sturdivant, Triggiano, Ballard, Zipprich

ORDINANCE NO. 2023-07

CHANGING THE NAME OF A PORTION OF HERBERT STREET TO ORATORY WAY IN RED BANK BOROUGH, NEW JERSEY

The purpose of this Ordinance is to rename a portion of Herbert Street to “Oratory Way”

WHEREAS, the Borough of Red Bank presently intends to change the name of a portion of Herbert Street to Oratory Way; and

WHEREAS, N.J.S.A. 40:67-1(k), provides that the governing body of a municipality may make, amend, repeal and enforce ordinances to provide for changing the names of streets within such municipality; and

WHEREAS, this name change shall affect the length of Herbert Street from the intersection of Bridge Avenue to the easterly terminus of the roadway; and

WHEREAS, the Red Bank Post Office shall be notified of such change by provision of a copy of this Ordinance; and

WHEREAS, the Red Bank Police Department and Red Bank Fire Department shall likewise be notified of such change by provision of a copy of this Ordinance; and

WHEREAS, appropriate signage shall be installed to reflect the street name change.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COMMITTEE OF THE BOROUGH OF RED BANK that the following street name is hereby changed as delineated below:

- Section 1. The name change of Herbert Street shall affect the portion of the length of Herbert Street beginning at Bridge Avenue, running in an easterly direction along Lots 14.01 and 16.01, Block 75.05, to the Block Limit Line of Block 75, as shown on sheet 9 of the Red Bank Borough Tax Maps, dated _September 1961_ and approved by the New Jersey Department of Treasury, Division of Taxation on __August 11, 1983_, being also generally described as the portion of Herbert Street running in an easterly direction from Bridge Avenue to the terminus of Herbert Street.
- Section 2. The name of Herbert Street shall become “Oratory Way”
- Section 3. The Red Bank Post Office shall be notified of such change by provision of a copy of this Ordinance.
- Section 4. The Red Bank Police Department and Red Bank Fire Department shall likewise be notified of such change by provision of a copy of this Ordinance; and
- Section 5. The State of New Jersey shall be notified so appropriate signage changes may be made along State Route 124.
- Section 6. Appropriate signage shall be installed to reflect the street name change.
- Section 7. This Ordinance shall become effective on May 8, 2023, two months after adoption and publication according to law.

RESOLUTIONS

BA McConnell noted that resolution 23-75 was amended to include the purchase of an emergency generator for the Boden St. lift station, it will be paid out of the utility and not bonded. Councilmember Zipprich motioned to approve the consent agenda; Councilmember Jackson seconded the motion. Roll call, unanimous, affirmative.

CONSENT AGENDA

- 23-74 Bills List
- 23-75 Temporary Budget Appropriations
- 23-76 Refund Of Developers Escrow Account Balances Totaling \$6,251.63
- 23-77 Authorize Payment East Side Parking Lot Improvements
- 23-78 Authorize Payment Senior Citizen Center Renovations
- 23-79 Authorize MCIA Purchase two 12-Passenger Vans
- 23-80 Awarding Services for Affordable Housing Rehabilitation Plan 45 Drummond
- 23-81 Appointing Crossing Guards
- 23-82 Authorizing the Purchase of DPW Vehicles
- 23-83 Professional Services South Street Roadway Project

RESOLUTION NO. 23-74 RESOLUTION FOR PAYMENT OF BILLS

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the bills be paid as on attached check registers:

Check Type	Count	Total	Checking Account	Count	Total
Manual Check	23	\$3,182,058.34	CAPITAL ACCOUNT	3	\$201,074.06
Meeting Check	116	\$927,255.60	COAH DEV FEES	1	\$11,000.00
Total	139	\$4,109,313.94	CURRENT -VALLEY	70	\$854,259.18

