

1. SUNSHINE STATEMENT
2. PLEDGE OF ALLEGIANCE
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4. PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

- 4.I. Proclamations

- Honoring Retiring Red Bank High School Principal Risa Clay
 - Gun Violence Awareness Day - June 7, 2019
 - Pride Month - June 2019

- Documents:

- [PROC - R CLAY.PDF](#)
 - [PROC - GUN VIOLENCE AWARENESS.PDF](#)
 - [PROC - PRIDE MONTH.PDF](#)

- 4.II. Red Bank Pride In The Park: June 8th, 12 P.m. - 2 P.m., Riverside Gardens Park

5. PUBLIC COMMENT (AGENDA ITEMS ONLY)

6. MINUTES & REPORTS

- 6.I. Workshop Meeting Minutes 5/1/2019

- Documents:

- [DRAFT MINUTES 05-01-2019 WKSHP.PDF](#)

7. Regular Meeting Minutes Of 5/8/2019

- Documents:

- [DRAFT MINUTES 05-08-2019 REG.PDF](#)

8. ORDINANCES - PUBLIC HEARING/ADOPTION

- 8.I. 2019-21 Bond Ordinance Providing For The 2019 Capital Improvement Program By And In The Borough Of Red Bank, In The County Of Monmouth, State Of New Jersey; Appropriating \$3,000,000 Therefor And Authorizing The Issuance Of \$2,685,000 Bonds Or Notes To Finance Part Of The Cost Thereof

- Documents:

- [2019-21 PH.PDF](#)

- 8.II. 2019-22 Ordinance Authorizing Sandwich Board Signs

- Documents:

- [2019-22 PH.PDF](#)

- 8.III. 2019-23 Ordinance Amending And Supplementing Chapter 490, Planning And Development Regulations, Relating To Illuminated Signs Facing The Navesink And Swimming Rivers

Documents:

[2019-23 PH.PDF](#)

- 8.IV. 2019-24 Ordinance Amending And Supplementing Chapter 490, Planning And Development Regulations, Relating To Motor Vehicle Service Stations In The NB Zone

Documents:

[2019-24 PH.PDF](#)

9. ORDINANCES - FIRST READING

- 9.I. 2019-25 Ordinance Amending And Supplementing Chapter 680, "Vehicles And Traffic," Article I "Parking And Traffic" Section 680-3d, "Parking."

Documents:

[2019-25 INTRO.PDF](#)

- 9.II. 2019-26 Ordinance Creating Chapter 680, "Vehicles And Traffic," Section 680-62, "Schedule XXVIII: "Alternate Side Parking"

Documents:

[2019-26 INTRO.PDF](#)

- 9.III. 2019-27 Ordinance Supplementing The Revised General Ordinances Of The Borough Of Red Bank To Insert New Chapter 446: "Newsracks" To Regulate The Purpose And Placement Of Existing And Future Newsracks In, Near, And Upon Public Streets, Sidewalks, And Outdoor Spaces

Documents:

[2019-27 INTRO.PDF](#)

10. RESOLUTIONS

- 10.I. 19-142 A Resolution To Approve The Hiring Of Parks And Recreation Summer Staff.

Documents:

[19-142.PDF](#)

- 10.II. 19-143 A Resolution Ratifying And Confirming The Appointment Of A Back-Up/Call-In Animal Control Officer

Documents:

[19-143.PDF](#)

- 10.III. 19-144 Resolution Accepting The Resignation Of Plumbing Sub-Code Official Robbie Bailey.

Documents:

[19-144.PDF](#)

10.IV. 19-145 A Resolution Authorizing Renewal Of Club Licenses For 2019-2020

Documents:

[19-145.PDF](#)

10.V. 19-146 A Resolution Authorizing Renewal Of Plenary Retail Distribution Licenses For 2019-2020

Documents:

[19-146.PDF](#)

10.VI. 19-147 A Resolution Authorizing Renewal Of Plenary Retail Consumption Licenses For 2019-2020

Documents:

[19-147.PDF](#)

11. MAYOR & COUNCIL COMMENTS

12. DISCUSSION & ACTION

13. PUBLIC COMMENT (GOVERNMENTAL ISSUES, 5 MINUTES LIMIT)

14. EXECUTIVE SESSION

15. ADJOURNMENT

PROCLAMATION

BOROUGH OF RED BANK

WHEREAS, RISA CLAY HAS ENJOYED A PRESTIGIOUS CAREER IN THE FIELD OF EDUCATION SERVING IN POSITIONS RANGING FROM COUNSELOR TO SERVING AS THE PRINCIPAL OF RED BANK REGIONAL HIGH SCHOOL (RBRHS); AND

WHEREAS, MRS. CLAY EARNED HER BACHELOR'S DEGREE AT THE STATE UNIVERSITY OF NEW YORK AT ONEONTA AND HER MASTER'S AT MONTCLAIR UNIVERSITY AND LATER OBTAINED CERTIFICATIONS AS A NJ SCHOOL ADMINISTRATOR AND NJ PRINCIPAL; AND

WHEREAS, SHE JOINED THE STAFF AT RBRHS IN 1992 AS A STUDENT ASSISTANCE COORDINATOR WHERE SHE PROVIDED COUNSELING AND ADMINISTERED THE SCHOOL'S DRUG AND ALCOHOL POLICY; AND

WHEREAS, MRS. CLAY WROTE A GRANT FOR AND ESTABLISHED AND DIRECTED AN AWARD WINNING SCHOOL BASED YOUTH SERVICES PROGRAM, CREATED A FOUNDATION BOARD AND ESTABLISHED NON-PROFIT 503(C)3 STATUS AND THE PROGRAM WAS VISITED BY SCHOOLS NATIONWIDE; AND

WHEREAS, HER NUMEROUS ACCOMPLISHMENTS CULMINATED WITH HER BEING NAMED ASSISTANT PRINCIPAL IN 2006 AND PRINCIPAL IN 2009; AND

WHEREAS, MRS. CLAY HAS BEEN THE RECIPIENT OF AWARDS INCLUDING THE PARTNER IN EDUCATION AWARD, THE MARTIN LUTHER KING COMMUNITY SERVICE AWARD, THE WOMEN OF ACHIEVEMENT AWARD, THE NAACP EDUCATION OF THE YEAR AWARD AS WELL AS MANY, MANY MORE; AND

WHEREAS, AFTER A LIFETIME DEDICATED TO THE YOUTH OF OUR COMMUNITY, RISA CLAY HAS DECIDED TO ENJOY A MUCH DESERVED RETIREMENT;

NOW, THEREFORE, I, PASQUALE MENNA, MAYOR OF THE BOROUGH OF RED BANK, DO HEREBY PROCLAIM MAY 22, 2019 AS A DAY OF CELEBRATION AND RECOGNITION TO A WOMAN WHO HAS GIVEN SO MUCH THROUGHOUT THE YEARS AND, ON BEHALF OF ALL RED BANK RESIDENTS, THANK HER FOR HER DEDICATION AND CONTRIBUTION TO OUR CHILDREN AS WE WISH HER HEALTH AND HAPPINESS AS SHE ENTERS THIS NEW CHAPTER OF HER LIFE.

PASQUALE MENNA
MAYOR

PROCLAMATION

BOROUGH OF RED BANK

- WHEREAS,** EVERY DAY 96 AMERICANS ARE KILLED BY GUN VIOLENCE AND, ON AVERAGE, THERE ARE NEARLY 13,000 GUN HOMICIDES IN EVERY YEAR; AND
- WHEREAS,** AMERICANS ARE 25 TIMES MORE LIKELY TO BE KILLED WITH GUNS THAN PEOPLE IN OTHER DEVELOPED COUNTRIES; AND
- WHEREAS,** PROTECTING PUBLIC SAFETY IN THE COMMUNITIES THEY SERVE IS THE MAYORS' HIGHEST RESPONSIBILITY; AND
- WHEREAS,** SUPPORT FOR THE SECOND AMENDMENT RIGHTS OF LAW-ABIDING CITIZENS GOES HAND-IN-HAND WITH KEEPING GUNS AWAY FROM DANGEROUS PEOPLE; AND
- WHEREAS,** MAYORS AND LAW ENFORCEMENT OFFICERS KNOW THEIR COMMUNITIES BEST, ARE THE MOST FAMILIAR WITH LOCAL CRIMINAL ACTIVITY AND HOW TO ADDRESS IT AND ARE BEST POSITIONED TO UNDERSTAND HOW TO KEEP THEIR CITIZENS SAFE; AND
- WHEREAS,** IN JANUARY 2013 HADIYA PENDLETON, A TEENAGER WHO MARCHED IN PRESIDENT OBAMA'S SECOND INAUGURAL PARADE AND WAS TRAGICALLY SHOT AND KILLED JUST WEEKS LATER, SHOULD NOW CELEBRATING HER 21ST BIRTHDAY, AND
- WHEREAS,** TO HELP HONOR HADIYA—AND THE 96 AMERICANS WHOSE LIVES ARE CUT SHORT AND THE COUNTLESS SURVIVORS WHO ARE INJURED BY SHOOTINGS EVERY DAY—A NATIONAL COALITION OF ORGANIZATIONS HAS DESIGNATED JUNE 1, 2018, THE FIRST FRIDAY IN JUNE, AS THE 4TH NATIONAL GUN VIOLENCE AWARENESS DAY; AND
- WHEREAS,** THE IDEA WAS INSPIRED BY A GROUP OF HADIYA'S FRIENDS WHO ASKED THEIR CLASSMATES TO COMMEMORATE HER LIFE BY WEARING ORANGE; THEY CHOSE THIS COLOR BECAUSE HUNTERS WEAR ORANGE TO ANNOUNCE THEMSELVES TO OTHER HUNTERS WHEN OUT IN THE WOODS AND ORANGE IS THE COLOR THAT SYMBOLIZES HUMAN LIFE; AND
- WHEREAS,** ANYONE CAN JOIN THIS CAMPAIGN BY PLEDGING TO WEAR ORANGE ON JUNE 7ST, THE FIRST FRIDAY IN JUNE 2019, TO HELP PRAISE AWARENESS ABOUT GUN VIOLENCE; AND
- WHEREAS,** BY WEARING ORANGE ON JUNE 7, 2019 AMERICANS WILL RAISE AWARENESS ABOUT GUN VIOLENCE AND HONOR THE LIVES OF GUN VIOLENCE VICTIMS AND SURVIVORS; AND
- WHEREAS,** WE RENEW OUR COMMITMENT TO REDUCE GUN VIOLENCE AND PLEDGE TO DO ALL WE CAN TO KEEP FIREARMS OUT OF THE WRONG HANDS, AND TO ENCOURAGE RESPONSIBLE GUN OWNERSHIP TO HELP KEEP OUR CHILDREN SAFE.

