

## **RESOLUTIONS APPROVED BY THE BOROUGH COUNCIL OF MARCH 27, 2025**

**25-68 RESOLUTION FOR PAYMENT OF BILLS**

**25-69 RESOLUTION AUTHORIZING PROFESSIONAL ARCHITECT SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION (NETTA ARCHITECTS)**

**25-70 RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION (COLLIERS ENGINEERING)**

**25-71 RESOLUTION AUTHORIZE PAYMENT CERTIFICATE #1 FOR 2023 NJDOT HARRISON AVENUE (RIVER ROAD TO BEEKMAN PLACE) IMPROVEMENTS (LUCAS BROTHERS)**

**25-72 RESOLUTION ACCEPTING THE PERFORMANCE GUARANTEE POSTED BY PARK VALLEY MONMOUTH LLC FOR THE DEVELOPMENT PROJECT LOCATED AT BLOCK 33, LOT 9.01**

**25-73 RESOLUTION RATIFYING PRIOR RESOLUTION NO. 24-156 AND APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-036-004 FROM JULY 1, 2023 TO JUNE 30, 2024**

**25-74 RESOLUTION RATIFYING PRIOR RESOLUTION NO. 24-156 AND APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-036-004 FROM JULY 1, 2024 TO JUNE 30, 2025**

**25-75 RESOLUTION AUTHORIZE PAYMENT CERTIFICATE #5 FOR LEAD SERVICE LINE TEST PIT AND SERVICE REPLACEMENT- PHASE 2 (MONTANA CONSTRUCTION)**

**25-76 RESOLUTION APPROVING FOURTH AMENDMENT TO LEASE AGREEMENT WITH THE RED BANK BOROUGH BOARD OF EDUCATION FOR THE PORTION OF COUNT BASIE FIELDS/PARK IDENTIFIED ON THE BOROUGH'S TAX MAP AS BLOCK 97.01, LOT 41**

**25-77 RESOLUTION APPROVING EXTENSION OF GRANT AGREEMENT WITH THE RED BANK HOUSING AUTHORITY FOR ITS PRE-DEVELOPMENT NEEDS ASSESSMENT IN FURTHERANCE OF THE BOROUGH'S AFFORDABLE HOUSING OBJECTIVES**

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-68**

**RESOLUTION FOR PAYMENT OF BILLS**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Red Bank that the bills be paid as on attached check registers:

March 27, 2025 Bill List - Borough of Red Bank						

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>						

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.



Mary Moss, RMC  
Municipal Clerk

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-69**

**RESOLUTION AUTHORIZING PROFESSIONAL ARCHITECT SERVICES FOR  
DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION**

**WHEREAS**, the Borough Governing Body has identified a need AUTHORIZING PROFESSIONAL ARCHITECT SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION; and

**WHEREAS**, based on the size and scope of such undertaking, the professional services of the Borough Special Projects Engineer are considered desirable by Borough management; and

**WHEREAS**, the Mayor and Council (hereinafter, the “Governing Body” of the Borough concur with the sentiments and recommendation of the Borough management and wish to enlist the professional services of the Borough Special Projects Architect for the necessary services associated with the project here forward known as AUTHORIZING PROFESSIONAL ARCHITECT SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION (10/8/2024 Proposal); and

**WHEREAS**, on November 14, 2024, resolution 24-251 awarded Netta Architects the amount of Thirty Thousand dollars; and

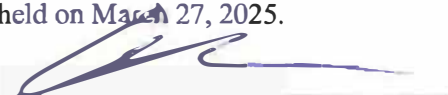
**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that a Professional Services Contract for AUTHORIZING PROFESSIONAL ARCHITECT SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION; to Netta Architects the remaining balance not to exceed Twenty-Five thousand Five Hundred dollars (\$25,500.00); and,

**BE IT FURTHER RESOLVED** that this Resolution shall take effect upon certification on this Resolution by the Borough Chief Financial Officer that sufficient funds are available for stated purpose; and

# 5-01-20-165-210

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the “Borough”) hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk

**BOROUGH OF RED BANK COUNTY  
OF MONMOUTH**

**RESOLUTION NO. 25-70**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR DEPARTMENT OF  
PUBLIC UTILITIES EXPANSION/RECONSTRUCTION**

**WHEREAS**, the Borough Governing Body has identified a need AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION; and

**WHEREAS**, based on the size and scope of such undertaking, the professional services of the Borough Special Projects Engineer are considered desirable by Borough management; and

**WHEREAS**, the Mayor and Council (hereinafter, the "Governing Body" of the Borough concur with the sentiments and recommendation of the Borough management and wish to enlist the professional services of the Borough Special Projects Engineer for the necessary services associated with the project here forward known as AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION (10/18/2024 Proposal); and