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Checking Account	Check Type	Count	Total
CAPITAL ACCOUNT	Meeting Check	3	\$201,074.06
COAH DEV FEES	Meeting Check	1	\$11,000.00
CURRENT -VALLEY	Manual Check	6	\$431,935.33
CURRENT -VALLEY	Meeting Check	64	\$422,323.85
DEVELESCROW	Meeting Check	6	\$8,084.70
DEVELESCROW2RIVER	Meeting Check	6	\$41,991.35
DOG LICENSE AC	Meeting Check	1	\$430.20
GRANT FUND-VNB	Manual Check	1	\$13,371.55
GRANT FUND-VNB	Meeting Check	4	\$15,036.38
LAW ENFORCMT-2R	Meeting Check	1	\$432.28
MCIA LEASE	Meeting Check	1	\$6,160.00
PAYROLL	Manual Check	3	\$4,687.68
PKING CAP 2RIVE	Meeting Check	2	\$113,079.32
PKINGOP2RIVER	Manual Check	2	\$13,890.51
PKINGOP2RIVER	Meeting Check	10	\$23,325.88
RECREATION-VNB	Meeting Check	2	\$730.00
TRUST ACCOUNT	Manual Check	1	\$10,575.00
TRUST ACCOUNT	Meeting Check	2	\$445.00
TTL REDEMPTION	Meeting Check	2	\$1,691.73
TWO RIVERS	Manual Check	1	\$352.36
WATER CAPITAL	Meeting Check	1	\$3,455.00
WATER OPERATING	Manual Check	4	\$38,998.83
WATER OPERATING	Meeting Check	10	\$77,995.85
WIRE	Manual Check	5	\$2,668,247.08
Total	All Checking	139	\$4,109,313.94

DEVELESCROW	6	\$8,084.70
DEVELESCROW2RIVER	6	\$41,991.35
DOG LICENSE AC	1	\$430.20
GRANT FUND-VNB	5	\$28,407.93
LAW ENFORCMT-2R	1	\$432.28
MCIA LEASE	1	\$6,160.00
PAYROLL	3	\$4,687.68
PKING CAP 2RIVE	2	\$113,079.32
PKINGOP2RIVER	12	\$37,216.39
RECREATION-VNB	2	\$730.00
TRUST ACCOUNT	3	\$11,020.00
TTL REDEMPTION	2	\$1,691.73
TWO RIVERS	1	\$352.36
WATER CAPITAL	1	\$3,455.00
WATER OPERATING	14	\$116,994.68
WIRE	5	\$2,668,247.08
Total	139	\$4,109,313.94

RESOLUTION NO. 23-75 RESOLUTION FOR INCREASING YEAR 2023 CURRENT, WATER/SEWER AND PARKING FUNDS TEMPORARY BUDGET APPROPRIATIONS

WHEREAS N.J.S.A.40A: 4-20 states that in addition to the temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the fiscal year and the adoption of the budget for said year, and

WHEREAS the amount of such emergency appropriation shall be included under the correct heading in the budget as adopted, and;

WHEREAS there is a need to provide additional funds for Borough operations, and

WHEREAS adequate provision for such funding was not made in the temporary budget.

WHEREAS the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including the increase represented by this resolution total \$7,454,013.17, in addition to the Current Fund temporary operating and debt service budgets adopted January 4, 2023 in the amount of \$8,951,113.61 for a total Year to Date Temporary Budget of \$ 16,405,126.78.

WHEREAS the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including the increase represented by this resolution total \$1,760,874.13, in addition to the Water/Sewer Fund temporary operating and debt service budgets adopted January 4, 2023 in the amount of \$2,777,590.65 for a total Year to Date Temporary Budget of \$ 4,538,464.78.

WHEREAS the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including the increase represented by this resolution total \$413,002.68, in addition to the Parking Fund temporary operating and debt service budgets adopted January 4, 2023 in the amount of \$639,172.66 for a total Year to Date Temporary Budget of \$ 1,052,175.34.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Red Bank (not less than 2/3 affirmatively concurring) that the items of appropriation appearing on the list be included in the temporary budget for the Borough for the year 2023, and that in accordance with the Statute such item of appropriation will be included in the 2023 budget as finally adopted.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Government.

