



Borough of Red Bank

90 Monmouth Street ♦ Red Bank, NJ 07701

MUNICIPAL COUNCIL MEETING AGENDA JANUARY 11, 2023 ♦ 6:30 PM

SUNSHINE STATEMENT This meeting is being held in accordance with the Public Laws of 1975, Chapter 231 and adequate notice of this meeting has been provided by a notice sent to Asbury Park Press, Two River Times and Star Ledger and posted in the Main Lobby of the Municipal Building and on the municipal website.

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS, ANNOUNCEMENTS, APPOINTMENTS

PRESENTATIONS

 Winners of the Annual Holiday Home Decorating Contest

Kalorin Family
16 South St.

Cohen Family
32 South St.

Ramirez Family
330 Shrewsbury Ave

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES AND REPORTS

- Sept. 14, 2022 Workshop
- Sept. 14, 2022 Regular
- Sept. 14, 2022 Executive Session
- **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

ORDINANCES

- Introduction
 - 2023-01 Amending and Supplementing Chapter 680-38 Time Limit Parking
- Public Hearing Adoption

RESOLUTIONS

CONSENT AGENDA

- 23-16 Bills List
- 23-17 Appoint Professionals
- 23- 18 Confirming Boards & Committees
- 23-19 Appoint Crossing Guards
- 23-20 Appoint PT Building Inspector
- 23-21 Fixing Salaries of Certain Employees
- 23-22 Authorizing Grant Submittal NJ DCA
- 23-23 Appropriations Reserves Transfers
- 23-24 Audit Corrective Action Plan
- 23-25 Final Payment Broad Street Improvements – Montana Construction
- 23-26 Professional Services South St NJDOT Improvements Project

DISCUSSION AND ACTION (Workshop If Necessary)

- EV Ordinance
- DPW – Plastic Film Recycling Program
- Decision – Early Voting Option for Municipal Election

MAYOR & COUNCIL COMMENTS

PUBLIC QUESTIONS & COMMENTS

EXECUTIVE SESSION (If Necessary)

- 23- Contract Negotiations & Personnel

ADJOURNMENT

ORDINANCE NO. 2023-01

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 680, "VEHICLES AND
TRAFFIC,"
SECTION 680-38, "SCHEDULE IV: "TIME-LIMIT PARKING"**

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 680 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Vehicles and Traffic," Section 680-38 Schedule IV, "Time-Limit Parking," is hereby amended and supplemented as follows:

SECTION ONE: Schedule IV, "Time-Limited Parking," is amended and supplemented as follows: (*strikeouts denote deletions, underlined text denotes additions*):

SCHEDULE IV: Time-Limited Parking

In accordance with the provisions of Subsection 680-3F, no person shall park a vehicle for longer than the time limit shown on any of the following streets or parts of streets.

Name of Street	Side	Time Limit	Hours	Location
Broad Street	West	15 minutes	8:00 AM to 6:00 PM.	Starting at a point 25 feet south of the intersection with southwest corner with West Front Street and running southerly for a distance of 46 feet
Broad Street	West	15 minutes		From a distance of 146 feet south of the southerly curblineline of Monmouth Street and extending a distance of 20 feet
<u>Broad Street</u>	<u>West</u>	<u>15 Minutes</u>	<u>6:00 AM to 9:00 PM</u>	<u>From a distance of 38 feet North of the intersection of White Street and running north for a distance of 22 feet</u>
<u>Broad Street</u>	<u>East</u>	<u>15 Minutes</u>	<u>9:00 AM to 9:00 PM</u>	<u>From a distance of 35 feet North of the intersection of Mechanic Street and running North for a distance of 22 feet</u>
Monmouth Street	North	15 minutes	8:00 AM to 5:00 PM	Starting at a point 346 feet west of Broad Street and running west for a distance of 75 feet
<u>Monmouth Street</u>	<u>North</u>	<u>15 Minutes</u>	<u>9:00 AM to 9:00 PM</u>	<u>Starting at a point 129 feet West of the intersection of Broad Street and running West for a distance of 22 feet</u>
<u>Monmouth Street</u>	<u>South</u>	<u>15 Minutes</u>	<u>9:00 AM to 6:00 PM</u>	<u>Starting at a point 360 feet West of the intersection of Broad Street and running West for a distance of 22 feet</u>
<u>Monmouth Street</u>	<u>North</u>	<u>15 Minutes</u>	<u>9:00 AM to 6:00 PM</u>	<u>Starting at a point 210 feet East of Maple Avenue and running East for a distance of 22 feet</u>
<u>Monmouth Street</u>	<u>North</u>	<u>15 Minutes</u>	<u>9:00 AM to 6:00 PM</u>	<u>Starting at a point 85 feet East of Pearl Street and running East for 57 feet</u>
Oakland Street	South	15 minutes	8:00 AM to 6:00 PM	Beginning at a point 86 feet east of the intersection of Oakland Street and Bridge Avenue (as bumped out by sidewalk) and running easterly a distance of 34 feet
<u>Shrewsbury Avenue</u>	<u>East</u>	<u>15 minutes</u>	<u>8:00 AM to 6:00 PM</u>	<u>Starting at a point 25 feet south of Oakland Street and extending 40 feet in a southerly direction</u>

