

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 20-227**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
SITE ACCESS AGREEMENT WITH DENHOLTZ BOAT CLUB COURT, LLC
FOR CONSTRUCTION STAGING UPON A PORTION OF MARINE PARK**

WHEREAS, Denholtz Boat Club Court, LLC (hereinafter, the "Owner"), is the titled owner of real property identified as Block 9.01, Lots 6.01 & 7 on the Borough's Tax Map (hereinafter, the "Properties"), upon which lands, the Owner has obtained approval from the Borough for certain developments and improvements; and

WHEREAS, the Owner seeks temporary access to a portion of the Borough's property commonly known as Marine Park and identified as Block 9, Lot 5 on the Tax Map of the Borough of Red Bank (the "Premises") for construction staging in connection with the Owner's project on its aforementioned adjacent property (the "Project"); and

WHEREAS, the Owner desires temporary access to a portion of Marine Park for construction staging until approximately March 1, 2021; and

WHEREAS, the Owner has agreed to compensate the Borough for such temporary access to a portion of Marine Park in the amount of \$30,000, together with the paving of the portion to be utilized by the Owner after the construction staging is over; and

WHEREAS, in balancing the public use of Marine Park during the applicable time period and the benefits of the Project and the agreed upon consideration to residents of the Borough, the Borough is willing to grant the Owner a limited right of access to a portion of Marine Park upon certain terms and conditions;

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

1. The Mayor is hereby authorized to execute the Site Access Agreement with Denholtz Boat Club Court, LLC, attached hereto as Exhibit A.
2. This resolution shall become effective immediately.
3. A certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Borough Administrator, Department of Public Utilities, Department of Parks and Recreation, and Denholtz Boat Club Court, LLC.

| | Motion | Yes | No | Abstain | Absent |
|------------------------|--------|-----|----|---------|--------|
| Councilman Yassin | Second | X | | | |
| Councilwoman Triggiano | | X | | | |
| Councilman Ballard | | X | | | |
| Councilman Yngstrom | | X | | | |
| Councilman Zipprich | | X | | | |
| Councilwoman Horgan | Motion | X | | | |

Dated: September 23, 2020

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 September 23, 2020.

Pamela Borghi

Pamela Borghi, Municipal Clerk