Temporary 2023 Current Fund Budget Appropriation	Temporary Budget 1/4/2023	Increase (adjustment) 3/8/2023	TOTAL 2023
Admin. & Exec. - Salarv & Waae	55.000.00	55.000.00	110.000.00
Admin. & Exec. - Other Expenses	15.540.00	15.540.00	31.080.00
Municipal Clerk - Salarv & Waae	37.406.25	37.406.25	74.812.50
Municipal Clerk - Other Expenses	10.435.16	10.435.16	20.870.32
Mavor & Council - Salarv & Waae	7.000.00	7.000.00	14.000.00
Finance - Salarv & Waae	60.068.75	60.068.75	120.137.50
Finance - Other Expenses	75.428.19	75.428.19	150.856.38
Audit Services-Other Expenses	9.187.50	9.187.50	18.375.00
Education & Technoloav -	27.562.50	27.562.50	55.125.00
Revenue Admin. - Salarv & Waae	36.250.00	36.250.00	72.500.00
Revenue Admin. - Other Expenses	3.780.00	3.780.00	7.560.00
Tax Assessment - Salarv & Waae -	30.000.00	30.000.00	60.000.00

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Tax Assessment - Other Expenses	5,289.38	5,289.38	10,578.76
Legal Services - Other Expenses	85,037.50	85,037.50	170,075.00
Codification - Other Expenses	1,312.50	1,312.50	2,625.00
Engineering Services -	43,625.00	43,625.00	87,250.00
Planning - Salary & Wage	30,000.00	30,000.00	60,000.00
Planning - Other Expenses	13,650.00	13,650.00	27,300.00
Zoning - Salary & Wage	30,000.00	30,000.00	60,000.00
Zoning - Other Expenses	10,165.31	10,165.31	20,330.62
Uniform Fire - Salary & Wage	75,000.00	75,000.00	150,000.00
Uniform Fire - Other Expenses	10,511.00	9,714.00	20,225.00
UCC - Salary & Wage	141,312.50	141,312.50	282,625.00
UCC - Other Expenses	12,000.00	12,000.00	24,000.00
Insurance - Out Of Payments	21,175.00	21,175.00	42,350.00
Insurance - Liability Insurance	166,000.00	164,597.67	330,597.67
Insurance - Worker'S Compensation	194,000.00	193,312.46	387,312.46
Insurance - Employee Group	757,492.75	757,492.75	1,514,985.50
Rent Board - Salary & Wage	787.50	787.50	1,575.00
Rent Board - Other Expenses	1,968.75	1,968.75	3,937.50
Police - Salary & Wages	1,500,000.00	1,500,000.00	3,000,000.00
Police - Other Expenses	55,000.00	55,000.00	110,000.00
Oem - Salary & Wage	1,627.50	1,627.50	3,255.00
Oem - Other Expenses	1,312.50	1,312.50	2,625.00
First Aid Squad - Other Expense	35,437.50	35,437.50	70,875.00
Fire - Other Expenses	47,558.44	47,558.44	95,116.88
Code Enforcement- Salary & Wage	25,000.00	25,000.00	50,000.00
Code Enforcement -Other Expenses	2,231.25	2,231.25	4,462.50
Road Repair & Maintenance - Salaries	264,000.00	264,000.00	528,000.00
Road Repair & Maintenance - Other Exp.	115,000.00	115,000.00	230,000.00
Sanitation - Other Expense	230,000.00	230,000.00	460,000.00
Pub Bldg/Grounds-Maint.Boro Equip-S&W	100,500.00	100,500.00	201,000.00
Buildings & Grounds - Other Expense	58,926.00	58,926.00	117,852.00
Shade Tree Commission	1,312.50	1,312.50	2,625.00
Animal Control - Other Expense	17,062.50	17,062.50	34,125.00
Redevelopment Agency - Salary & Wages	3,000.00	-3,000.00	0.00
Redevelopment Agency - Other Expenses	200.00	-200.00	0.00
Park & Recreation - Salary & Wage	72,000.00	72,000.00	144,000.00
Parks & Recreation - Other Expenses	27,939.17	27,939.17	55,878.34
Public Library O/S Cap Salary	170,000.00	170,000.00	340,000.00
Library O/S Cap,Other Expense	60,518.10	60,518.10	121,036.20
Street Lighting	62,000.00	62,000.00	124,000.00
Electricity	30,000.00	30,000.00	60,000.00
Telephone	14,962.50	14,962.50	29,925.00
Natural Gas	14,437.50	14,437.50	28,875.00
Gasoline	54,545.00	54,545.00	109,090.00
Landfill	181,000.00	181,000.00	362,000.00
Social Security - Other Expenses	125,000.00	125,000.00	250,000.00
Public Employees' Retirement System		498,151.43	498,151.43
Police and Firemen's Retirement System of NJ		1,565,990.00	1,565,990.00
D.C.R.P.	5,000.00	5,000.00	10,000.00
Shared Service - LS Fire Code - Salaries	2,362.50	2,362.50	4,725.00
Shared Service - BOE Snow Plowing	9,544.86	9,544.86	19,089.72
Share Service - Shrewsbury Township EMS-OE	2,100.00	2,900.00	5,000.00
Share Service -Shrewsbury Township Court S&W	1,312.50	1,312.50	2,625.00
Shared Service - Shrewsbury Township Court-OE	525.00	525.00	1,050.00
Municipal Court - Salary & Wages	71,000.00	71,000.00	142,000.00
Municipal Court - Other Expenses	10,263.75	10,263.75	20,527.50
Municipal Defender - Other Expenses	7,000.00	7,000.00	14,000.00
Municipal Prosecutor-Other Expenses	9,450.00	9,450.00	18,900.00
Recycling Tax	7,500.00	7,500.00	15,000.00
Senior Citizen-Salary and Wages	29,312.00		29,312.00
U.S. Older American Act Grant-SW	270,800.00	126,550.00	397,350.00
U.S. Older American Act-Other Expenses	167,571.00	-107,171.00	60,400.00
911 Emergency System-Monmouth County		15,265.00	15,265.00

