

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
May 25, 2022 ♦ 5:30PM**

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 December 15, 2021.

PLEDGE OF ALLEGIANCE

Council President Triggiano led a moment of silence for the mass shooting victims in Texas and Buffalo.

ROLL CALL

PRESENT: Council President Triggiano, Council Members Mirandi, Sturdivant, Ballard, and Zipprich.

ALSO PRESENT: Interim Administrator McConnell, Borough Clerk Reinertsen and Attorney Malamut (*for Atty. Cannon*)

ABSENT: Mayor Menna and Councilwoman Horgan

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

a. Proclamations

i. Trinity Episcopal Church Rededication Day – Read by Councilwoman Mirandi

PROCLAMATION

“Trinity Episcopal Church Rededication Day”

WHEREAS, Trinity Episcopal Church was founded as a congregation in 1834 and designated a parish in 1859, making it the oldest congregation in the Borough of Red Bank; and

WHEREAS, the oldest parts of the building date to 1851 with major expansions in 1868, 1956, 1964, and 1969; and

WHEREAS, the exterior of the Bell-Tower, Church, and Parish Hall has in recent years suffered significant degradation from water and wind damage leaving the future of the same in jeopardy; and

WHEREAS, in this nation it has long been recognized that our spiritual life must be an integral part of our everyday existence. The Trinity Episcopal Church family has demonstrated their belief in this basic tenet, as well as our community, by the restoration to the building to its historical design as a house of worship and a center for community events and outreach; and

WHEREAS, in Psalm 127 it says, “Unless the Lord builds the house, they labor in vain who build it,” and

WHEREAS, on the occasion of this joyous fulfillment the service of dedication should provide an opportunity for worship, for praise, for recognition of workers, and for Godly guidance.

NOW THEREFORE, I, Pasquale Menna, Mayor of the Borough of Red Bank, do hereby proclaim Saturday, June 11, 2022, as:

“Trinity Episcopal Church Rededication Day”

and extend congratulations and best wishes to the past and present members of this congregation who have worked so faithfully and given so generously to make their dream of restoration become a reality.


PASQUALE MENNA
MAYOR

ii. PRIDE Month – Read by Councilman Zipprich

PROCLAMATION

PRIDE MONTH

WHEREAS, the Borough of Red Bank has a diverse Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community that includes people of many races, ethnicities, religions, and professions; and

WHEREAS, diversity is a community asset that enhances and enriches the lives of all community members; and

WHEREAS, the Borough of Red Bank recognizes and honors the history of the LGBTQ liberation movement and supports the rights of all citizens to experience equality and freedom from discrimination; and

WHEREAS, the Borough of Red Bank observes Pride Month with a Pride flag; the rainbow flag is widely recognized as a symbol of pride, inclusion, and support for social movements that advocate for LGBTQ people in society; and

WHEREAS, the Borough of Red Bank is committed to supporting visibility, dignity, and equality for LGBTQ people in our community; and

WHEREAS, while society at large increasingly supports LGBTQ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

WHEREAS, this nation was founded on the principle that every individual has infinite dignity and worth, and the Borough of Red Bank calls upon its citizens to embrace this principle and work to eliminate prejudice everywhere it exists; and

WHEREAS, celebrating Pride Month influences awareness and provides support and advocacy for the LGBTQ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance, and advance equal rights.

NOW, THEREFORE BE IT RESOLVED that Red Bank hereby proclaims the month of June 2022 as Pride Month in support of the LGBTQ community, recognizing all LGBTQ residents whose influential and lasting contributions to our neighborhoods make Red Bank a vibrant community in which to live, work and visit

b. Budget Introduction: Resolution 22-137

Councilwoman Mirandi motioned to approve resolution 22-137; Councilman Ballard seconded the motion, Roll call, unanimous, affirmative. Councilwoman Horgan was not present.

A public presentation is tentatively scheduled for July 15th at 6:30pm.

RESOLUTION NO. 22-137



PASQUALE MENNA
MAYOR

MUNICIPAL BUDGET NOTICE

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022;

BE IT RESOLVED, that said Budget be published in the Asbury Park Press in the May 31, 2022 issue.