NOW, THEREFORE, BE IT PROCLAIMED THAT I, PASQUALE MENNA, MAYOR OF THE BOROUGH OF RED BANK HEREBY PROCLAIM THAT FRIDAY, JUNE 7, 2019 IS **NATIONAL GUN VIOLENCE AWARENESS DAY** IN THE BOROUGH OF RED BANK AND I ENCOURAGE ALL CITIZENS TO SUPPORT THEIR LOCAL COMMUNITIES' EFFORTS TO PREVENT THE TRAFFIC EFFECTS OF GUN VIOLENCE AND TO HONOR AND VALUE HUMAN LIVES.

PASQUALE MENNA
MAYOR

PROCLAMATION

BOROUGH OF RED BANK

WHEREAS, THE FORMER STONEWALL INN IN NEW YORK CITY, A PUBLIC ESTABLISHMENT FREQUENTED BY MEMBERS OF THE GAY COMMUNITY, WAS THE SITE OF THE JUNE 27, 1969 UPRISING THAT SPARKED THE LESBIAN, GAY, BISEXUAL, TRANSGENDER CIVIL RIGHTS MOVEMENT; AND

WHEREAS, THE BOROUGH OF RED BANK FOSTERS THE VALUE AND IMPORTANCE OF DIVERSITY AMONG ITS CITIZENS AND ITS EMPLOYEES ACKNOWLEDGING THAT THEY CUT ACROSS ETHNIC, CULTURAL, RACIAL, GENDER IDENTITY AND SEXUAL ORIENTATION BOUNDARIES; AND

WHEREAS, THE BOROUGH OF RED BANK CELEBRATES AND RECOGNIZES THE MANY ACCOMPLISHMENTS AND CONTRIBUTIONS OF ITS CITIZENS AND EMPLOYEES WHO IDENTIFY THEMSELVES AS MEMBERS OF THE LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) COMMUNITY; AND

WHEREAS, IN 1993, NEW JERSEY BECAME THE FIFTH STATE IN THE UNITED STATES TO BAN DISCRIMINATION BASED ON SEXUAL ORIENTATION; AND

WHEREAS, ON DECEMBER 21, 2006, GOVERNOR JON CORZINE SIGNED LEGISLATION GRANTING GAY COUPLES STATUTORY RIGHTS OF MARRIED COUPLES MAKING NEW JERSEY THE THIRD STATE TO DO SO; AND

WHEREAS, IN 2007 NEW JERSEY BECAME THE NINTH STATE IN THE UNITED STATES TO BAN DISCRIMINATION BASED ON GENDER IDENTITY AND EXPRESSION; AND

WHEREAS, ON OCTOBER 21, 2013, NEW JERSEY BECAME THE 14TH STATE TO ALLOW SAME SEX MARRIAGE AND THE FIRST TO DO SO IN THE WAKE OF THE LANDMARK U.S. SUPREME COURT DECISION THAT STRUCK DOWN THE DEFENSE OF MARRIAGE ACT; AND

WHEREAS, THE BOROUGH OF RED BANK HAS TAKEN MEASURES TO PROHIBIT DISCRIMINATORY POLICIES AND PRACTICES BASED ON SEXUAL ORIENTATION AND IDENTITY IN THE AREAS OF EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATION INCLUDING THE ADOPTION OF A RESOLUTION IN SUPPORT OF EQUALITY AND CIVIL RIGHTS FOR LESBIAN, GAY, BISEXUAL AND TRANSGENDER AMERICANS IN JULY OF 2009;

WHEREAS, I, PASQUALE MENNA, MAYOR OF THE BOROUGH OF RED BANK, DO HEREBY PROCLAIM THE MONTH OF JUNE 2019 AS LESBIAN, GAY, BISEXUAL AND TRANSGENDER PRIDE MONTH IN THE BOROUGH OF RED BANK AND WE ASK OUR CITIZENS TO JOIN US IN CELEBRATING.

PASQUALE MENNA
MAYOR

**MINUTES
WORKSHOP MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
May 1, 2019
6:30 P.M.**

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 12, 2018.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna, Council Members Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

ALSO PRESENT: Administrator Shehady, Deputy Clerk Thomas, Attorney Cannon, Engineer Neumann, Planner Dochney and Department Heads.

ABSENT: Borough Clerk Borghi

ADMINISTRATION

Engineering Report

Engineer Neumann offered an update on the East Bergen Place project noting that there were additional trees that had to be removed and there were transition issues with some of the curb bases because they project called for 6-inch curbing but the exist curbs were 4-inches. She said they were preparing a change order to replace all of the curbs. She said the change order would also provide for a steel curb base around any trees that were salvageable to prevent further issues. She said the amount of the change order would be \$155,529.75. She said that she had confirmed that this was in the budget so there would be no need for an additional bond ordinance.

Administrator Shehady reviewed the quote that included this work and noted that it came out slightly lower than the estimate.

There was a further discussion on the curbing, estimates and costs.

Engineer Neumann said the residents had been extremely accommodating and reviewed some issues that had been tracked and addressed.

Administrator Shehady reviewed the oversight process for the project.

Engineer Neumann said the curb work would add an additional two weeks to the project before the milling and overlay work to complete the paving process. She also reported that repairs to the lift station had been on hold because they had been waiting for Verizon/JCP&L to relocate a guidewire. She said she expected the paving work to be completed in approximately four weeks. She reported that the Pearl Street project will be submitted to the DEP. She said the Borough had been granted an extension as long as it was submitted by May 15. She said they were in the process of finalizing comments regarding the White Street project and getting the planning documents back to EIT. She said design work on the project had also commenced. She said the 2019/2020 Road Program was new on her project list. She noted the Borough had received a municipal aid grant for Broad Street. She said they were review roadways for next year. She said Red Bank should be extremely proud of receiving the Safe Streets to Transit grant. She said only five municipalities in the State had received it and said that was huge for Red Bank. She also reported that she had been able to obtain a second quote for the work at the Senior Center and said both quotes were comparable. She reviewed the options for replacing the Fire Suppression System in the building including costs.

Administrator Shehady reviewed the work that would be needed and said the recommendation would be on the May 8th Agenda. He reviewed the project schedule.

Engineer Neumann said she want to return to the subject of the 2019/2020 Road Program and said she anticipated that it would be bid in June. She said they would be likely to see summer construction of those roads. She also reported that work was underway on the East Side Park and Mohawk Pond Project. She said she would coordinate with the Recreation Director so they would not impact recreational opportunities.

Administrator Shehady reviewed specifics of the Broad Street Project and the 2019/2020 Road Program project. He said he expected a Bond Ordinance to be on the agenda this month to cover those expenses.

Councilman Ballard asked for an update on the Primary School Access Road.

Ms. Neumann said her office was not handling that project but said she knew a preconstruction meeting had been held.

Administrator Shehady said he believe it was 30 days out from completion.

Planner Dochney gave an update on the Affordable Housing issue. He said the next step was for the Council to approve several resolutions including a spending plan for the Trust Fund. He reviewed his estimate on the

amount of funds that would be generated and how it could be spent. He said the rehab obligation in the next six years was 129 units. He said it was anticipated that 90 of those would be done through the Housing Authority but said they had not been able to give a firm commitment so Fair Share Housing Center wanted the Borough to provide for an alternative in the plan. He said, right now, the spending plan includes having to spend \$90,000 on those units but noted the Borough might not have to spend that if the Housing Authority goes through with their rehab. The Council discussed the reasons the Housing Authority was unable to commit to the Rehab work and how funding would work. Administrator Shehady and Mr. Dochney reviewed specifics of the spending program. Mr. Dochney also reviewed the Operating Manual for the Rehab Program and the requirements for a property to be eligible. A discussion followed on the types of repairs and the scenarios where the funding could be applied. Mr. Dochney also reviewed a resolution that would provide for the Borough commit to bond to cover any shortfall in the program. He also reviewed resolutions regarding the Affordable Housing Marketing Plan and the appointment of a Municipal Housing liaison.

BUILDING

Construction Official Corcione reviewed his report. He noted increases in activity and revenue.

Administrator Shehady reported on a new inspector that held licenses for multiple disciplines and was able to conduct a number of inspections.