Total Temp Budget Excl Debt and Capital Impr	5,831,297.61	7,453,913.17	13,285,210.78
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Capital Improvement Fund and Debt Service			
Bond Principal	1,715,000.00		1,715,000.00
Bond Interest	614,200.00	100.00	614,300.00
Note Interest	48,850.00		48,850.00
Green Trust Loan-Principal	9,860.00		9,860.00
Green Trust Loan-Interest	1,306.00		1,306.00
Capital Lease - Principal	599,750.00		599,750.00
Capital Lease - Interest	130,850.00		130,850.00

Total Capital Improvement and Debt Service	3,119,816.00	100.00	3,119,916.00
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Total Current Fund Temporary Budget	8,951,113.61	7,454,013.17	16,405,126.78
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Temporary 2023 Water/Sewer Utility Fund Budget	Temporary Budget 1/4/2023	Increase (adjustment) 3/8/2023	TOTAL 2023
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Water/Sewer - Salary and Wages	267,823.82	264,176.18	532,000.00
Water/Sewer - Other Expenses	539,524.33	539,000.00	1,078,524.33
Regional Sewer Authority Charges	380,625.00	380,625.00	761,250.00
Public Employees' Retirement System		159,250.50	159,250.50
Water Purchases	193,987.50	193,987.35	387,974.85
Social Security / Medicare	21,000.00	21,000.00	42,000.00

Total Temp Budget Excl Debt and Capital	1,402,960.65	1,558,039.03	2,960,999.68
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Capital Improvement Fund and Debt Service			
Capital Outlay		225,000.00	225,000.00
Water/Sewer - Bond Principal	907,775.00		907,775.00
Water/Sewer - Bond Interest	397,300.00	3,315.00	400,615.00
Water/Sewer - Note Interest	32,500.00	-25,479.90	7,020.10
Capital Lease-Principal	29,655.00		29,655.00
Capital Lease - Interest	7,400.00		7,400.00

Total Capital Improvement and Debt Service	1,374,630.00	202,835.10	1,577,465.10
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Total Water/Sewer Utility Fund Budget	2,777,590.65	1,760,874.13	4,538,464.78
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Temporary 2023 Parking Utility Fund Budget	Temporary Budget	Increase	TOTAL
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Appropriation	1/4/2023	3/8/2023	2023
Parking - Salary and Wages	117,500.00	117,500.00	235,000.00
Parking - Other Expenses	191,297.66	191,000.00	382,297.66
Public Employees' Retirement System		46,002.68	46,002.68
Social Security / Medicare	8,500.00	8,500.00	17,000.00
Total Temp Budget Excl Debt and Capital	317,297.66	363,002.68	680,300.34
Capital Improvement Fund and Debt Service			
Capital Outlay		50,000.00	50,000.00
Parking-Bond Principal	190,000.00		190,000.00
Parking-Bond Interest	130,000.00		130,000.00
Capital Lease Principal	1,620.00		1,620.00
Capital Lease – Interest	255.00		255.00
Total Capital Improvement and Debt Service	321,875.00	50,000.00	371,875.00
Total Parking Utility Fund Temporary Budget	639,172.66	413,002.68	1,052,175.34