BE IT FURTHER RESOLVED, that a hearing on the Budget and Tax Resolution will be held on June 22, 2022 at 6:30PM or as soon as thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said resolution.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

There being no comment, the floor was closed for public comment.

MINUTES & REPORTS - None presented

ORDINANCES –

Public Hearing and Adoption

Council President Triggiano opened the floor to discussion on this ordinance only. There being no comment; Councilwoman Mirandi motioned the ordinance; Councilwoman Sturdivant seconded the introduction. Roll call vote, unanimous, affirmative; Councilwoman Horgan is excused.

ORDINANCE NO. 2022-08

ORDINANCE TO EXCEED THE CALENDAR YEAR 2022 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Red Bank in the County of Monmouth finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 660,280.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Red Bank, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Red Bank shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$660,280.95, and that the CY 2022 municipal budget for the Borough of Red Bank be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Council President Triggiano opened the floor to discussion on this ordinance only. There being no comment; Councilwoman Mirandi motioned the ordinance; Councilman Zipprich seconded the introduction. Roll call vote, unanimous, affirmative; Councilwoman Horgan is excused.

ORDINANCE NO. 2022-09

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 9, ARTICLE IX, SHADE TREE COMMITTEE AMENDING SECTIONS 9-35 AND 9.36 TO PROVIDE FOR THE APPOINTMENT OF TWO ALTERNATE COMMISSIONERS

WHEREAS, the Mayor and Council of the Borough of Red Bank believe that the work of the Borough's Shade Tree Committee will be enhanced by the addition of two alternate commissioners;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 9 "Boards, Committees and Commissions" of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, Article IX "Shade Tree Committee", is hereby amended and supplemented as follows:

SECTION ONE: Subsections 9-35 and 9-36 are hereby amended and supplemented as follows (stricken text denotes deletions, underlined text denote additions):

ARTICLE IX SHADE TREE COMMITTEE

§9-35 Creation; Composition

There is hereby created a Shade Tree Committee, which will be known as "The Shade Tree Committee of the Borough of Red Bank." The Committee shall consist of five commissioners, plus two (2) Alternate Commissioners, who shall be designated at the times of their appointment as "Alternate No. 1" and "Alternate No. 2", all to be appointed by the Mayor with the advice and consent of Council. The commissioners shall be residents of the Borough and shall serve without compensation except as hereinafter provided. Commissioners shall be appointed on the basis of their qualifications, fitness and desire to fulfill and advance the objectives and purposes of the Committee as set forth herein. An alternate commissioner may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular commissioner. A vote shall not be delayed in order that a regular commissioner may vote instead of an alternate commissioner. In the event that a choice must be made as to which alternate commissioner is to vote, Alternate No. 1 shall vote first.

§9-36 Terms of Appointment

The initial Committee commissioners to be appointed shall be appointed for staggered terms so that the term of one commissioner shall expire in one year and the terms of two commissioners shall expire in each of the next two years. Thereafter, all commissioners shall be appointed for a three-year term. All vacancies shall be filled for the unexpired term only. Commissioners shall serve until their successors are appointed and qualified and they shall receive no compensation for their services. The initial terms of the alternate commissioners first appointed shall be two (2) years for Alternate No. 1 and one (1) year for Alternate No. 2, so that the term of not more than one alternate commissioner shall expire in any one year.

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

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

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

Introduction

Council President Triggiano introduced the following ordinance for consideration. Councilwoman Mirandi motioned the approval of the ordinance on introduction; Councilman Zipprich seconded the introduction. Roll call vote, unanimous, affirmative; Councilwoman Horgan is excused.

ORDINANCE NO. 2022-10

**ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF THE BOROUGH OF RED BANK
AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE BOROUGH OF RED BANK CODE OF ORDINANCES TO REPEAL CHAPTER 364 (FLOOD HAZARD PREVENTION) IN ITS ENTIRETY AND TO ADOPT A NEW CHAPTER 364 (FLOOD DAMAGE PREVENTION); TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Council President Triggiano introduced the following ordinance for consideration. Councilman Zipprich motioned the approval of the ordinance on introduction; Councilwoman Mirandi seconded the introduction. Roll call vote, unanimous, affirmative; Councilwoman Horgan is excused.