SENIOR CENTER

Director Reynolds ask if the Council had any question regarding her report. She highlighted upcoming activities including a Mothers' Day luncheon and a trip to Atlantic City. She thanked Fire Department for providing fire watch services and also thanked Westside Hose Company for their assistance in letting them use their facility for meal distribution.

LAND USE

Director Carter reviewed three upcoming ordinances. He said the first was concerning Sandwich Board signs and he reviewed options for the Council to consider to reinstate the ordinance. The Council agreed to introduce an ordinance with an annual permit and a sunset clause. Director Carter review the second ordinance which was regarding service stations which he said were currently permitted in two zones. The first zone, he said, was the HB zone which was Newman Springs Road between Shrewsbury Avenue and Broad Street. He said the second zone was the NB zone which was the Shrewsbury Avenue business district. He reviewed the issues with the current zoning which required the applications to meet several conditions. He said he was recommending that the use be permitted with lessened conditions in the HB zone and not allowed at all in the NB zone. He noted that the business model for service stations had changed over the years and said there was a need to update the code.

Mayor Menna said he agreed that the use should not be allowed on Shrewsbury Avenue but said he felt they should not ease the restrictions for the use on Newman Springs Road. A discussion followed on future uses of Newman Springs Road and service station type businesses in general. Director Carter reviewed what was currently allowed in the zone. He said the council could also consider requiring generators to ensure the ability to deliver fuel during power outages and also to require them to provide electric vehicle charging stations.

The Council consensus was to ban the use in the NB zone and to hold off on making changes to the HB zone pending further review.

The third ordinance Mr. Carter reviewed was regarding prohibiting illuminated signs facing the river.

The Council was in favor was moving forward with the ordinances as soon as possible. It was also noted that previously approved signs would be exempt.

Mr. Carter follow up on previous discussions regarding impervious surfaces and fees and said he would like to review that that the next workshop meeting.

Administrator Shehady also noted that there was a concern regarding newsracks. He said there was currently no regulation in the code. He said there was a need to track placement and who was responsible for each machine.

Mayor Menna asked Attorney Cannon to look into the municipalities rights to regulation. He noted there had been legal challenges in the past.

Administrator Shehady agreed that the companies had rights and distributed a sample resolution from another municipalities.

Attorney Cannon said there could be an object that the areas could be considered a right of way.

Administrator Shehady said, if the Council was in favor, there would be on ordinance at an upcoming meeting.

FINANCE

Administrator Shehady introduced the new CFO, Peter O'Reilly. He noted the Borough was still operating on a temporary budget and asked CFO O'Reilly to get a quick update.

Mr. O'Reilly said he had met with the Finance Committee to review the work that had been done on the budget and said they were working toward introduction. He said he had also met with the Tax Assessor and expected a finalized number him in mid-May pending the County Board of Taxation finalizing the Borough's assessment. He said the Finance Committee would reconvene on May 16 to put the final touches on the budget and said introduction should be in late May or June.

PUBLIC WORKS

Director Keen said Animal Control had been cracking down on people who were not curbing their dogs which he said included not picking up after them and not leashing them. He said there were less than ten street signs remaining to be replaced as part of that project. He said the ones remaining required more intensive labor. He said, now that weather was nicer, the department was repainting curbs and parking spaces. He said he noticed people were putting brush out for pick up early and wanted to let everyone know that Code Enforcement would be out enforcing. He also reported that irrigation meters were now available for purchase and that hydrant flushing was planned for the end of May.

Councilwoman Horgan asked for details about the installation of the irrigation meters.

Mayor Menna asked for notices on the website and bills to remind homeowners about the option.

Administrator Shehady agreed that more outreach was needed.

Councilman Yassin asked when Broad Street was slated to have the curbs and parking spaces painted.

Director Keen said there were some safety issues that the Police Chief was concerned with and, once that was addressed, they would move forward on Broad Street.

Councilman Ballard asked an update on the Shrewsbury Avenue lighting project.

Administrator Shehady said they had met with JCP&L on the project and said there was a lot of work that needed to be done. He said some of the work was going to require more money that was in the operating budget. He said the bond ordinance slated to be introduced could incorporate some of that. He said he, Director Keen and Chief McConnell had met on the matter. He also noted that, just because a decorative post was not working, did not mean that there was not light on Shrewsbury Avenue. He said there were a number of Cobra heads on the street and they were working. He said he was only aware of one that was not and said they had let JCP&L know and said they had fixed it. He said they had met with them to upgrade the lights to LED and increase the wattage which would come as no cost to the Borough. He said rather than rip up the streets to fix the lighting that was decades old, he would rather see them try to upgrade the existing lighting to improve safety. He said they could looking into requesting additional lighting. He said this would also buy sometime until the Shrewsbury Avenue TAP grant was considered. He reviewed the content of the application that had been submitted late last year. He said he felt the JCP&L upgrades were the most fiscally prudent course of action.

Councilman Ballard said there were also lights in the park that were not working.

Administrator Shehady said they would work on the lights in Johnny Jazz Park.

The Council consensus was to move forward with the upgrades through JCP&L.

Administrator Shehady said an estimate had already been requested from them.

Councilman Zipprich asked what the Shrewsbury Avenue Redevelopment Committee had thought of the issue.

Mayor Menna said they had agreed that it would be impractical to change the decorative lighting and felt it would be better to wait for Shrewsbury Avenue streetscape project replace them with something else.

Administrator Shehady said he expected a comprehensive plan from JCP&L in about a month or so.

Director Keen said the electrician had been in Johnny Jazz Park earlier in the day and reported on work that had been done.

Administrator Shehady said Director Keen was working on the schedule for the alternate side of the street parking ordinance and reviewed the complications of the process. He said there would also be resolutions for an on call backup animal control officer and a water operator.

Councilwoman Horgan asked that the brush pick up schedule be publicized through the website.

PARKS & RECREATION

Director Hoffmann reviewed the Count Basie Field track replacement project and noted that the lifespan of the existing track was supposed to be seven to eight years but noted the Borough had gotten fifteen years of use. He said the work was slated for July and said the main field and track would be closed for about a month. He said they were using the same State Contract vendor that had installed the track and noted their experience. He said there would also be a resolution on the agenda for the second meeting of the month to hire Summer Camp staff.

Councilman Zipprich asked about the cost of the new track.

Director Hoffmann said it was about \$225,000. He reviewed the selection process for the type of track and details of the project.

Administrator Shehady said they were expecting the Kimley-Horn report by the end of May. He also reported that Director Hoffmann had been working to coordinate a Memorial Day Parade.

Director Hoffmann reviewed some of the expected participants and details of the ceremony that would follow the parade.

Administrator Shehady also reported on a Pride Celebration scheduled in Riverside Gardens Park in recognition of Pride Month. He said they would also be painting some crosswalks.

Councilman Zipprich said previous celebrations had been youth centered and said he hoped they would be involved.

Councilwoman Triggiano asked what the Borough had done in years past.

Councilman Zipprich said there had been a Pride Celebration at the Two River Theater which had been done in conjunction with Make It Better for Youth. He said a second event was a film festival at the Count Basie Theater. Councilwoman Triggiano asked if the town had cohosted those.

Councilman Zipprich said it had.

ADMINISTRATION

Administrator Shehady reviewed Administration items on the agenda including the previously discussed Bond Ordinance. He said he expected the English Plaza easement resolutions to be wrapped up by the end of the month. He said the shared service E-Rate project with the Board of Ed was still in discussions and said it would be on an agenda as soon as the kinks were worked out. He asked if there was any questions about the IT report and said the new phone system would be going live in the next week or two. He reviewed the Grants report. He also reported on a request from Monmouth Day Care to have a hot air balloon at Count Basie Field through PNC Bank. He said it would remain on the ground and the children would have a chance to interact with it. He said they would be asked to provide a hold harmless agreement.

Councilman Zipprich asked him to review the Help Desk system that had been in IT Director Ryan's report.

Administrator Shehady said it was an internal system that would help manage the IT Director's workload and prioritize projects.

CLERK

Administrator Shehady noted that the Municipal Clerk was attending a conference and noted the Deputy Clerk was filling in. He reviewed her report which included the fact that there would be upcoming resolutions for Sidewalk Café renewals and also that Liquor License renewals would begin at the end of May. He noted that OPRA continues to take up a lot of her time as well as that of the Borough Attorney. He reviewed the summer schedule and suggested to reduce June to one Workshop and one Regular meeting.

The Council agreed to amend the meeting schedule to the Workshop meeting on June 5 and the Regular meeting to June 19.

Administrator Shehady also review proclamations the Clerk had identified for May.

Councilman Yngstrom asked about a Proclamation for Pink Bank.

Administrator Shehady said that was a privately sponsored promotion. He said October was typically Breast Cancer Awareness Month but the hospital like to acknowledge it in May. He said they had not approached the town regarding their promotion.

Councilman Yassin said he had recently visited the Parker Family Health Center and spoke of the benefits provided by the organization. He said he knew they were approaching their 20th year and asked if the town could do a proclamation.

Mayor Menna was in favor of the idea.

EMERGENCY MANAGEMENT/CODE ENFORCEMENT/FIRE MARSHAL

Administrator Shehady said Fire Marshal Welsh was not feeling well and could not attend but said he would field any questions for that Department.

POLICE

Administrator Shehady said Chief McConnell was at a Police function and asked if there were any questions on his report. He noted there would be a swearing in of a police officer on the next agenda noting that the hiring had been approved at the previous meeting. He also reminded the Council that there would be a public hearing on the alarm fees ordinance. He said the Department would also be seeking approval for the Part Time Special Officers for summer and reviewed the hours and duties of those positions.