RESOLUTION 23-76 AUTHORIZING REFUND OF DEVELOPERS ESCROW ACCOUNT BALANCES TOTALING \$6,251.63

WHEREAS, the following applicant has deposited an Escrow amount as required by the Planning and Zoning Department for a development project; and

WHEREAS, the Planning and Zoning Department has determined that the applicants' corresponding project is substantially complete and therefore the balance of Escrow can be released; and

WHEREAS, the Escrow Account identified in the enclosed schedule, 'Schedule A' identify the balance remaining, after all relevant fees have been satisfied and there appears no further basis to retain the Escrow Deposit;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank that the Escrow balance be released and that the Chief Financial Officer is hereby directed to issue a check for the refund.

Schedule A

Applicant	Address	Balance
KLE Properties (ZR12115)	191 Shrewsbury Avenue	\$6,251.63
Total		\$6,251.63

RESOLUTION NO. 23-77 AUTHORIZING PROGRESS PAYMENT #1 RELATED TO THE CONTRACT WITH Z. BROTHERS CONCRETE CONTRACTORS, INC. FOR THE IMPROVEMENT TO EAST SIDE PARKING LOT IMPROVEMENTS

BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank of Monmouth County, New Jersey upon recommendation of the Borough Engineer that Payment #1 for the Contract listed below be and is hereby approved.

BE IT RESOLVED that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: East Side Parking Lot Improvements

CONTRACTOR: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Rd., Sayerville, NJ 08872

ENGINEER: CME Associates.
1460 Route 9 South, Howell, NJ 07731

Payment #1

Current to Date Total	\$114,508.49
Less 2% Retainage	\$2,290.17
Less Previous Payments	\$0.00
Amount Due	\$112,218.32

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

P-08-19-073-495

RESOLUTION 23-78 AUTHORIZING PAYMENT #5 RELATED TO THE CONTRACT WITH J&M QUALITY CONTRACTING, LLC FOR SENIOR CENTER RENOVATIONS

BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank of Monmouth County, New Jersey upon recommendation of the Borough Architect, DMR Architects, that payment #5 for the Contract listed below be and is hereby approved.

BE IT RESOLVED that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

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TITLE OF JOB: RED BANK SENIOR CENTER RENOVATIONS
CONTRACTOR: J&M Quality Contracting LLC.
708 Route 35, 2nd Floor, Neptune, NJ 0773
ARCHITECT: DMR Architects
777 Terrace Ave., Hasbrouck Heights, NJ 07604

Payment #2

Original Contract	\$1,402,000.00
Net Change by Change Orders	\$18,441.43
Contract Sum to Date	\$1,420,441.43
Completed and Stored to Date	\$1,064,065.05
Less 2% Retainage	\$21,281.30
Less Previous Payments	\$867,085.21
Amount Due	\$175,698.54
<i>Balance to Finish, Including Retainage</i>	<i>\$377,657.68</i>

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

C-04-22-003-498

RESOLUTION NO. 23-79 AUTHORIZING MCIA PURCHASE OF TWO (2) 12 PASSENGER VANS

WHEREAS, Hertrich Fleet Services, Inc. has provided proposed quote for two (2) 12 passenger vans; and

WHEREAS, it is the intent of the Red Bank Borough Purchasing Agent to make a purchase pursuant to said contract award to Hertrich Fleet Services, Inc. pursuant to the proposal submitted to the Borough of Red Bank; and

WHEREAS, the Director of Parks and Recreation has reviewed the proposal and recommends the purchase; and

WHEREAS, funds in the amount of \$ 71,549.00 are currently available for this purpose as certified by the Chief Financial Officer in Monmouth County Improvement Authority "MCIA" account # M17-00-101-801.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Purchasing Agent is hereby authorized to authorize the purchase of a two (2) 12 passenger Chevrolet Express Passenger vans (, in the amount of \$35,773.00 each as set forth in their proposal/quote.

BE IT FURTHER RESOLVED that, to the extent applicable, this resolution is further contingent upon the Chief Financial Officer's Certification of sufficient funds.