ORDINANCE NO. 2022-11

CAPITAL ORDINANCE AMENDING CAPITAL ORDINANCE NUMBER 2022-01 FINALLY ADOPTED ON FEBRUARY 9, 2022, IN AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO APPROPRIATE AN ADDITIONAL \$77,017.27 RECEIVED FROM A GRANT PROVIDED BY THE FEDERAL AMERICAN RESCUE PLAN ACT OF 2021 TO PAY FOR THE REPLACEMENT OF THE WATER MAIN AND WATER LATERALS ON BROAD STREET

Council President Triggiano introduced the following ordinance for consideration. Councilman Zipprich motioned the approval of the ordinance on introduction; Councilwoman Mirandi seconded the introduction. Roll call vote, unanimous, affirmative; Councilwoman Horgan is excused.

ORDINANCE NO. 2022-12

CAPITAL ORDINANCE APPROPRIATING \$356,810 TO PROVIDE FOR VARIOUS WATER AND SEWER REPAIRS AND IMPROVEMENTS, IN AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

RESOLUTIONS

By Consent Agenda:

- Resolution 22-123: Resolution for Payment of Bills Amounting to \$3,424,997.95.
- Resolution 22-124: Resolution Confirming HRAC Chair Appointment
- Resolution 22-125: Resolution Making Application To The Local Finance Board Pursuant To N.J.S.A. 40A:12A & N.J.S.A. 40A:5A-20
- Resolution 22-126: Authorizing Person-To-Person Transfer Of Plenary Retail Consumption License No. 1340-33-038-001
- Resolution 22-127: Resolution Appointing Police Officer RBPB
- Resolution 22-128: Resolution Appointing SLEO I
- Resolution 22-129: Resolution Appointing SLEO II
- Resolution 22-130: Resolution Authorizing Progress Payment #4 Related To The Contract With Montana Construction Corp., Inc. For The NJDOT Broad Street Improvement Project
- Resolution 22-131: A Resolution Awarding Contract for Rehabilitation Housing Services for 4 Cedar Crossing to Lawes Company in Order to Advance the Borough’s Affordable Housing Rehabilitation Plan
- Resolution 22-132: Resolution Accepting the Resignation of Executive Director of the Redevelopment Agency Cherron Rountree
- Resolution 22-133: Cancellation of Old Capital Ordinances in the Water/Sewer Capital Fund
- Resolution 22-134: A Resolution Authorizing the Use of Vehicle Repair Services not to Exceed \$10,000.00 Provided by the County of Monmouth Pursuant to the Municipal Assistance/Shared Services Agreement between the County of Monmouth and the Borough of Red Bank
- Resolution 22-135: A Resolution To Approve Red Bank To Enter Into A Shared Services Agreement With The County Of Monmouth To Provide The ITax Map/Collaboration Center System
- Resolution 22-136: A Resolution Appointing Full Time Parks & Recreation Director

Councilman Zipprich motioned the approval of resolutions 22-123 through 22-136; Councilwoman Mirandi seconded the motion. Roll call vote, unanimous, affirmative. Councilwoman Horgan is excused.

RESOLUTION NO. 22-123

A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,452,792.91

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the bills be paid as on attached check registers totaling \$3,452,792.91

May 25, 2022 Bill List - Borough of Red Bank

Check Type	Count	Total
Manual Check	150	\$3,452,792.91
Meeting Check	0	
Total	150	\$3,452,792.91