Shrewsbury Avenue	East	15 minutes	8:00 AM to 5:00 PM	Starting at a point 35 <u>25</u> feet south of the intersection of Shrewsbury Avenue and Oakland Street running south for a distance of 84 <u>50</u> feet
Shrewsbury Avenue	West	15 minutes	8:00 AM to 6:00 PM	Starting at a point 25 feet south of DeForrest Avenue and extending 40 feet in a southerly direction
Shrewsbury Avenue	West	15 minutes	8:00 AM to 5:00 PM	Beginning at a point 35 <u>25</u> feet south of the intersection of Shrewsbury Avenue and DeForrest Avenue and running south for a distance of 75 <u>66</u> feet
<u>Wallace Street</u>	<u>South</u>	<u>15 Minutes</u>	<u>9:00 AM to 9:00 PM</u>	<u>Starting at a point 20 feet East of the intersection with Broad Street and running a distance of 40 feet</u>
West Front Street	South	15 minutes	8:00 AM to 6 <u>9:00</u> PM	Starting at a point 67 <u>108</u> feet west of the intersection with Broad Street and running westerly for a distance of 89 <u>44</u> feet to the intersection with Emanuel Court
White Street	South	15 minutes	8:00 AM to 6:00 PM	From a distance of 130 feet west of the intersection with the west side of Broad Street and running a distance of 20 feet
<u>White Street</u>	<u>Both</u>	<u>15 Minutes</u>	<u>6:00 AM to 9:00 PM</u>	<u>Starting at a point 150 feet west of the intersection with Broad Street and running a distance of 42 feet west</u>

[All other provisions remain unchanged]

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.

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						COUNCILMEMBER	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						JOHN JACKSON						
						ANGELA MIRANDI						
						JACQUELINE STURDIVANT						
						KATE TRIGGIANO						
						MICHAEL BALLARD						
						EDWARD ZIPPRICH						
						MAYOR WILLIAM PORTMAN						
Introduced: January 11, 2023						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Red Bank, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: January 25, 2023												
						_____ Laura Reinertsen, Borough Clerk						

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-16

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
Manual Check	87	\$2,140,826.70
Meeting Check	0	
Total	90	\$2,140,826.70

Checking Account	Count	Total
CAPITAL ACCOUNT	2	\$677,283.09
CURRENT -VALLEY	46	\$682,582.50
DEVELESCROW	1	\$3.95
DEVESCROW2RIVER	2	\$159.95
GRANT FUND-VNB	6	\$33,004.94
PAYROLL	3	\$4,794.16
PKINGOP2RIVER	5	\$51,996.17
RECREATION-VNB	3	\$2,025.00
TRUST ACCOUNT	2	\$52,061.83
TWO RIVERS	1	\$346.29
UNEMPLOYTRUST	1	\$9,081.25
WATER CAPITAL	1	\$490.00
WATER OPERATING	16	\$249,176.27
Total	90	\$2,140,826.70