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

RESOLUTION NO. 23-80 AWARDING CONTRACT FOR REHABILITATION HOUSING SERVICES FOR 45 DRUMMOND AVENUE TO WOODHAVEN LUMBER & MILLWORK IN ORDER TO ADVANCE THE BOROUGH'S AFFORDABLE HOUSING REHABILITATION PLAN

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") has a need to retain the services of a qualified contractor for housing rehabilitation for 45 Drummond Avenue to advance the Borough's Affordable Housing Rehabilitation Plan; and

WHEREAS, the Municipal Housing Liaison solicited quotes from three (3) contractors to perform the rehabilitation and scope of work for 45 Drummond Avenue as follows:

- 1) Woodhaven Lumber & Millwork \$10,977.65
- 2) Renewal by Anderson \$18,843.00
- 3) ENR Remodeling \$9,500.00; and

WHEREAS, because the value of the services will not exceed the bid threshold of \$17,500, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-6.1, the Borough is permitted to award a contract to the contractor "whose response is most advantageous, price and other factors considered"; and

WHEREAS, Woodhaven Lumber & Millwork was selected by the property owner; and

WHEREAS, after reviewing the quotes, in light of price and other factors considered, the Municipal Housing Liaison recommends awarding a contract for the affordable housing rehabilitation of 47 Drummond Avenue to Woodhaven Lumber & Millwork; and

WHEREAS, the property owner has agreed to be responsible for paying \$436.65 of the total contract amount; and

WHEREAS, the Borough of Red Bank will pay \$10,500.00 of the total contract amount; and

WHEREAS, the Borough CFO has certified that funds are available to the contract in account #T-18-09-800-000;

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Red Bank hereby awards a contract in the amount of \$10,977.65.00 to Woodhaven Lumber & Millwork for the affordable housing rehabilitation of 45 Drummond Avenue; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Chief Financial Officer, Municipal Housing Liaison, Red Bank Affordable Housing Corporation, Woodhaven Lumber & Millwork.

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RESOLUTION NO. 23-81 AUTHORIZING THE APPOINTMENT OF REGULAR CROSSING GUARDS FOR THE 202 - 2023 SCHOOL YEAR

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 2022 - 2023 School Year pending completion of physical and background investigation:

Michael Cava

Paul Brenner

BE IT FURTHER RESOLVED that the position will be effective immediately through 6/1/2023 and will be paid at the rate of \$29.24 per day as set by Borough Ordinance.

RESOLUTION NO. 23-82 AUTHORIZING CONTRACT PURCHASE OF DPW VEHICLES

WHEREAS, The Borough of Red Bank is permitted to purchase goods and services from contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury under the authority of the Local Contracts Law 40A:11-12; and

WHEREAS, All American Ford, Contract #B2021-89; and

WHEREAS, it is the intent of the Red Bank Borough Purchasing Agent to make a purchase pursuant to said contract award to All American Ford pursuant to the proposal submitted to the Borough of Red Bank; and

WHEREAS, the Director of the Department of Utilities has reviewed the proposal and recommends the purchase; and

WHEREAS, funds in the amount of \$ 198,582.00 are currently available for this purpose as certified by the Chief Financial Officer in account no(s). M-17-00-101-216 and M-21-00-101-152.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Purchasing Agent is hereby authorized to authorize the purchase of :

2023 Public Utilities State Contract Vehicle Purchase

Vin #	Model	Stock #	Price
1FT7W2B65NEF61704	F-250 Supercab XLT 4X4	223848	\$ 49,693.00
1FT7W2B65NEF61713	F-250 Supercab XLT 4X4	223850	\$ 49,693.00
1FT7W2B65NEF61715	F-250 Supercab XLT 4X4	223870	\$ 49,693.00
1FT7W2B65NEF61704	F-250 Crewcab XLT 4X4	223912	\$ 49,503.00

under State Contract #B2021-89 from All American Ford, in the amount of \$198,582.00 as set forth in their proposal.

BE IT FURTHER RESOLVED that, to the extent applicable, this resolution is further contingent upon the Chief Financial Officer’s Certification of sufficient funds.