Checking Account	Check Type	Count	Total
CAPITAL ACCOUNT	Manual Check	6	\$216,143.32
CURRENT -VALLEY	Manual Check	87	\$883,872.13
DEVELESCROW	Manual Check	2	\$150.53
DEVELESCROW2RIVER	Manual Check	6	\$17,302.79
GRANT FUND-VNB	Manual Check	5	\$17,258.94
PAYROLL	Manual Check	2	\$1,905.98
PKING CAP 2RIVE	Manual Check	2	\$3,476.00
PKINGOP2RIVER	Manual Check	13	\$57,654.47
RECREATION-VNB	Manual Check	1	\$4,235.00
TRUST ACCOUNT	Manual Check	2	\$42,850.00
TWO RIVERS	Manual Check	1	\$382.79
WATER CAPITAL	Manual Check	2	\$50,082.69
WATER OPERATING	Manual Check	17	\$181,841.00
WIRE	Manual Check	4	\$1,975,637.27
Total	All Checking	150	\$3,452,792.91

Checking Account	Count	Total
CAPITAL ACCOUNT	6	\$216,143.32
CURRENT -VALLEY	87	\$883,872.13
DEVELESCROW	2	\$150.53
DEVELESCROW2RIVER	6	\$17,302.79
GRANT FUND-VNB	5	\$17,258.94
PAYROLL	2	\$1,905.98
PKING CAP 2RIVE	2	\$3,476.00
PKINGOP2RIVER	13	\$57,654.47
RECREATION-VNB	1	\$4,235.00
TRUST ACCOUNT	2	\$42,850.00
TWO RIVERS	1	\$382.79
WATER CAPITAL	2	\$50,082.69
WATER OPERATING	17	\$181,841.00
WIRE	4	\$1,975,637.27
Total	150	\$3,452,792.91

RESOLUTION NO. 22-124

A RESOLUTION CONFIRMING COMMITTEE CHAIR APPOINTMENT FOR 2022

WHEREAS, due to the resignation of the Chairperson of the Human Relations Advisory Committee a vacancy exists; and

WHEREAS, pursuant to Borough Code Chapter 9-26, the Mayor has the authority to designate the Chairman of the Human Relations Advisory Committee; and

WHEREAS, the appointment of Human Relations Advisory Committee member Patricia Pinto as discussed and approved at the May 11, 2022, Regular Meeting of the Mayor and Council and

BE IT RESOLVED, that the following appointment of Patricia Pinto made by the Mayor is hereby confirmed in compliance with §9-26:

HUMAN RELATIONS ADVISORY COMMITTEE
Chair for unexpired term to 12/31/2023 Patricia Pinto

RESOLUTION NO. 22-125

RESOLUTION OF THE BOROUGH OF RED BANK MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:12A & N.J.S.A. 40A:5A-20

WHEREAS, the Borough of Red Bank desires to make application to the Local Finance Board for its review and/or approval of a proposed and introduced ordinance 20222-07 authorizing the dissolution of the Red Bank Redevelopment Agency; and

WHEREAS, the Borough of Re Bank believes:

- (a) it is in the public interest to accomplish such purpose:
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

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

Section 1. The application to the Local Finance Board is hereby approved, and the Borough Attorney, Borough Administrator, Borough CFO along with other representatives of the Borough of Red Bank, are hereby authorized to prepare such application and to represent the Borough of Red Bank in matters pertaining thereto.

Section 2. The Clerk of the Borough of Red Bank is hereby directed to prepare and file a copy of the proposed Ordinance 2022-07 with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

RESOLUTION NO. 22-126

A RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-038-001

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. 1340-33-038-001 currently issued to Tenbarco, Inc. trading as Danny's Steakhouse & Pasta Grill for premises located at 11 N Bridge Ave., Red Bank, New Jersey; and

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

WHEREAS, the applicant has disclosed, and the authority reviewed the source of all funds used in the purchase of the license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank, Monmouth County, New Jersey, that the person-to-person transfer of the Plenary Retail Distribution License No. 1340-33-038-001 to Bridge Avenue Spirits, Inc. T/A Carlyle, is hereby approved, and the Borough Clerk is authorized to endorse the transfer on the face of the license.