FIRE DEPARTMENT

Administrator Shehady asked if there were any questions about the Fire Department report.

CORRESPONDENCE

None.

PUBLIC COMMENT

Jeff Loonan – Bank Street – said he appreciated the Council's concerns about the potential impact of gas stations on the west side. He said he completely agreed. He said he and his wife were attracted to the area because of the diversity, urban feel and natural resources. He said he had not realized that the property at 90 Bank Street would continue to exist with so many Code, Public Health and Safety violations. He noted the property's proximity to a bald eagle preserve and expressed concern about run off to the river. He said several news agencies had picked up on the story but said the property has continued to decline. He said another TV station was outside of the property earlier in the day and had interviewed him and other neighbors. He said he wanted to Council to know that there was a lot of concern from the community. He said he understood the property had been cited with violations but said the property had continued to decline. He said he felt the property owner was mocking the town officials. He said he was asking for help from the town and the county to help enforce the codes that are being ignored. He stressed that it was a public safety and health issue.

Attorney Cannon noted that he was currently pursuing the property civilly in addition to the Code violations. He said he was seeking to have Sheriff's officers come to clear the property if necessary. He noted that the process would take time. He said the action had been authorized by the Council.

No one else appearing, Councilman Zipprich offered a motion to close the audience portion, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

Councilman Yassin said he wanted to bring up an additional matter. He said Monmouth Day Care Center was celebrating their 50th anniversary and said he felt they should be recognized. He said the Governor would be visiting sometime in May. He also said one of his initiatives was to create job opportunities for Red Bank residents. He said Administrator Shehady had been a big help and asked him to review their efforts.

Administrator Shehady said they had been reaching out to members of the building trades and labor unions. He said they had been very cooperative and had been willing to meet with them to discuss opportunities with potential development projects. He said the opportunities were twofold with opportunities through their membership and also for those who are unemployed or underemployed to better themselves through an apprenticeship program.

EXECUTIVE SESSION

19-121 Mayor Menna read a resolution to adjourn to executive session to discuss Litigation, Contract Negotiation and Real Property; no action to be taken.

Councilman Yassin offered a motion to adjourn to Executive Session, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

Councilman Yngstrom offered a motion to adjourn the meeting, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

Respectfully submitted,
Pamela Borghi

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
May 8, 2019
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Hassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi, and Attorney Cannon.

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 12, 2018.

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

Mayor Menna read the following Proclamations:

- Prescription Drug Take Back Day – April 27, 2019
- Older Americans Month - May 2019
- Municipal Clerk Week – May 5-11, 2019

Mayor Menna swore in Patrolman Piero Vescio

Mayor Menna and Councilwoman/Police Commissioner Triggiano presented a Certificate of Recognition to Dispatcher Billy Morrison.

Councilman Yngstrom announced details of a Memorial Day Parade to be held on May 27, 2019. He said the event would honor Veterans, Members of the Military and Police Departments. He said the Parks & Recreation Committee and Director Hoffmann had done a great job. He urged all local veterans to participate.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Dan Riordan – 53 Elm Place – asked about the Bond Ordinance of \$300,000 wanting to know which properties were included, who would be administering the funds and how would they be used. He said he also wanted to ask about Resolution 19-140 and asked if the Parking Director would be paid a flat or hourly rate, if it was an individual or several people, how they would interact with the current department and if it was an interim or permanent appointment.

Mayor Menna said it was an interim appointment and said the matter had been discussed at the recent Workshop meeting. He asked Administrator Shehady to address the rest of the questions.

Administrator Shehady said the expected purpose of Ordinance 2019-21 was to address issues at Borough properties including 90 Monmouth Street, the Senior Center and the Public Works facility. He said the Mayor and Council would have oversight of the projects and funding. He said the Redevelopment Agency would be taking on the Municipal Facilities issue as one of its first priorities. He said funding would primarily be used for the professionals such as Engineers, etc.

Administrator Shehady said, in regard to Resolution 19-140, that there would be one individual serving as Parking Director and that he would oversee the utility. He said the position would answer to the Director of Public Works and the Administrator. He said the rate of pay was \$10,750 per month and the individual would work 30 hours per week.

Sue Viscomi—25 Cedar Street – asked about Ordinance 2019-20 regarding false alarms noting that she had an alarm system and said it was often triggered by cooking. She asked if residents would be fined.

Mayor Menna said it was an existing ordinance that had been on the books for year and said they were just amending the amounts of the fines. He said fines would be imposed with discretion. He said they would educate rather than penalize.

William Poku—said he had questions about Mt. Laurel issues in regard to the NAACP.

Mayor Menna said this portion of for agenda items only and asked him to hold his comments to the end.

No one else appearing, Mayor Menna asked for a motion to close.

Councilwoman Horgan offered a motion to close the Public Comment, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

MINUTES & REPORTS

Regular Meeting Minutes of 4/24/2019

Councilwoman Horgan offered a motion to approve the minutes, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

ORDINANCES - Public Hearing/Adoption:

2019-20 Mayor Menna read, "Ordinance Amending And Supplementing Chapter 213, Alarm Systems, Article 213-9: False Alarms To Amend Penalties."

Mayor Menna opened the public hearing and asked if anyone would like to speak.

No one appearing, Councilwoman Triggiano offered a motion to approve to close the public hearing, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Councilman Yassin offered a motion to approve the adoption of the ordinance, seconded by Councilwoman Triggiano.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

RESOLUTIONS

Mayor Menna noted Resolution 19-141 should be considered before introduction of Ordinance 2019-21.

Mayor Menna read, "A Resolution Authorizing 2019 Temporary Capital Budget."

Councilman Ballard offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None.

There being six ayes and no nays, the motion was declared approved.

ORDINANCES - First Reading:

2019-21 Mayor Menna read, "Bond Ordinance Providing for the 2019 Capital Improvement Program by and in the Borough of Red Bank, in the County of Monmouth, State of New Jersey; Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$2,685,000 Bonds or Notes to Finance Part of the Cost Thereof."

Councilman Yngstrom offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

Councilman Ballard said he had some concerns about the Ordinance. He said he had no issue with the repairs to the Senior Center but said he did have issues with the portion to be used for the Redevelopment Agency. He said he had never supported the creation and said he felt it was an extra layer of government that was not necessary. He also said he had concerns regarding the Road Program because no list of streets was provided.

Administrator Shehady clarified that a potential list of streets had been identified but said there were not listed to allow for flexibility.

Councilman Yassin asked about separate the bond.

Administrator Shehady said that would incur additional costs.

Councilman Zipprich confirmed that there was basic framework in place for the Road Program but that it would be fine-tuned.

Attorney Cannon explained that approving the bond ordinance did not mean the money was automatically spent. He said it was more of a credit authorization and reviewed the bonding process.

A discussion followed on how roads would be chosen.

Administrator Shehady said the numbers were not arbitrary and said the estimates had been based on previous years. He noted that the work included the paving of Broad Street. He said the Borough had received a DOT grant for the work but said there was a limited time line to do the work.

ROLL CALL:

AYES: Yassin, Triggiano, Yngstrom, Zipprich and Horgan.

NAYS: None.

ABSTAIN: Ballard

There being five ayes, no nays and one abstention, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

2019-22 Mayor Menna read, "Ordinance Authorizing Sandwich Board Signs."
Thereof."

Councilman Zipprich offered a motion to approve the introduction of the ordinance, seconded by Councilman Yassin.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None.

There being six ayes and no nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

2019-23 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Illuminated Signs Facing the Navesink and Swimming Rivers."

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None.

There being six ayes and no nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

2019-24 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Motor Vehicle Service Stations in the NB Zone."

Councilman Ballard offered a motion to approve the introduction of the ordinance, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None.

There being six ayes and no nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

RESOLUTIONS

Mayor Menna asked if there were any questions before calling for a vote on the resolutions.

Councilman Ballard said he wanted confirm that the Parking Director was month to month and that part of his duties was to search for a permanent director.

Administrator Shehady confirmed that that was the case.

Mayor Menna read the following resolutions and called for a motion to adopt en masse:

- 19-122 A Resolution for Payment of Bills Amounting to \$6,464,381.16.
- 19-123 A Resolution for Emergency Temporary Appropriations #4 to the Calendar Year 2019 Budget
- 19-124 A Resolution Appointing Special Law Enforcement Officers Class I
- 19-125 A Resolution Authorizing Approval of Sidewalk Cafés
- 19-126 A Resolution to Amend the Time and Place of Borough Council Meetings For 2019
- 19-127 A Resolution Authorizing CFO to Conduct Financial Matters Between Meetings During June, July and August of 2019

- 19-128 A Resolution of the Borough Council Endorsing the Housing Element and Fair Share Plan
- 19-129 A Resolution of the Borough Council Adopting an Affordable Housing Spending Plan
- 19-130 A Resolution of the Borough Council of Intent to Appropriate Funds or Bonds for Affordable Housing in the Event of a Funding Shortfall
- 19-131 A Resolution of the Borough Council Adopting an Affirmative Marketing Plan
- 19-132 A Resolution of the Borough Council Adopting a Rehabilitation Program Manual
- 19-133 A Resolution of the Borough Council Adopting a First-time Homebuyer Program Manual
- 19-134 Resolution Authorizing Change Order No. 3 Related to the Contract with Lucas Brothers, Inc. for the Improvements to East Bergen Place Project in Accordance with the Requirements Set Forth in N.J.A.C. 5:30-11.9 et seq.
- 19-135 A Resolution Awarding a Professional Services Contract to CME Associates for Additional Engineering Services for the East Bergen Avenue Project Change Order #3
- 19-136 A Resolution Awarding a Professional Services Contract to MSGFire, Inc. for Engineering Services for Senior Citizen Center Fire Sprinkler System Repairs
- 19-138 A Resolution Authorizing the Release of Maintenance Guarantee Posted by Butch's Lube N' Wash for Block 97, Lot 11.02
- 19-139 Resolution Designating Official Signatories Of The Borough Of Red Bank
- 19-140 A Resolution Awarding a Professional Services Contract to Tom Calu Consulting, LLC., Inc. for Professional Management Services for Parking Utility Administration And Operation

Councilman Yngstrom offered a motion to approve the resolutions en masse, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

MAYOR & COUNCIL COMMENTS

Councilman Ballard said the Finance Committee had met and reviewed the budget. He said the expected to introduce at the May 22 meeting.