Checking Account	Check Type	Count	Total
CAPITAL ACCOUNT	Manual Check	2	\$677,283.09
CURRENT -VALLEY	Manual Check	46	\$682,582.50
DEVELESCROW	Manual Check	1	\$3.95
DEVESCROW2RIVER	Manual Check	2	\$159.95
GRANT FUND-VNB	Manual Check	6	\$33,004.94
PAYROLL	Manual Check	3	\$4,794.16
PKINGOP2RIVER	Manual Check	5	\$51,996.17
RECREATION-VNB	Manual Check	3	\$2,025.00
TRUST ACCOUNT	Manual Check	2	\$52,061.83
TWO RIVERS	Manual Check	1	\$346.29
UNEMPLOYTRUST	Manual Check	1	\$9,081.25
WATER CAPITAL	Manual Check	2	\$184,655.08
WATER OPERATING	Manual Check	16	\$249,176.27
Total	All Checking	90	\$2,140,826.70

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes	_	No	_		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-17

AUTHORIZING THE AWARD OF FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of Red Bank has solicited proposals through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq., which requires that award of contract for “Professional Services” through the fair and open process must be made by resolution authorizing the award of said contract and must be publicly advertised; and

WHEREAS, the Borough of Red Bank has a need to acquire the services of a Borough Attorney, Bond Counsel, Rent Leveling Board, Construction Board of Appeals Attorney, Labor Counsel, Borough Auditor, Borough Prosecutor, Public Defender and Borough Engineer; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the following business entities have submitted proposals indicating they will provide the legal services, engineering service and auditing services for amounts specified in the 2023 Municipal Budget:

Borough Engineer: _____
 Prosecutor _____
 Alternate Public Defender _____

WHEREAS, funds have been made available in the Annual Municipal Budget of the Borough of Red Bank to support these services.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) The above appointments are hereby ratified and confirmed for the year 2023.
- 2) The amounts charged for these services will be determined in accordance with the contracts dated as of January 1, 2023 and in effect through December 31, 2023.
- 3) The said contracts were awarded without public bidding as “Professional Services” under the provisions of said Local Public Contracts Law.
- 4) A copy of this Resolution shall be published in the Asbury Park Press within ten (10) days of its passage.

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign and deliver on behalf of the Borough the contract for these professional services which is contingent upon the negotiation, execution and award of a final contract between the appointee and the Borough, to the extent necessary under the laws of the Borough and the State of New Jersey;

BE IT FURTHER RESOLVED that the Clerk cause notice of this action to be printed once in an official newspaper of the Borough of Red Bank.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

 Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23- 18

CONFIRMING BOARD AND COMMITTEE APPOINTMENTS FOR 2023

BE IT RESOLVED that the appointments made by the Mayor are hereby confirmed (listed below) and the following officials are appointed for a term of one year, unless otherwise specified or provided for by statute:

ANIMAL WELFARE COMMITTEE

Alternate #2 to 12/31/2024 _____

BY MAYOR WITH COUNCIL CONSENT

PARKS AND RECREATION COMMITTEE

Three years to 12/31/2025
Three years to 12/31/2025
Three years to 12/31/2025

Rose Sestito
Alberto Garcia
Simmee Crystian

LIBRARY BOARD

Mayor's Alternate for one year to 12/31/2023 _____

COMMUNITY ENGAGEMENT EQUITY COMMITTEE (Formerly HRAC)

Alternate #1 for unexpired term to 12/31/2023

Debbie Holden

ZONING BOARD OF ADJUSTMENT

Four years to 12/31/2026
Four years to 12/31/2026
Alternate #2 for two years to 12/31/2024
Alternate #3 for two years to 12/31/2024

Anne Torre
Raymond Mass
Joan Rothwell
Robert Frikker

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA		Yes <u> </u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-19

AUTHORIZING THE APPOINTMENT OF REGULAR CROSSING GUARDS

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 positive completion of physical and background investigation:

Jacob Roche
Julie Dynak

BE IT FURTHER RESOLVED that the position will be for a term of 01/03/2023 through 06/30/2023 and will be paid at the rate of \$29.24 per hour as set by Borough Ordinance.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-20