RESOLUTION NO. 22-127

**A RESOLUTION RATIFYING AND CONFIRMING THE
APPOINTMENT OF A FULL-TIME POLICE OFFICER**

WHEREAS, the Borough of Red Bank desires to fill a vacancy in the complement of Police Officers as established in Chapter 118, Article I, Section 118-7 of the Code of the Borough of Red Bank; and

WHEREAS, the Chief of Police has recommended that it would be in the best interests of the Borough to appoint Christian Nelson as a Police Officer.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that Christian Nelson is hereby appointed as a full-time Police Officer, effective June 1, 2022, with the rank of Patrolman 8, at an annual salary of \$ 62,808.00, pending satisfactory completion of a criminal background investigation and subject to satisfactory completion of a probationary period of one (1) year.

RESOLUTION NO. 22-128

A RESOLUTION APPOINTING SPECIAL LAW ENFORCEMENT OFFICERS CLASS I

WHEREAS, the Governing Body of the Borough of Red Bank is in agreement with the recommendation of the Chief of Police to appoint a Part-time Special Law Enforcement Officers Class I to the Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that the following individuals be and are hereby appointed to the position of Special Law Enforcement Officer (SLEO) Class I to the Borough of Red Bank Police Department effective June 1, 2022 to October 31, 2022 at a rate of pay of \$13.00 per hour.

James MT. McGee

Ronald J. Santo, III

Victoria Hulse

Jonathan Balanzar

Robert Varela

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

RESOLUTION NO. 22-129

A RESOLUTION APPOINTING SPECIAL LAW ENFORCEMENT OFFICER CLASS II

WHEREAS, the Governing Body of the Borough of Red Bank is in agreement with the recommendation of the Chief of Police to appoint a Part-time Special Law Enforcement Officers Class II to the Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that Christopher Fuentes be and is hereby appointed to the position of Special Law Enforcement Officer (SLEO) Class II to the Borough of Red Bank Police Department effective June 1, 2022 at a rate of pay of \$20.00 per hour.

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

RESOLUTION NO. 22-130

**RESOLUTION AUTHORIZING PROGRESS PAYMENT #4 RELATED TO THE CONTRACT WITH MONTANA
CONSTRUCTION CORP., INC. FOR THE NJDOT BROAD STREET IMPROVEMENT PROJECT**

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 #4 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: Broad Street Improvements

CONTRACTOR: Montana Construction Corp, Inc.

80 Contact Ave., Lodi NJ 07644

ENGINEER: CME Associates.

1460 Route 9 South, Howell, NJ 07731

Payment #2

Current to Date Total	\$3,563,140.52
Less 2% Retainage	\$71,262.81
Less Previous Payments	\$1,863,794.85
Amount Due	\$1,628,082.86

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

RESOLUTION NO. 22-131

A RESOLUTION AWARDING CONTRACT FOR REHABILITATION HOUSING SERVICES FOR 4 CEDAR CROSSING TO LAWES COMPANY 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 services of a qualified contractor for housing rehabilitation for 4 Cedar Crossing 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 4 Cedar Crossing as follows:

- 1) Lawes Company \$9,424.00
- 2) A.J. Perri \$12,578.00; and
- 3) NJR Home Services \$12,081.00

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, Lawes Company was selected by the property owner; and

WHEREAS, Lawes Company submitted the lowest monetary bid and has a longer warranty term after construction is completed; 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 4 Cedar Crossing to Lawes Company; and

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

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Red Bank hereby awards a contract in the amount of \$9,424.00 to Lawes Company of Shrewsbury, New Jersey for the affordable housing rehabilitation of 4 Cedar Crossing; 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, and 4 Cedar Crossing.

RESOLUTION NO. 22-132

RESOLUTION ACCEPTING THE RESIGNATION OF EXECUTIVE DIRECTOR OF THE REDEVELOPMENT AGENCY CHERRON ROUNTREE

WHEREAS, the Mayor and Council of the Borough of Red Bank, have received notice that Cherron Rountree has resigned her position as Executive Director of the Redevelopment Agency effective immediately.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank accept the resignation and extend their appreciation and gratitude to Cherron Rountree for her service to the Borough of Red Bank.