Councilman Zipprich reported on a Mother's Day luncheon at the Senior Center and said the International Food Festival sponsored by RiverCenter had been rained out. He said there would be a ground breaking for the White Street improvement project on May 20. He also thanked Fire Marshal Tom Welsh for uncovering a couple of pieces of historic infrastructure and turning it over to Historic Preservation Commission.

Councilwoman Horgan had no report.

Councilman Yassin thanked the Mayor for providing an explanation of the ordinances. He also thanked Wage International for their work to education women and girls around the world. He said he had recently attended a fund raiser they held at the Women's Club.

Councilman Yngstrom reviewed upcoming Recreation events.

Councilwoman Triggiano reported on the recent Earth Day event that had been moved to a rain date. She thanked Public Works staff for their assistance with the event. She also reported that a green square that had recently been painted at the intersection of Drs. Parker Boulevard and Bridge Avenue was actually a traffic calming device that had been funded through a grant from Sustainable Jersey.

Councilman Zipprich noted that the graphic was not yet complete and that it would be finished soon.

Mayor Menna said he wanted to bring to everyone's attention that one of the resolutions adopted would revise the Borough Council meeting scheduled for the summer. He said, instead of two regular meetings in June, there would now be just one to be held on June 19.

DISCUSSION & ACTION

Mayor Menna read a request from Monmouth Day Care to host an outdoor hot air balloon demonstration and interactive experience for students at Count Basie Field in partnership with PNC Bank on May 29, 2019 (Rain Date: May 30, 2019)

Councilman Yngstrom made a motion to approve the request, seconded by Councilman Yassin.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Mayor Menna read the following requests recommended for approval by Special Events Committee (all events subject to final plan review)

- Request from Red Bank Charter School to hold Graduation Ceremonies in Riverside Gardens Park on Thursday, June 13, 2019 at 5pm with practice from 9am to 11am. (Rain date Friday, June 14, 2019.
- Request from Red Bank Rocks to host concerts on Riverside Gardens Park on the following Fridays 7/19, 7/26, 8/2, 8/9 and 8/16 in conjunction with Red Bank Recreation and Red Bank RiverCenter.
- Request from Indie Street to hold their annual Film Festival from July 24-28, 2019, to hold a barbecue at Bow Tie Cinemas on July 25 & 26 and to place removable sidewalk decals at venues from June 29 through July 29, 2019.
- Request from Crop Hunger Walk to hold their annual event and walk through town on Sunday, October 20, 2019.
- Request from American Art Marketing to hold an Art Fair and Festival in Marine Park from 10am to 7pm on Saturday, October 19, 2019 and from 10am to 5pm on Sunday, October 20, 2019. (Previously approved, date change only.)

Councilman Ballard made a motion to approve the request, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Dan Riordan – 53 Elm Place – asked about a status report on the chart of recommendation made in the GSG Management report particularly the recommendation for a Charter Study.

Mayor Menna said a status report made sense. He said any action on a Charter Study would be up to the Council.

William Poku – 90 Bank Street – asked about the Affordable Housing settlement and questioned in the service list included area Chapters of the NAACP.

Attorney Cannon read the service list which included several Chapters of the NAACP.

Mr. Poku said he felt the operator of a local web based news agency served as a di facto stenographer for the borough and took issue with a recent article regarding his residence. He claimed it was racist and was harassment. He asked the Council to make a statement if they were aligning with him.

Mayor Menna said the Council would make no statement and said the matter was a First Amendment issue.

No one else appearing, Councilman Yngstrom made a motion to close the public portion, seconded by Councilman Yassin.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the motion was declared approved.

EXECUTIVE SESSION

19-137 Mayor Menna read a resolution to adjourn to executive session to discuss Personnel (Employee Evaluation); No action to be taken.

Councilman Yngstrom offered a motion to adjourn to Executive Session, seconded by Councilman Yassin.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

RESUME REGULAR BUSINESS

Councilwoman Triggiano made a motion to resume Regular Business, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

ADJOURNMENT

Councilman Zipprich offered a motion to adjourn the meeting, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

Respectfully submitted,

Pamela Borghi

DRAFT

**BOROUGH OF RED BANK
MONMOUTH COUNTY, NEW JERSEY**

ORDINANCE NUMBER 2019-21

BOND ORDINANCE PROVIDING FOR THE 2019 CAPITAL IMPROVEMENT PROGRAM BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,685,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of \$3,000,000, which sum includes \$25,000 as the aggregate amount of down payments for said improvements required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and now available therefor by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and a State of New Jersey Department of Transportation Grant in the amount of \$290,000 (the "DOT Grant").

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$3,000,000 appropriation not provided for by said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,685,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,685,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said obligations are to be issued are as follows:

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
A. <u>Redevelopment</u> Preliminary expenses and costs in connection with the evaluation of buildings and properties available for redevelopment;	\$300,000	\$285,000	\$15,000	20 years
B. <u>Street Projects</u> Improvements to various roads, as more fully described on a list on file	\$2,500,000 (including a \$290,000 DOT Grant)	\$2,210,000	\$0	10 years

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
in the Borough Engineer's office, which list is hereby incorporated by reference as if set forth at length herein.; and				
C. <u>Property Improvements</u> Improvements/upgrades to various municipal buildings, including, but not limited to, the Department of Public Works Facility, the Municipal Building and the Senior Center.	\$200,000	\$190,000	\$10,000	20 years
Grand Total:	\$3,000,000	\$2,685,000	\$25,000	

The improvements and purposes set forth in Section 3 shall also include, as applicable, road paving, milling, striping, surfacing, curbs, sidewalks, ramps, driveways and all work, materials, equipment, engineering, design, consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,685,000.

b. The aggregate estimated cost of said improvements and purposes is \$3,000,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the aggregate down payments for said purposes in the amount of \$25,000 and the DOT Grant in the amount of \$290,000.

SECTION 4. Except for the DOT Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a loan, contribution or grant-in-aid to the Borough (excluding the DOT Grants) for the improvements authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. Except for the DOT Grant, in the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such

times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.76 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,685,000 and the said obligations

authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$850,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2 . No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$2,685,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in

service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the mayor, as provided by the Local Bond Law.

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

**ADOPTED ON FIRST READING
DATED: May 8, 2019**

**PAMELA BORGHI,
Borough Clerk**

**ADOPTED ON SECOND READING
DATED: May 22, 2019**

**PAMELA BORGHI,
Borough Clerk**

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2019

**PASQUALE MENNA, Mayor
Borough of Red Bank**

ORDINANCE NO. 2019-22

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AUTHORIZING SANDWICH BOARD SIGNS**

WHEREAS, the Mayor and Council of the Borough of Red Bank have been approached by various business owners and business organizations for permission to place signs, commonly referred to as “Sandwich Board Signs,” in front of their businesses on the sidewalks of the Borough: and

WHEREAS, the Mayor and Council are not entirely convinced that such signing is in the best interest of the Borough, but are willing to authorize such signs for a limited time period as a demonstration project for evaluation and determination by the Borough if such signs are desirable from the Borough perspective.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Red Bank as follows:

Section 1: Section 25-8.27 of the Revised General Ordinances of the Borough of Red Bank is hereby amended by adding new section 25-8.27(f), entitled, “Sidewalk Signs”, as follows:

(f) *Sidewalk Signs.*

1. Pursuant to the provisions of this ordinance, signs may be placed in or extend to the public right-of-way.
2. Exemption from Development Permit. Sidewalk signs, including Sandwich Board Signs, shall be considered minor signs and shall be exempt from the requirement of obtaining a development permit. However, no Sidewalk Sign shall be erected without a permit issued by Borough Clerk in consultation with the Fire Marshall, the Chief of Police and such other officials, or their designees, as may be desirable. An annual application fee of twenty-five (\$25.00) dollars shall accompany each such permit application. Permits shall be valid from January 1 to December 31 of each calendar year.
3. Permitted zones and Sign Restrictions. Each business located within the NB, BR-1, BR-2, CCD-1, CCD-2 and HB zones and having its own separate entrance onto the public sidewalk at street level may place upon the public sidewalk in front of the said place of business and solely during the hours the said business is in operation, one sign meeting all of the following restrictions:
 - (a) The sign shall have a maximum width of 30 inches, maximum height of 42 inches and maximum depth of 20 inches;
 - (b) The sign shall be located no closer than ten (10) feet to any side yard property boundary, provided, however, that in the case of a property having a frontage of less than twenty (20) feet, the sign shall be located as near to the center of the frontage as practicable. The sign shall be further located within four (4) feet of either the curb face or the front of the building, provided further, however, that a sixty (60) inch wide unobstructed path shall be maintained at all times on the sidewalk;
 - (c) The sign shall be constructed of weather resistant materials (no paper, fiberboard, foamcore board, corrugated paper or unfinished wood materials shall be permitted), and shall be constructed and/or weighted so as to be impervious to the effects of strong winds. The sign shall be maintained at all times in good repair an

shall not be permitted to weather, fade, peel, crack or otherwise deteriorate;

- (d) Signs located in the Historic District shall be limited to those colors contained in Schedule A-1 Chapter XXV, Article VIII;
 - (e) Sidewalk signs located within the Business Improvement District shall be subject to Design Review by RiverCenter in accordance with its Design Bulletin No. 11.
4. Notwithstanding anything contained in this ordinance to the contrary, the Fire Marshal and/or Chief of Police shall have the right to prohibit or further restrict the location of any sidewalk sign which, in their sole discretion, they deem by virtue of the sign's construction or location, to constitute a safety hazard to the public. Any violation of the provisions of this Ordinance shall be subject to punishment pursuant to the General Penalty Provision at Section 1-5.1 of this Code. Each day that a violation persists shall be considered a separate violation of this Section.

