

**ORDINANCE NO. 2021-11**

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY AUTHORIZING THE BOROUGH CLERK TO PLACE UPON  
THE NOVEMBER 2, 2021 GENERAL ELECTION BALLOT A QUESTION ASKING VOTERS  
WHETHER OR NOT THEY WISH TO ESTABLISH A CHARTER COMMISSION TO STUDY  
AND POSSIBLY RECOMMEND CHANGES TO THE BOROUGH’S FORM OF GOVERNMENT**

**WHEREAS**, the Borough of Red Bank, County of Monmouth, State of New Jersey (the “Borough”) is presently governed by a charter which establishes a borough form of government pursuant to the provisions of N.J.S.A. 40A:60-1, *et seq.*; and

**WHEREAS**, the Optional Municipal Charter Law of 1950, also known as the Faulkner Act, N.J.S.A. 40:69A-1, *et seq.*, provides a procedure for adoption of optional charter plans; and

**WHEREAS**, the Borough’s Mayor & Council believe that it is in the best interests of the Borough’s residents to review the current charter of the Borough through the establishment of a five (5) member Charter Commission, which would be charged with the responsibility and be authorized to hold hearings and public forums, to take evidence and to make recommendations in order to determine whether or not, in comparison with other forms of government in this State, the current borough form of government is the most appropriate for the Borough of Red Bank;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor & Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that the following question be placed on the November 2, 2021 General Election ballot pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A-1, *et seq.*, regarding the creation and election of a Charter Commission for consideration by all of the eligible voters of the Borough of Red Bank:

***Shall a charter commission be elected to study the charter of the Borough of Red Bank and to consider a new charter or improvements in the present charter and to make recommendations thereon?***

**BE IT FURTHER ORDAINED** by the Mayor & Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that:

1. The Charter Commission members shall also be elected at the same time as the public question is submitted.
2. The Borough Clerk shall instruct each voter to vote on the question and, regardless of the manner of his or her vote on the question, to vote for five (5) members of a Charter Commission who shall serve if the question is approved.
3. The nomination and election process for the Charter Commission members shall be performed in accordance with N.J.S.A. 40:69A-2 through N.J.S.A. 40:69A-4.
4. This Ordinance shall take effect upon final passage in accordance with the Optional Municipal Charter Law, N.J.S.A. 40:69A-1, *et seq.*

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

Introduction: May 26, 2021  
Public Hearing/Adoption: June 23, 2021