**RESOLUTION NO. 22-133
CANCELLATION OF OLD CAPITAL ORDINANCES IN THE
WATER/SEWER CAPITAL FUND**

WHEREAS, Certain improvement appropriation balances within the Water/Sewer Capital Fund remain dedicated to projects now completed; and

WHEREAS, It is necessary to formally cancel said improvement appropriation balances so that the unexpended balances may be returned to the Water/Sewer Capital Fund Balance for future projects, and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank that the following unexpended Water/Sewer Utility Capital appropriation balances be canceled:

Water/Sewer Capital Fund Appropriation Cancellations			Amount	
Ord. No.	Ord. Date	Description	Funded	Unfund
2016-1	1/27/2016	Water Plant Improvements to Chestnut Street and Tower Hill	356,810.93	
Total Water/Sewer Capital Appropriation Cancellations			\$356,810.93	\$0.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Director, Division of Local Government Services
2. Borough Auditors
3. Chief Financial Officer

RESOLUTION NO. 22-134

A RESOLUTION AUTHORIZING THE USE OF VEHICLE REPAIR SERVICES NOT TO EXCEED \$10,000.00 PROVIDED BY THE COUNTY OF MONMOUTH PERSUANT TO THE MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND THE BOROUGH OF RED BANK.

WHEREAS, the Shared Services Act, N.J.S.A. 40A:65 et seq. authorized the Borough of Red Bank to enter into a contract for the provision of certain governmental services with the County of Monmouth; and

WHEREAS, The Borough of Red Bank entered into a shared services agreement with the County of Monmouth for the provision of various services for a 10 year period from October 1, 2018 and expiring September 30, 2028; and

WHEREAS, it is the desire of the Governing Body to authorize the provision of vehicle repair services for the Borough's Fire department by the County of Monmouth as set forth in the executed agreement in Exhibit "A" attached hereto in the amount not to exceed \$10,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, authorize the provision of vehicle repair services by the County of Monmouth pursuant to the Municipal Assistance/Shared Services Agreement currently in effect between the County of Monmouth and the Borough of Red Bank for the repairs to various vehicles for the Fire Department in an amount not to exceed \$10,000.00 for the period of May 1, 2022 through December 31, 2022.

BE IT FURTHER RESOLVED that, the Chief Financial Officer certifies that the funds are currently available in 2-01-25-752-251 – Fire Repair/Maintain Equipment.

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified true copy of this resolution to the Borough Administrator, Borough CFO, Fire Chief and Public Works Director.

RESOLUTION NO. 22-135

**RESOLUTION TO APPROVE RED BANK TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE
COUNTY OF MONMOUTH TO PROVIDE THE ITAX MAP/COLLABORATION CENTER SYSTEM
(TAX MAP CONVERSION AND MAINTENANCE SERVICES)**

WHEREAS, The Uniform Shared Services and Consolidation Act (C.40A:565-1, et seq.), authorizes local units of this State to enter into a contract with any other local unit(s) for the joint provision within their several jurisdictions of any service, which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, each municipality is to provide for the preparation of yearly revisions to the tax map under New Jersey State law N.J.A.C. 18:23A-1.1, and this legal requirement is not followed by all municipalities based on limited financial, technical and professional resources; and

WHEREAS, each physical description of a parcel of land drives the mass-appraisal calculation of the land portion of its property tax assessment, and land data inaccuracies and errors lead to poor distribution of the annual tax levy, potentially resulting in years of tax bill overpayments and underpayments; and

WHEREAS, a County-to-Municipality shared services program would provide map conversion and maintenance services, ushering in the transition from analog to a Countywide standard of state-certified digital tax maps for all 53 municipalities; and

WHEREAS, the intent of the digital tax map shared services program is to reduce municipal costs in complying with the law and provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

WHEREAS, this service provides participating municipalities with numerous benefits, including: anticipated cost-savings through economies-of-scale; reduce cost to comply with state regulations and standards; transition from analog to state-certified digital maps; streamlined editing and ongoing maintenance procedures; more consistent and accurate municipal and County-wide information; unprecedented assemblage of data made available to taxpayers, municipalities and the County; and seamless flow of tax information into GIS and additional information systems.