Section 2. Conflicts with other Ordinances. In the event of any inconsistency or conflict of any provision of this ordinance with other ordinances of the Borough of Red Bank, [including those found in Chapter XXV (Planning and Development Regulations) and Article VIII (Design Standards and Improvement Specifications) relating to signs] then this ordinance shall prevail.

Section 3. Expiration Date. This ordinance shall expire on December 31, 2021.

Section 4. Effective Date. This ordinance shall take effect upon its passage, approval and publication according to law.

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

Dated: May 22, 2019

ORDINANCE NO. 2019-23
ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER 490, PLANNING AND DEVELOPMENT REGULATIONS,
RELATING TO ILLUMINATED SIGNS FACING THE NAVESINK AND SWIMMING RIVERS

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County is hereby amended and supplemented as follows:

SECTION 1. §490-104 Planning and Development Regulations, Signs, add section C(4)(f) as follows:

- (f) Lit signs, both internally and externally illuminated, facing and visible from the Navesink River or Swimming River are specifically prohibited.

SECTION 2: A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 3: 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 4: 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 5: This Ordinance shall take effect immediately upon its passage and adoption according to law.

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

Dated: May 8, 2019

ORDINANCE NO. 2019-24

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER 490, PLANNING AND DEVELOPMENT REGULATIONS,
RELATING TO MOTOR VEHICLE SERVICE STATIONS IN THE NB ZONE**

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County is hereby amended and supplemented as follows:

SECTION 1. §490 Planning and Development Regulations, be amend as follows:

490-142D(5) relating to motor vehicle service stations as a conditional use in the NB zone—Delete.

SECTION 2: A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 3: 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 4: 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 5: This Ordinance shall take effect immediately upon its passage and adoption according to law.

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

Dated: May 8, 2019

ORDINANCE NO. 2019-25

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 680, "VEHICLES AND
TRAFFIC," ARTICLE I "PARKING AND TRAFFIC"
SECTION 680-3d, "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 680-3d "Parking," is hereby amended and supplemented as follows:

SECTION ONE: Section 680-3d "Parking," is amended and supplemented as follows: *(strikeouts denote deletions, underlined text denotes additions):*

680-3d. Parking prohibited during certain hours on certain streets.

No person shall park a vehicle between the hours specified in Schedule II of any day (except Sundays and public holidays) upon any of the streets or parts of streets described in Schedule II attached to and made a part of this chapter. No person shall park a vehicle between the hours of 9am to 3pm on the streets specified in Schedule XXVIII on the day of the week specified in said schedule (except public holidays and where paid public parking exists) upon any of the streets or parts of streets described in Schedule XXVIII attached to and made a part of this chapter.

[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.

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

Dated: May 22, 2019

Mayor

, Borough Clerk

First Reading:

Final Reading:

ORDINANCE NO. 2019-26

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY CREATING CHAPTER 680, "VEHICLES AND TRAFFIC,"
SECTION 680-62, "SCHEDULE XXVIII: "ALTERNATE SIDE 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 680-62 Schedule XXVIII, "Alternate Side Parking," is hereby created as follows:

SECTION ONE: 680-62 Schedule XXVIII, "Alternate Side Parking," is created as follows:

680-62 SCHEDULE XXVIII: Alternate Side Parking

In accordance with the provisions of § 680-3D of this chapter, no person shall park a vehicle between the hours of 9am and 3pm on the day of the week specified upon any of the following described streets or parts of streets:

Street Name	Direction	Day of the Week
Allen Place	North	Monday
Allen Place	South	Thursday
Alston Court	West	Tuesday
Ambassador Drive	North	Tuesday
Ambassador Drive	South	Friday
Arthur Place	West	Monday
Arthur Place	East	Thursday
Bank Street	North	Monday
Bank Street	South	Thursday
Bassett Place	North	Tuesday
Bassett Place	South	Friday
Beekman Place	North	Tuesday
Beekman Place	South	Friday
Berry Street	North	Monday
Berry Street	South	Thursday
Bodman Place	West	Monday
Bodman Place	East	Thursday
Branch Ave	West	Tuesday
Branch Ave	East	Friday
Bridge Ave	West	Monday
Bridge Ave	East	Thursday
Broad (from Harding to Maple)	West	Tuesday
Broad (from Harding to Maple)	East	Friday
Brower Street	North	Monday
Brower Street	South	Thursday
Brown Place	North	Tuesday
Brown Place	South	Friday
Buena Place	West	Tuesday

Buena Place	East	Friday
Carmen Place	West	Monday
Carmen Place	East	Thursday
Caro Court	West	Tuesday
Catherine Street	North	Monday
Catherine Street	South	Thursday
Cedar Street	North	Monday
Cedar Street	South	Thursday
Central Avenue	West	Monday
Central Avenue	East	Thursday
Chapin Ave	North	Monday
Chapin Ave	South	Thursday
Chestnut Street	North	Monday
Chestnut Street	South	Thursday
Clifford Place	West	Monday
Clifford Place	East	Thursday
Clinton Place	West	Monday
Clinton Place	East	Thursday
Depot Street	North	Monday
Depot Street	South	Thursday
Drs. James Parker Blvd	North	Monday
Drs. James Parker Blvd	South	Thursday
Drummond Ave	North	Monday
Drummond Ave	South	Thursday
Drummond Place	West	Monday
Drummond Place	East	Thursday
Earl Street	North	Monday
East Bergen Place (Broad to Branch)	North	Tuesday
East Bergen Place (Broad to Branch)	South	Friday
East Bergen Place (From Maple to Broad)	North	Monday
East Bergen Place (From Maple to Broad)	South	Thursday
East Front Street (CR 10)	North	Tuesday
East Front Street (CR 10)	South	Friday
East Lake Road	West	Tuesday
East Lake Road	East	Friday
East Sunset Avenue	North	Monday
East Sunset Avenue	South	Thursday
East Westside Avenue	North	Monday
East Westside Avenue	South	Thursday
Elm Place	North	Tuesday
Elm Place	South	Friday
Fisher Place	West	Tuesday
Fisher Place	East	Friday
Garfield Place	North	Tuesday
Garfield Place	South	Friday

Globe Court	West	Tuesday
Globe Court	East	Friday
Gold Street	North	Monday
Grant Place	West	Tuesday
Grant Place	East	Friday
Grant Square	West	Monday
Grant Square	East	Thursday
Haddon Park	West	Tuesday
Haddon Park	East	Friday
Harding Road (CR 34)	North	Tuesday
Harding Road (CR 34)	South	Friday
Harris Park	West	Tuesday
Harrison Ave	West	Tuesday
Harrison Ave	East	Friday
Henry Street	West	Monday
Henry Street	East	Thursday
Herbert Street	North	Monday
Herbert Street	South	Thursday
High Street	West	Tuesday
High Street	East	Friday
Highland Avenue	North	Tuesday
Highland Avenue	South	Friday
Hillside Place	West	Tuesday
Hillside Place	East	Friday
Hilltop Terrace	North	Tuesday
Hilltop Terrace	South	Friday
Horace Place	West	Tuesday
Horace Place	East	Friday
Hubbard Park	West	Tuesday
Hubbard Park	East	Friday
Hudson Ave	West	Tuesday
Hudson Ave	East	Friday
Irving Place	North	Monday
Irving Place	South	Thursday
John Street	North	Tuesday
John Street	South	Friday
Knight Street	West	Monday
Knight Street	East	Thursday
Leighton Avenue	West	Monday
Leighton Avenue	East	Thursday
Leighton Place	West	Monday
Leighton Place	East	Thursday
Leonard Street	North	Monday
Leonard Street	South	Thursday
Leroy Place	North	Monday