**RATIFYING AND CONFIRMING THE APPOINTMENT OF A PART-TIME SUB-CODE
OFFICIALS IN THE CONSTRUCTION OFFICE**

WHEREAS, the Borough Administrator has recommended that it would be in the best interests of the Borough to appoint a part-time sub-code officials in the Construction Office; and

WHEREAS, pursuant to Chapter 90, Article VI, Section 90-28 of the Revised General Code of the Borough of Red Bank, the Borough Administrator appoints the following individual to the Construction Officer, part-time:

<u>Name</u>	<u>Title</u>	<u>Rate</u>
Steve Pelardis	Part-time Building Subcode Inspector	\$48.30/ hourly

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that they do hereby ratify and confirm the Borough Administrator's afore mentioned appointments effective immediately.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023. _____ Laura Reinertsen, Borough Clerk
Councilmember Jackson							
Councilmember Mirandi							
Councilmember Sturdivant							
Councilmember Triggiano							
Councilmember Ballard							
Councilmember Zipprich							
Mayor Portman							
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>					

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-21

**FIXING THE SALARIES OF CERTAIN OFFICERS AND THE PAY OR
COMPENSATION OF CERTAIN POSITIONS AND EMPLOYEES WITHIN THE
BOROUGH OF RED BANK FOR THE YEAR 2023**

WHEREAS, the salaries of certain officers and the pay or compensation of certain positions and employees within the Borough of Red Bank that are not covered by a collective bargaining agreement are required to be set by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank, County of Monmouth, as follows:

1. For the following enumerated officers, employees, or positions, the Borough shall pay the following respective salaries or compensation set forth below retroactive to January 1, 2023 until this resolution shall be amended or repealed, as to the respective officers, appointees to said offices, position or employment:

Deputy Municipal Clerk	Bonnie Thomas	\$60,985
Qualified Purchasing Agent	Dina Anastasio	\$7,500

2. The Borough retains the right to pay compensation at amounts of less than those listed herein for officials and employees duly hired to replace vacant offices and positions during the term of this ordinance.
3. All ordinances, resolutions, or provisions thereof inconsistent with this resolution are hereby repealed and the compensation herein established supersedes all previous compensation established by said ordinance/resolutions.
4. If any part of this resolution shall be invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this resolution.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-22

APPROVING SUBMITTAL OF GRANT APPLICATION TO NJ DCA

WHEREAS, the Borough of Red Bank desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$ 100,000.00 to carry out a project to update the recreation facilities at Riverside Gardens Park including the boardwalk, handrails, and benches.

BE IT THEREFORE RESOLVED,

- 1) that the Borough of Red Bank Council does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Red Bank Council and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

William Portman, Mayor

Laura Reinertsen, Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-23

AUTHORIZING TRANSFER OF FUND APPROPRIATION RESERVES

WHEREAS, various 2022 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2022 Budget Appropriation Reserve in the last two months of 2022 and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expended to be insufficient during the first three months of the succeeding year:

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH OF RED BANK that the transfers the 2022 Budget Appropriation Reserve as follows:

<u>CURRENT FUND</u>	<u>TO</u>	<u>FROM</u>
2-01-25-752-216 FIRE-OTHER EXPENSES	\$4,000.00	
2-01-20-712-207 LEGAL SERVICES-OTHER EXPENSES		\$4,000.00

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <input type="checkbox"/>	No <input type="checkbox"/>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-24

**REGARDING THE BOROUGH OF RED BANK
AUDIT CORRECTIVE ACTION PLAN FOR THE YEAR ENDED DECEMBER 31, 2021 AND
REQUIRED BY FEDERAL OMB CIRCULAR REFERENCE NUMBER A-133**

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services, requires that all municipalities prepare and submit a Corrective Action Plan as part of their annual audit process; and

WHEREAS, the report of audit for the Borough of Red Bank for the year ended December 31, 2021 was prepared on or about December 14, 2022; and

WHEREAS, the governing body of the Borough of Red Bank approved this report of audit and has undertaken a Corrective Action Plan to cover the one recommendations in the audited report as listed below;

Comments 2021-001:

There is no evidence that there has been a recent physical inventory of fixed assets.