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

RESOLUTION 23-83 AWARDING PROFESSIONAL SERVICES CONTRACT FOR THE PROFESSIONAL ENGINEERING AND DESIGN SERVICES FOR SOUTH STREET ROADWAY IMPROVEMENTS

WHEREAS, the Borough Governing Body has identified a need for PROFESSIONAL ENGINEERING AND DESIGN SERVICES FOR SOUTH STREET ROADWAY IMPROVEMENTS; and,

WHEREAS, based on the size and scope of such undertaking, the professional services of the Borough Engineer are considered desirable by Borough management; and,

WHEREAS, the Mayor and Council (hereinafter, the “Governing Body” of the Borough concur with the sentiments and recommendation of the Borough management and wish to enlist the professional services of the Borough Engineer for the necessary services associated with the project here forward known as SOUTH STREET ROADWAY IMPROVEMENTS.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that a Professional Services Contract for the professional engineering and construction managements services for the project: “SOUTH STREET ROADWAY IMPROVEMENTS” to T&M Associates for the sum not to exceed seventy-nine thousand dollars (\$79,000.00); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect upon certification on this Resolution by the Borough Chief Financial Officer that sufficient funds are available for stated purpose; and,

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution #23-02 of January 4, 2023.

DISCUSSION AND ACTION (Workshop if necessary)

- Status - Collaboration between RB Borough and RB Housing Authority

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Borough Attorney and RBHA Attorney have been discussing an agreement to address soft costs funds and the parameters for the expenditure of same. Atty. Antonelli will be reviewing a “Grant” agreement for the RBHA. BA McConnel will discuss the funding of same with the CFO in the next week or so to be presented to Mayor and Council prior to the next meeting. Soft costs will be outlined and defined.

- Status - Senior Center Property to ROSI

Engineer Herrman background homework has been done, mapping is scheduled for next week and a concept plan will be provided and presented by the next council meeting. Once mapping has been approved it will have to go before the Planning Board, tentatively April 17th. Mayor Portman inquired about the impact of a walking path going through the ROSI property. Engineer will confirm that it would not prevent the path from being constructed.

- Revised height limits in WD zone.

Councilman Ballard summarized the request to review the height along the waterfront. Currently it is 75’, engineer recommended 50’, the governing body would like to lower it even more to protect the sightline view of the waterfront. Engineer Herrman summarized how the height levels can be determined based on type of dwelling and mean sea-level adjustment. Councilmember Ballard asked Council to consider a 40’ restriction, Mayor Portman agreed. Councilmember Triggiano would like to get more information. Council consensus was for 40’.

- Review of Borough Code Section 205-3 - Affordable Housing Obligation

Councilmember Ballard would like Council to consider a higher percentage of affordable unit for new developments to help address the affordable housing shortfall. Increase the requirement in future developments. Borough Attorney Antonelli, will confer with the Administrator, Planning Director and Engineer and provide the Council with recommendations for consideration.

MAYOR & COUNCIL COMMENTS

Councilmember Jackson – There are many animals that need homes, either permanent homes or temporary, as with fostering. Please "adopt, don't shop" if you're looking to add an animal companion to your family. Places to contact: Monmouth County SPCA in Eatontown, Rescue Ridge Animal Rescue, servicing Monmouth and Ocean Counties

Councilmember Zipprich – Reviewed DPW status update with DPW Consultant. Senior Center opening very soon and setting a date for the Hintelmann lobby. St Patty’s Day party everyone is invite. River Center Bd met last week, and everyone is excited about the Broadwalk. Looking into art shows, street performers and other options to draw. Parking committee will be reviewing the parking ordinance.

Councilmember Mirandi – No report for shade tree. Finance committee is almost complete with the 2023 municipal budget and is looking to introduce at the March 22nd meeting. Requested a date change for the next council meeting for the budget introduction as she is unable to attend on the 22nd and feels that as the finance chair she should be present. There was no consensus on the proposed date of March 23rd, the regular meeting will remain on the 22nd.

Councilmember Sturdivant – Thanked the Mayor for the Women’s History Proclamation. Emphasized a key strategy of initiatives this year is pay equity for women.

Councilmember Triggiano – Annual Environmental Green Fair April 20th at the Middle school, thanked the animal welfare committee and a shade tree commission and library for continuing to be a partner. Thanked the Red Bank primary school for inviting everyone to Read Across America. Thanked the volunteers that have been operation the warming center.