Leroy Place	South	Thursday
Linden Place	North	Tuesday
Linden Place	South	Friday
Locust Ave	North	Monday
Locust Ave	South	Thursday
Madison Avenue	North	Tuesday
Madison Avenue	South	Friday
Manor Drive	North	Tuesday
Manor Drive	South	Friday
Maple Avenue (NJ 35)	West	Monday
Maple Avenue (NJ 35)	East	Thursday
Marion Street	North	Tuesday
Marion Street	South	Friday
Marlin Place	West	Tuesday
Marlin Place	East	Friday
McLaren Street	North	Tuesday
McLaren Street	South	Friday
Mechanic Street	North	Tuesday
Mechanic Street	South	Friday
Mohawk Lane	North	Monday
Mohawk Lane	South	Thursday
Monmouth Street	North	Monday
Monmouth Street	South	Thursday
Morford Place	West	Monday
Morford Place	East	Thursday
Mori Place	North	Tuesday
Mori Place	South	Friday
Munson Place	West	Monday
Munson Place	East	Thursday
Oakland Street	North	Monday
Oakland Street	South	Thursday
Oldfield Place	North	Tuesday
Oldfield Place	South	Friday
Park Street	West	Monday
Park Street	East	Thursday
Pearl Street	West	Monday
Pearl Street	East	Thursday
Peters Place	North	Monday
Peters Place	South	Thursday
Pinckney Road (CR 520)	North	Tuesday
Pinckney Road (CR 520)	South	Friday
Prospect Avenue	West	Tuesday
Prospect Avenue	East	Friday
Reckless Place	North	Monday
Rector Place	East	Thursday

River Road	North	Tuesday
River Road	South	Friday
River Street	North	Monday
River Street	South	Thursday
Riverside Avenue (NJ 35)	North	Monday
Riverside Avenue (NJ 35)	South	Thursday
Saint Mary's Place	North	Monday
Saint Mary's Place	South	Thursday
Shrewsbury Avenue	West	Monday
Shrewsbury Avenue	East	Thursday
South Bridge Avenue	West	Monday
South Bridge Avenue	East	Thursday
South Pearl Street	West	Monday
South Pearl Street	East	Thursday
South Street	West	Tuesday
South Street	East	Friday
Spring Street	West	Tuesday
St. Nicholas Place	West	Tuesday
St. Nicholas Place	East	Friday
Sunset Avenue	North	Monday
Sunset Avenue	South	Thursday
Throckmorton Ave	West	Tuesday
Throckmorton Ave	East	Friday
Tilton Avenue	West	Monday
Tilton Avenue	East	Thursday
Tower Hill Avenue	North	Tuesday
Union Street	North	Tuesday
Union Street	South	Friday
Vista Place	South	Friday
Wall Street	North	Monday
Wallace Street	North	Tuesday
Wallace Street	South	Friday
Washington Street	West	Tuesday
Waverly Place	South	Thursday
West Front Street (CR 10)	North	Monday
West Front Street (CR 10)	South	Thursday
West Lake Road	West	Tuesday
West Lake Road	East	Friday
West Street	West	Monday
West Street	East	Thursday
West Westside Ave	North	Monday
West Westside Ave	South	Thursday
Wharf Avenue	West	Tuesday
White Street	North	Monday
White Street	South	Thursday

Wikoff Place	North	Monday
Wikoff Place	South	Thursday
William Street	West	Tuesday
William Street	East	Friday
Willow Street	West	Monday
Willow Street	East	Thursday
Worthley Street	West	Tuesday
Worthley Street	East	Friday

[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.

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

Dated: May 22, 2019

Mayor

Borough Clerk

First Reading:

Final Reading:

ORDINANCE NO. 2019-27

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY SUPPLEMENTING THE REVISED GENERAL ORDINANCES
OF THE BOROUGH TO INSERT NEW CHAPTER 446: "NEWSRACKS" TO REGULATE
THE PURPOSE AND PLACEMENT OF EXISTING AND FUTURE NEWSRACKS IN, NEAR,
AND UPON PUBLIC STREETS, SIDEWALKS, AND OUTDOOR SPACES**

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that the Borough's Revised General Ordinances are hereby amended to insert new Chapter 446: "Newsracks" as follows:

CHAPTER 446: NEWSRACKS.

§ 446-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DISTRIBUTOR

Any person, organization, firm, or entity responsible for placing, locating, installing or maintaining a newsrack in a public place in the Borough of Red Bank.

DRIVEWAY

That surface, whether or not improved, over and by which ingress and egress are made into private or public property by vehicles.

NEWSPAPER

Any newspaper, periodical or magazine of general circulation; any newspaper, periodical or magazine duly entered with the Post Office Department of the United States in accordance with federal statute or regulation; and any newspaper, periodical or magazine filed and recorded with any recording office as required by general law.

NEWSRACK

Any machine, vending machine, rack, self-service or coin-operated box, container, storage unit or other dispenser used and maintained for the sale and distribution of newspapers, news periodicals, news magazines and any other similar publications.

ROADWAY

That portion of any street improved, designed or ordinarily used for vehicular traffic.

SIDEWALK

Any surface provided for the exclusive use of pedestrians, including the area between the curb of any street and the property line adjacent thereto, or if there is no curb, the area between the edge of the street and the property line adjacent thereto, and the sidewalk shall include the public right-of-way along such street or sidewalk.

STREET

All that area dedicated to public use for public street purposes and includes, but is not limited to, roadways, parkways, alleys and sidewalks.

§ 446-2 Notification by Distributors.

- A. Any distributor having a newsrack which is already located or installed on any public sidewalk or public right-of way within the Borough of Red Bank on the effective date of this chapter shall, within 60 days of the effective date of this

chapter, notify the Zoning Official, in writing, of the location and placement of each such newsrack. Such notice shall include:

- (1) The precise location of each such newsrack;
 - (2) The name, address and telephone number of the distributor; and
 - (3) A certification by the distributor that the location, installation and maintenance of such newsrack conforms to, and will continue to conform to, the Borough Code of the Borough of Red Bank, and that said distributor assumes the unconditional obligations for any legal liability occasioned by such installation and maintenance, and that said distributor agrees to indemnify and hold harmless the Borough of Red Bank, its servants, agents and employees, for any and all claims arising out of said distributor's installation, use or maintenance of such newsrack.
- B. Any distributor having a newsrack which is already located or installed on any public sidewalk or public right-of way within the Borough of Red Bank on the effective date of this chapter shall, within 60 days of the effective date of this chapter, apply to obtain a permit in accordance with the requirements and deadlines as set forth in the remaining sections of this chapter for any newsrack or newsracks such distributor intends to continue operating.

§ 446-3 Compliance and permit required.

- A. It shall be unlawful for any person, firm, corporation or distributor to erect, place, maintain or operate a newsrack on any public right-of-way within the Borough of Red Bank without first having obtained a permit from the Zoning Official. The permit shall specify the exact location of each such newsrack. One permit may be issued to include any number of newsracks and shall be signed by the applicant.
- B. An application for such permit shall be made in writing to the office of the Zoning Official of the Borough of Red Bank upon such form, as shall be provided, and shall contain the name and address of the applicant and the proposed specific location of said newsrack or newsracks and shall be signed by the applicant. The application must contain a certification by the distributor that said distributor assumes the unconditional obligations for any legal liability occasioned by such installation and maintenance, and that said distributor agrees to indemnify and hold harmless the Borough of Red Bank, its servants, agents and employees, for any and all claims arising out of said distributor's installation, use or maintenance of such newsrack. The application must also be accompanied by a color sketch or color drawing to scale, and specifications of the proposed newsrack depicting compliance with the requirements for dimensions, color and lettering, and the application shall be signed by the applicant.
- C. If the applicant meets all the requirements of the provisions of this section, the permit shall be issued within 60 business days for an effective date of January 1.
- D. If the application is denied, the Zoning Official, within 30 business days and by regular mail, shall set forth in writing the reasons for the denial. For each requested location, the Zoning Official shall have an additional seven business days to act.

- E. Such denial by the Zoning Official may be appealed within 30 days to the Borough Council of the Borough of Red Bank, which shall render a decision within 60 days.

§ 446-4 Conditions for permit; term; liability insurance.

- A. Permits may be issued for the installation of a newsrack or newsracks, but such newsrack or newsracks and the installation, use or maintenance thereof shall be conditioned upon compliance with the provisions of this section.
- B. The application for a permit shall require the payment of an application fee of \$75 and an inspection fee of \$25 per newsrack.
- C. The permit shall be valid for a period of one year, commencing January 1, and shall be renewable in January of the subsequent year. Permits shall be renewable pursuant to the procedure for original application.

§ 446-5 Standards for maintenance and installation.

Any newsrack which in whole or in part rests upon or over any public sidewalk or public right-of-way shall comply with the following standards:

- A. No newsrack shall exceed 60 inches in height, 24 inches in width or 20 inches in depth.
- B. The exterior of the newsrack shall be in accordance with this chapter and only deal with the display, sale or purchase of the newspaper sold therein. No newsrack shall be used for advertising signs or publicity purposes other than those dealing with the display, sale or purchase of the newspapers sold therein.
- C. Each newsrack shall only be used to store newspapers the distributor intends on selling.
- D. Each newsrack shall be equipped with a coin return mechanism to permit a person using the machine to secure an immediate refund in the event he or she is unable to receive the newspaper paid for. The coin return mechanism shall at all times be maintained in good working order.
- E. Each newsrack shall have affixed to it, in a readily visible location, a notice setting forth the name and address of the distributor and a telephone number which persons may call to report a malfunction or to secure a refund in the event of a malfunction of the coin return mechanism or to give the notices provided for in this chapter.
- F. Each newsrack shall be maintained in a neat and clean condition and in good repair at all times. In particular, each newsrack shall be maintained so that:
 - (1) It is reasonably free of loose, chipped, peeling or cracked paint on the exterior surfaces thereof;
 - (2) It is reasonably free of rust and corrosion on the exterior surfaces thereof;
 - (3) The clear plastic or glass parts thereof, if any, are not broken or cracked so as to create danger to users thereof; and

- (4) Structural parts are not broken, cracked or otherwise in a condition which might render them dangerous to users thereof.
- G. Each newsrack shall be maintained to prevent the newspapers from being scattered about the area.
- H. Each newsrack not located on an existing sidewalk or other hard surface area shall be placed on a precast concrete base. Installation, maintenance and removal of the base shall be the responsibility of the distributor.