WHEREAS, it is in the best interest of the Borough of Red Bank to enter into such an Agreement.

NOW, THEREFORE, IT BE RESOLVED, that the governing body of the Borough of Red Bank hereby approves entry in the Agreement with the County of Monmouth consistent with the foregoing.

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator and Borough Clerk are each hereby authorized and directed to execute the attached Shared Services Agreement, for the provision of the iTax Map/Collaboration Center System, on behalf of the Borough.

RESOLUTION NO. 22-136

**A RESOLUTION RATIFYING AND CONFIRMING THE APPOINTMENT OF A FULL-TIME
PARKS AND RECREATION DIRECTOR**

WHEREAS, the Borough Administrator has recommended that it would be in the best interests of the Borough to appoint a full-time Parks and Recreation Director; and

WHEREAS, pursuant to Chapter 90, Article VI, Section 90-28 of the Revised General Code of the Borough of Red Bank, the Business Administrator appoints Oscar Salinas as a full-time Parks and Recreation Director.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that they do hereby ratify and confirm the Business Administrator's appointment of Oscar Salinas as full-time Parks and Recreation Director effective May 16, 2022 at a rate of pay of \$75,000.00 per annum pending successful completion of a probationary period of 90 days

Councilwoman Triggiano requested the consideration of a resolution from the floor for the street eateries, this does not pertain to the "Broadwalk" but those businesses that have operated street eateries in previous years, precluding the businesses along the Broadwalk. Utilizing the fee structure and requirements as established in the two prior years.

Councilwoman Mirandi motioned to amend the agenda to include the discussion of the street eateries; Councilman Zipprich seconded the motion.

There was discussion on identifying the loss of revenue and the amending of the fee structure to off set same. Possibility of changing the fee and or possibly changing the fee structure after the fact. Also discussed was how fees were established by square footage, parking stall, with or without liquor license, location and type of business, i.e. retail, restaurant, etc.

Councilwoman Triggiano called for a motion to move forward with the street eateries per previous years including the same fee schedule; there being none the issue will return to committee.

Council agrees with the street eateries however the determination is to speak with all the business and stakeholders to understand the impact. Issue will return to the Broadwalk ad hoc committee for further review and input.

Council President Triggiano performed the oath of office for Red Bank Police Officer Christian Nelson.

MAYOR AND COUNCIL COMMENTS

Councilman Ballard reported on the following:

- Expressed his appreciation to Councilwomen Sturdivant for her efforts on successfully making the hybrid meetings happen.

Councilwoman Mirandi reported on the following:

- Shade Tree Committee is looking into placing foam insulation boards to combat the roots lifting sidewalks.
RFQ's will be going out in June for planting.
- Finance Committee will have a presentation on the budget for the public on June 15th.
- Personnel – Looking an inspector for the Tax Assessor's Office. Congratulations Oscar Salinas on being appointed Recreation Director.

Councilwoman Sturdivant reported on:

- So happy to return to live meetings and allowing residents to participate remotely. Thanked chief McConnell, Councilman Ballard and Councilman Zipprich on their support through the process. Increasing engagement with our residents is a wonderful thing.

Councilwoman Triggiano reported on:

- Police - Congratulations to Officer Christian Nelson, welcome aboard. Another officer Christopher Fuentes, SLEO Class II currently in the Academy. Monthly report was summarized.
Congratulated Sergeant Heather Kovar for life saving action at a house fire in Middletown resulting in the safe evacuation of two families.
- Green Fair was held on May 14th at the Red Bank Middle School and was a success. Expressed appreciation to all partners: Shade Tree Committee, Red Bank Public Schools, Animal Welfare Committee, Sustainable NJ, Lunchbreak and all other partners that helped make this a great event.
- An AARP Grant funded a new parklet on West Street and a new initiative "Destination Red Bank". Use the Destination Red Bank guide to enjoy a walking exploration of Red Bank's landmarks, history and architecture from the eighteenth century to present.
- Fire Report – Over \$5,000 was raised for a new roof, during the fund raiser a portion of the roof fell into the truck bay; this will be an ongoing fundraiser. The fire department will be celebrating 150th anniversary and is asking for support through purchasing an ad for the ad journal.
- Provided information on upcoming events and activities
 - Memorial Day Ceremony – May 30th at 11am Veteran's Monument on Monmouth Street
 - Pride in the Park – June 11th at noon to 4pm at Riverside Gardens
 - Juneteenth – June 18th at 1:30 at Johnny Jazz Park