PUBLIC QUESTIONS AND COMMENTS

Cindy Burnham 71 Wallace St. – reading about the candidates for council. Noted mayor candidate Tim Hogan is the head of the hospital. Asked Mayor Portman what his day job was. Mayor Portman noted he is a general contractor.

Nicole Taetsch 153 Hudson Ave. – Concerned about the proposed changes to the cannabis ordinance. Becoming more concerned the more it is discussed. Concerned charter school falls in the 1000 feet. Cited a NJ baseline study at the Bloustein school in Rutgers. Concerned about proximity to schools. All children and schools be given equal consideration and representation. Feels permitted area is concentrated in the area near the charter school. Wants to know what research was conducted to come up with the proposed amendments. Where experts spoken to? The changes have to be based on research and discussion with professionals that have done studies on the potential impact.

Councilmember Zipprich – noted the ordinance is not amended, it is still before the Code committee for discussion and that at the committee feels the 1000’ applies to all schools. The current ordinance failed at the level of the planning board and needs to be amended.

Councilmember Sturdivant – Priority to treat all children equally and keep them safe. She is reaching out to all the schools for feedback.

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Councilmember Mirandi – 1000’ drug zone does not apply to cannabis because it is not illegal. The ordinance was more about locations not distances.

Nancy Facey- Blackwood 34 Chestnut St – Asked Councilmember Ballard about the Affordable Housing shortfall. Inquired about the borough’s obligation. He responded that he did not know that number but knows that we are about 425 units short. The obligation of until numbers can be found on the website.

Vahid Walker 1 Alen Place - Regarding the affordable deficit if you change the percentage, developers may not choose to build in Red Bank. Offered that the consideration should be for an all-affordable development.

Freddie Boynton PO Box 2074 – Does not use his address because he has been stalked by borough employees. Has been threatened by RB police officer, feels he’s being targeted and harassed. That’s why he uses his PO Box.

Used to live near the incinerator all those guys are gone. Said the recycling bins are too small, bigger cans are needed.

Lisa Bopp 216 Spring St – Charter School Parent ty for responding to my emails. Regarding the Cannabis ordinance the locations there are two that were put near the Charter School VR1 Zone. All we are looking for is confirmation that you are listening and thinking about the safety of our children n at the charter school. International Women’s Day.

Jimmy Dark 48 W Sunset Ave – Down towards Sunset has been told it’s going to be capped then heard its going to be a park. Engineers and testers coming in need to ask questions of the people in the neighborhood. Cited areas both locally and nationally of cancer clusters and health concerns near contaminated areas. Sunset does not need a park, its too dangerous. Leave well enough alone. You can’t tell me its good when experience and history says otherwise. Just put a sign up to leave it alone. If you are going to

Councilmember Zipprich – Divulged that a prior governing body had initiated attention to the Sunset Landfill, and it must be addressed through remediation.

Suzanne Viscomi 25 Cedar St – Opined that because cannabis being off the drug free zone, something has to be done. Received a water notice at 25 Cedar Crossing instead of Cedar Street. Regarding the new meter bond, why is this still being done. Recyclable all over because its windy, people need lids for their receptacles. Can we get a grant to get the residents lids. It doesn’t have to be grandiose it starts with the simple fixes and simple ideas to make an impact.

Councilmember Zipprich noted that receptacles can be obtained from the DPW. Sue countered that the issue is enforcement.

Chris Sirico 31 Irving Pl - What is the timeline and the process. MB – no timeline, meeting tomorrow to review all the input provided, there is no date at this time. Many people, (cited churches, schools, and organizations) that want to voice their opinions. Any consideration to security for these dispensaries? Active shooter training. Chief McConnel noted that active shooter training is done routinely to the schools. If the dispensaries request it the chief has no problem with that. All applicants are required to submit a security plan.

Barbara Monahan 30 Pinkney Rd – To the women afraid for their children at the charter school is the concern that it is 200’ closer is that the issue? Suggests they visit a dispensary to get a better idea of what it will look like, so they know what to expect. Does not feel it is anymore dangerous then walking past a liquor store.

EXECUTIVE SESSION (If necessary)

ADJOURNMENT

Councilmember Ballard moved to adjourn the Council meeting; Councilmember Jackson seconded the motion. Roll call, unanimous, affirmative.

8:47 PM

Respectfully submitted,

Laura Reinertsen