§ 446-6 Location and placement of newsracks.

Any newsrack which in whole or in part rests upon or over any public sidewalk or public right-of-way shall be located in accordance with the following requirements:

- A. No newsrack shall be used or maintained which projects onto, into or over any part of the roadway of any public street or which rests, wholly or in part, upon, along or over any portion of the roadway of any public street.
- B. No newsrack shall be permitted to rest upon, in or over any public sidewalk, when such installation, use or maintenance:
 - (1) Endangers the safety of persons or property; or
 - (2) Unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic, including any legally parked or stopped vehicle; or
 - (3) Unreasonably interferes with the ingress to or egress from any residence or place of business; or
 - (4) Unreasonably interferes with passengers boarding or exiting from buses at designated bus stops; or
 - (5) Unreasonably interferes with the use of traffic signs or signals, fire hydrants or mailboxes located or permitted at or near said location.
- C. Newsracks shall be chained, bolted or otherwise secured so as to prevent their being blown or knocked down, or otherwise moved, onto or around the public right-of-way; provided, however, that no newsrack shall be chained, bolted or otherwise secured to any traffic or street sign, signals, or poles without obtaining the permission of the Zoning Official.
- D. Newsracks may be placed next to each other in groups at the same location, provided that no group of newsracks shall extend for a distance of more than six feet along a curb, and provided, further, that there shall be a minimum of 20 feet between any such group of newsracks and any other newsrack or group of newsracks.
- E. No newsrack shall be placed, installed, used or maintained:
 - (1) Within six feet of any marked crosswalk or handicap curb ramp;

- (2) Within 12 feet of a curb return of any unmarked crosswalk;
- (3) Within 15 feet of any fire hydrant, fire or police call box, or other emergency communication facility;
- (4) Within five feet of any driveway or apron;
- (5) At any location whereby the clear space for the passageway of or for pedestrians is reduced to less than six feet or would be reduced to six feet by newsrack;
- (6) Within 10 feet of any standby or sprinkler connection or related safety or fire equipment;
- (7) Within five feet of any building, showroom or display window, unless written permission from the owner is secured and same is submitted with the application;
- (8) Within three feet of or on any public area improved with lawn, flowers, shrubs, trees or landscaping;
- (9) Within 300 feet of any other newsrack containing the same issue or edition of the same publication;
- (10) In front of a single-family or two-family residence;
- (11) To cause sight line obstruction at any intersection or driveway; or
- (12) No more than two newsracks may be placed adjacent to each other at any location that complies with this chapter. After a newsrack, or a pair of newsracks, is permitted for a specific location, no additional newsracks shall be placed less than 200 feet from the permitted newsrack.

§ 446-7 Enforcement.

- A. If the Zoning Official or designee shall determine that a newsrack does not comply with the provisions of this chapter, including the requirement to provide the notification required by § 446-2 of this chapter, then the Zoning Official or designee shall mail a written notice to the distributor of such newsrack, by certified mail, return receipt requested, stating the specific reasons why such newsrack does not comply with the provisions of this chapter.
- B. If a distributor fails to adjust, correct, register or otherwise cause such newsrack to be brought into compliance with the provisions of this chapter within 10 days of the date the written notice of noncompliance is mailed by the Zoning Official or designee, then such distributor shall be deemed to be in violation of this chapter.

§ 446-8 Violations and penalties.

- A. Any distributor who, following written notice as set forth in § 446-7 of this chapter, fails to comply with the provisions of this chapter shall, upon conviction therefor in Municipal Court, be subject to a fine not to exceed \$1,000.00. Each day for which distributor fails to comply with the provisions of this chapter shall constitute a

separate violation hereunder.

- B. If a distributor is convicted of a violation of this chapter by the Municipal Court and if such distributor thereafter refuses to remedy or correct the said violation within 20 days of the date of said conviction or, in the event of a direct appeal, within 20 days of the date upon which said conviction shall become final, then the Zoning Official or designee of the Borough of Red Bank shall be empowered to remove the newsrack which was the basis for such conviction from the public sidewalk or public right-of-way. The Borough of Red Bank will store the newsrack for a period not to exceed 30 days, during which period the owner can retrieve the newsrack. After 30 days, the Borough of Red Bank will discard the newsrack.

§ 446-9 Severability.

If any provision of this chapter shall be adjudged unconstitutional or invalid by a court of competent jurisdiction, then such judgment shall not affect, impair or invalidate the remaining provisions hereof, which shall continue in full force and effect.

BE IT FURTHER ORDAINED by the Governing Body of the Borough of Red Bank that 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.

BE IT FURTHER ORDAINED by the Governing Body of the Borough of Red Bank that 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.

BE IT FURTHER ORDAINED by the Governing Body of the Borough of Red Bank that this Ordinance shall take effect immediately upon its passage and adoption according to law.

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

Dated: May 22, 2019

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-142**

**A RESOLUTION TO APPROVE THE HIRING OF
PARKS AND RECREATION SUMMER STAFF**

WHEREAS, the Director of Parks and Recreation Hoffman has advised that it is desirable to fill Summer Staff positions for the Parks and Recreation Department; and

WHEREAS, Mr. Hoffmann has recommended the following individuals be appointed:

First Name	Last Name	Assignment	Rate	Start Date
Rosemarie	Sestito	Supervisor	\$17.00	June 16
Isaias	Calderon	Supervisor	\$15.50	June 16
Mykayla	Sestito	Counselor	\$8.85	June 16
Phillip	Richardson	Counselor	\$8.85	June 16
Katie	Lonergan	Counselor	\$8.85	June 16
Jennifer	Gonzalez	Counselor	\$8.85	June 16
Justin	McCall	Counselor	\$8.85	June 16
Jack	Welsh	Counselor	\$8.85	June 16
Elijah	Nuishura	Counselor	\$8.85	June 16
Oscar	Micel	Counselor	\$8.85	June 16
Maya	Williams	Counselor	\$8.85	June 16
Dylan	Wanagiel	Counselor	\$8.85	June 16
Cameron	Calderon	Counselor	\$8.85	June 16
Maggie	Minze	Counselor	\$8.85	June 16
Maggie	Cahill	Counselor	\$8.85	June 16
Davin	Flowers	Counselor	\$8.85	June 16

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the hiring of the above named individuals at the designated rate of pay is hereby approved effective June 16, 2019.

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

Dated: May 22, 2019

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on May 22, 2019.

Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 19-143

A RESOLUTION RATIFYING AND CONFIRMING THE APPOINTMENT OF A BACK-UP/CALL-IN ANIMAL CONTROL OFFICER

WHEREAS, the Director of Public of Public Utilities have recommended that it would be in the best interests of the Borough to appoint a back-up/call-in Animal Control Officer; 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 Randolph Tashman as a back-up/call-in Animal Control Officer.

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 Randolph Tashman a back-up/call-in Animal Control Officer effective June 1, 2019 at a rate of pay of \$50.00 per call, pending successful completion of a criminal background investigation and drug screen and subject to satisfactory completion of a probationary period of 90 days.

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

Dated: May 22, 2019

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Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-144**

**RESOLUTION ACCEPTING THE RESIGNATION OF
PLUMBING SUB-CODE OFFICIAL ROBBIE BAILEY**

WHEREAS, the Mayor and Council of the Borough of Red Bank, have received notice that Robbie Bailey has resigned his position as Plumbing Sub-Code Official in the Building Department effective May 1, 2019;

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 Robbie Bailey for his service to the Borough of Red Bank.

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

Dated: May 22, 2019

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Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-145

A RESOLUTION AUTHORIZING RENEWAL OF CLUB LICENSES FOR 2019-2020

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Club Licenses issued for the period July 1, 2019 through June 30, 2020 are hereby renewed:

1340-31-047 Monmouth Rugby Football Club Inc. 153 Shrewsbury Avenue

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

Dated: May 22, 2019

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Pamela Borghi, Municipal Clerk

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-146**

**A RESOLUTION AUTHORIZING RENEWAL OF
PLENARY RETAIL DISTRIBUTION LICENSES FOR 2019-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Plenary Retail Distribution Licenses issued for the period July 1, 2019 through June 30, 2020 are hereby renewed:

1340-44-013	Connoisseur Encounters Co Inc (t/a Wine Cellar)	23 Monmouth Street
1340-44-032	Rudhra Inc (t/a On the Rocks)	205 Shrewsbury Avenue

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

Dated: May 22, 2019

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Pamela Borghi, Municipal Clerk

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 19-147

**A RESOLUTION AUTHORIZING RENEWAL OF
PLENARY RETAIL CONSUMPTION LICENSES FOR 2019-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Plenary Retail Consumption Licenses issued for the period July 1, 2019 through June 30, 2020 are hereby renewed:

1340-33-012	Globe Hotel Co Inc	20 East Front Street
1340-33-029	D & D Bar and Restaurant Inc.(t/a Dublin House)	30 Monmouth Street
1340-33-031	TKV Holdings LLC (t/a Brothers)	2 Morford Place
1340-33-035	MAJH LLC (t/a B2 Bistro)	141 Shrewsbury Avenue
1340-33-036	Walt Street Pub Inc.	180 Monmouth Street

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

Dated: May 22, 2019

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Pamela Borghi, Municipal Clerk