

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 08-28

A RESOLUTION WAIVING AFFORDABLE HOUSING DEVELOPMENT FEES FOR FRANK AND EDNA KERSEY, 275 SOUTH PEARL STREET, BLOCK 97.01, LOT 53

Mr. Curley offered the following resolution and moved its adoption:

WHEREAS, the Section 14A-11 of the Red Bank Code requires builders of residential dwellings to pay a development fee of 1% of the equalized assessed value of that dwelling to the Borough's Affordable Housing Trust Fund; and

WHEREAS, in, or about, November, 2006, the home of Frank and Edna Kersey, an elderly couple in their mid-eighties, was destroyed by fire; and

WHEREAS, the Borough determined that the house was totally destroyed by the fire and condemned it; and

WHEREAS, despite the Borough's condemnation of the Kerseys' residence, their insurance company only agreed to pay for the cost to repair the fire damaged structure and refused to pay for the total reconstruction of the structure; and

WHEREAS, a Anthony Cittadino Restorations, L.L.C. agreed to build a new home for the Kerseys for the \$189,000.00 repair costs tendered by the Kersey's insurer; and

WHEREAS, the Kerseys are retired and have limited assets; and

WHEREAS, Mr. Kersey is a life-long Red Bank resident and long-time employee of the Red Bank Board of Education;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank believe that based upon the aforementioned facts, which were beyond Mr. and Mrs. Kersey's control and in no way self-inflicted, it would be unduly burdensome and contrary to the spirit of the Affordable Housing Trust fund to exact a development fee from the Kerseys and that the development fee is hereby waived in the interests of fairness and justice.

Seconded by Mr. DuPont and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Curley	(x)	()	()	()
Mr. Murphy	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Cangemi	(x)	()	()	()
Ms. Horgan	(x)	()	()	()

Dated: January 14, 2008