Councilwoman Horgan was not present:

Councilman Zipprich reported on the following:

- No report

DISCUSSION & ACTION

Council President Triggiano read the noted the following discussion items:

- a. Recruitment of the CFO & Borough Administrator

Councilwoman Miranda suggested starting the search for a CFO first then go proceed with the Administrator position. The CFO services have already cost the borough over \$100,000 for half the year. Strongly believes a full time CFO should be the priority. Specific services were discussed, grant reconciliations, treasurer, etc. After some discussion, Council agreed that the positions need to be secured in time for the new year.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Councilman Zipprich moved to open the floor to the public, Councilwoman Mirandi seconded the motion:

Steven Hecht – 135 Branch Ave.: Inquired about the introduction of the budget and an ordinance to exceed the appropriations.

Councilwoman Mirandi explained that the ordinance allows the borough to bank the difference between the appropriations and the CAP to be used in a future year if needed. This is hypothetical money at this point. IA McConnell illustrated that if the CAP is 2% and only 1 % is utilized, then the remaining 1% can be banked. If the following year we have to exceed the CAP, we can by the additional 1%. This falls off after 2 years.

Ben Forest – 16 Locust Avenue: Expressed his appreciation for the hybrid meeting option. Thanked the Chief for the police presence on Shrewsbury Avenue, it is a stressful roadway and dangerous for pedestrians.

Cindy Burnham – 71 Wallace Street: Asked if there were any residents on the Broadwalk committee. She further thanked Councilwoman Sturdivant for her efforts in making hybrid meetings possible.

Councilman Ballard stated there were no residents on the committee at this time, the committee is just getting up and running, determining where and when they will meet before they invite all stakeholders to participate in the discussion.

Anne Kelterborn - 108 Herbert Street: Expressed appreciation for the increased signage and presence on Shrewsbury Avenue. Asked about the status of a light at Shrewsbury and Chestnut to cross the street.

AI McConnell divulged this County Roadway is in the engineering and design phase of a streetscaping project and is unaware if any beacons will be added. Construction is looking to start in 2023. Project is possible through NJ DOT TAP grant obtained by the borough with the County's cooperation.

Ms. Kelterborn asked if trees would be part of this project to encourage walking? Trees have been removed but not replaced.

IA McConnell noted tree were not part of the project however was certain that the Shae Tree Committee would have input in that regard.

John Arcara - 250 Harding Road: Expressed his appreciation for the hybrid meeting. As a resident, business owner and raising a family in Red Bank, volunteered to participate on the Broadwalk Committee.

There being no further discussion, Councilman Zipprich offered a motion to close the Public Comment period, Councilwoman Mirandi seconded. Roll call, unanimous, affirmative.

Council President Triggiano stated a need for executive session to discuss matters within the attorney client privilege. Councilman Zipprich motioned to go into executive session, Councilman Ballard seconded the motion.

Council adjourned to executive session; time 7:06PM.

Councilman Zipprich motioned to return to regular session; Councilman Ballard second the motion. Time 7:33PM.

Council President Triggiano stated the Council is awaiting further advisement from the Borough Attorney; no action will be taken at this time.

Councilman Ballard asked for a motion to accept the report from Special Counsel Scott Salmon regarding resolution 22-101; Councilwoman Mirandi seconded the motion. Roll call: Mirandi, aye; Sturdivant, aye; Triggiano, aye; Ballard, aye; Zipprich, abstain; Horgan, not present.

ADJOURNMENT

There being no further business Councilman Zipprich offered a motion adjourn, seconded by Councilwoman Sturdivant. Roll call, unanimous, affirmative. 7:34PM

Respectfully submitted,

Laura Reinertsen