Recommendation #2021-001:

Policies and procedures should be updated to include provisions for the taking of physical inventory of fixed assets. N.J.A.C. 5:30-5.6 should be considered in the update. The Uniform Guidance should be considered as it relates to physical inventory of fixed assets procured with Federal awards, if it is determined to be applicable. Internal controls should be designed, implemented, and monitored in a manner to reasonably assure the policies and procedures are being carried out as intended by management and the council.

Corrective Action #2021-001: The physical inventory of assets has been updated.

Implementation Date: December 2022..

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the report of audit for the year ended December 31, 2021 prepared by Charles J. Fallon, C.P.A/R.M.A., of the firm of Fallon & Larsen LLP, the Borough Auditors, entitled "Comprehensive Annual Financial Report of the Borough of Red Bank for the Fiscal Year Ending December 31, 2021 has been previously accepted by the Borough of Red Bank and a Corrective Action Plan has been implemented to cover all findings and recommendations in the audit report and the appropriate steps have been taken as to these comments and recommendations as more particularly set forth above.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-25

**AUTHORIZING FINAL PAY AND CLOSEOUT CHANGE ORDER RELATED TO THE
CONTRACT WITH MONTANA CONSTRUCTION CORP., INC. FOR BROAD STREET
IMPROVEMENTS PROJECT – 2019/2020 NJDOT**

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 final payment and change order closeout 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: 2019/2020 NJDOT - Broad Street Improvements Project

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	\$4,727,660.34
Less 2% Retainage	\$0.00
Less Previous Payments	\$4,374,463.76

Amount Due	<u>\$353,396.58</u>
-------------------	----------------------------

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

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION 23-26

**AWARDING PROFESSIONAL SERVICES CONTRACT FOR THE PROFESSIONAL
ENGINEERING AND CONSTRUCTION MANagements SERVICES FOR NJ DOT GRANT
– SOUTH STREET ROAD IMPROVEMENTS**

WHEREAS, the Borough Governing Body has identified a need for Roadway Improvements on South Street; and,

WHEREAS, the Borough of Red Bank was awarded a 2021 NJDOT Grant for the same; 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: “2021 NJDOT Grant – South Street Roadway Improvements” T&M Associates for the sum not to exceed Sixteen Thousand Two Hundred and Zero Cents (\$16,200.00); 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-xx of January ___ 2023.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes _	No _				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 23-_____

WHEREAS, the members of the Borough Council are mindful of the right of the public to attend and witness meetings of the governmental bodies at which public business is discussed, and to be involved in all phases of governmental action, and

WHEREAS, the Open Public Meetings Act nonetheless recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest, or invade individual privacy, and

WHEREAS, as authorized by the Open Public Meetings Act, NJSA 10:4-12 (b), the Borough Council has a need to meet in private session to discuss:

- 1) Matters expressly rendered confidential by law;
- 2) Matters the disclosure of which would jeopardize the receipt of federal funds;
- 3) Matters threatening unwarranted invasion of individual privacy;
- 4) Matters affecting collective bargaining of public employees;
- 5) Matters involving acquisition of real property with public funds, or investment of public funds, where disclosure would jeopardize such acquisition or investment.
- 6) Tactics and techniques utilized in protection of public safety or property, matters concerning investigations of violations of the law;
- 7) Matters affecting pending or anticipated litigation to which the public body may be party, matters within the attorney client privilege.
- 8) Personnel matters concerning the employment, appointment, evaluation, promotion or termination of a public officer or employee;
- 9) Deliberations which may result in the imposition of civil penalty or the suspension or loss of license or permit;

BE IT RESOLVED, that the Borough Council will meet in private session at _____ to discuss the following specific items:

Item # _____ As enumerated above.

BE IT FURTHER RESOLVED, that the matters so discussed will be disclosed to the public as determined during closed session.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilmember Jackson						
Councilmember Mirandi						
Councilmember Sturdivant						
Councilmember Triggiano						
Councilmember Ballard						
Councilmember Zipprich						
Mayor Portman						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on January 11, 2023.

Laura Reinertsen, Borough Clerk