

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 20-98**

A RESOLUTION AUTHORIZING THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO CONDUCT ENVIRONMENTAL TESTING ACTIVITIES UPON BOROUGH RIGHTS-OF-WAY ALONG MARION STREET AND JOHN STREET AND TO OBTAIN NECESSARY ACCESS AGREEMENTS FROM PROPERTY OWNERS

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") is the owner of real properties known as Block 15.01, Lots 16.01, 24, & 26.01 (the "Properties"); and

WHEREAS, in response to certain concerns brought to the Borough's attention regarding potential contamination in the vicinity of the Properties, the Borough authorized the New Jersey Department of Environmental Protection (the "NJDEP") to conduct certain environmental testing upon said Properties; and

WHEREAS, the NJDEP recommends further environmental testing be conducted along the Borough rights-of-way on Marion Street and John Street to determine the extent of historic fill and elevated levels of lead in the vicinity of the Properties; and

WHEREAS, the NJDEP requires the Borough's permission to conduct said environmental testing along the Borough rights-of-way on Marion Street and John Street; and

WHEREAS, the NJDEP seeks to obtain Site Access Agreements from affected Borough property owners on Marion Street and John Street; and

WHEREAS, the Borough Attorney has reviewed the proposed Site Access Agreement and finds same to be acceptable to the Borough;

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

1. The New Jersey Department of Environmental Protection is hereby authorized to conduct environmental testing along the Borough rights-of-way on Marion Street and John Street.
2. The New Jersey Department of Environmental Protection is hereby authorized to solicit and obtain Site Access Agreements from affected Borough property owners on Marion Street and John Street with the assistance of the Borough Administrator.
3. This resolution shall become effective immediately.
4. A certified copy of this resolution, together with a copy of the Site Access Agreement, shall be forwarded to the Borough Administrator, Borough Director of Public Utilities, and the NJDEP.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin					
Councilwoman Triggiano					
Councilman Ballard					
Councilman Yngstrom					
Councilman Zipprich					
Councilwoman Horgan					

Dated: March 11, 2020