**WHEREAS**, on November 14, 2024, resolution 24-250 awarded Colliers Engineering and Design the amount of Twenty-Nine Thousand and Nine Hundred dollars; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that a Professional Services Contract for AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR DEPARTMENT OF PUBLIC UTILITIES EXPANSION/RECONSTRUCTION; to Colliers Engineering and Design the remaining balance not to exceed Thirty-Nine thousand dollars \*(\$39,000.00); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect upon certification on this Resolution by the Borough Chief Financial Officer that sufficient funds are available for stated purpose; and

# 5-01-20-165-210

\*remaining balance not to exceed does not include Minor Subdivision Plan in the amount of \$4,700.00

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk



**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-71**

**RESOLUTION AUTHORIZE PAYMENT CERTIFICATE #1 FOR 2023  
NJDOT HARRISON AVENUE  
(RIVER ROAD TO BEEKMAN PLACE) IMPROVEMENTS**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Red Bank of Monmouth County, New Jersey upon recommendation of the Borough Engineer that Pay Certificate #1 for the Contract listed below be and is hereby approved.

**BE IT RESOLVED** that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

**TITLE OF JOB:**           **2023 NJDOT HARRISON AVENUE (RIVER ROAD TO BEEKMAN PLACE) IMPROVEMENTS**

**CONTRACTOR:**       **Lucas Brothers**  
80 Amboy Road, Morganville, NJ 07751

**ENGINEER:**           T&M  
11 Tindall Rd., Middletown, NJ 07748

**Pay Estimate #1**

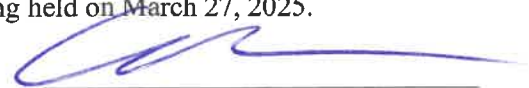
Current to date total	\$144,617.26
Less 2% Retainage	\$2,892.35
Less Previous Payments	\$0.00
<b>Amount Due</b>	<b>\$141,724.91</b>

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

**C-04-24-028-230**  
**W-06-24-030-230**

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-72**

**RESOLUTION ACCEPTING THE PERFORMANCE GUARANTEE POSTED BY  
PARK VALLEY MONMOUTH LLC FOR THE DEVELOPMENT PROJECT LOCATED AT BLOCK 33,  
LOT 9.01**

**WHEREAS**, pursuant to the Planning and Development Regulations of the Borough of Red Bank (the “Borough”), Park Valley Monmouth, LLC is required to post \$189,351.00 in the form of an acceptable bond or letter of credit, together with a cash deposit of \$21,039.00, for a total performance guarantee in the amount of \$210,390.00 in connection with a development project located upon the properties known as Block 33, Lot 9.01 which guarantee must be posted before starting construction of the improvements; and

**WHEREAS**, the Governing Body of the Borough has been advised by the Planning and Zoning Department that a performance bond in the amount of \$189,351.00 has been issued by Liberty Mutual Insurance Company 1200 MacArthur Boulevard, Mahwah, NJ 07430 for Block 33, Lot 9.01; and

**WHEREAS**, the Governing Body has been advised by the Borough Planning and Zoning Department that Park Valley Monmouth, LLC posted a cash deposit in the amount of \$21,039.00; and

**WHEREAS**, the acceptance of this performance guarantee is permitted and in accordance with the provisions of the New Jersey Municipal Land Use Law and the Borough’s Planning and Development Regulations:

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

1. That the Governing Body does hereby accept the performance bond in the amount of \$189,351.00 has been issued by Liberty Mutual Insurance Company 1200 MacArthur Boulevard, Mahwah, NJ 07430 and the cash deposit in the amount of \$21,039.00 from Park Valley Monmouth, LLC for Block 33, Lots 9.01; and
2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Borough Planning and Zoning Department, and Park Valley Monmouth, LLC.

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the “Borough”) hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-73**

**RESOLUTION RATIFYING PRIOR RESOLUTION NO. 24-156 AND APPROVING THE  
RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-036-004  
FROM JULY 1, 2023 TO JUNE 30, 2024**

**WHEREAS**, application was made to the Red Bank Borough Council (the "Borough") for a Plenary Retail Consumption License by Frederick J. Voccola – License No. 1340-33-036-004, for the year beginning July 1, 2023 and ending June 30, 2024 and accompanied by the applicable statutory and municipal fees; and

**WHEREAS**, the license application was investigated by the Red Bank Police Department, and the application is in due form and that all legal formalities have been met; and

**WHEREAS**, the License has been inactive and the license holder filed for relief for Failure to Renew pursuant to N.J.S.A. 33:1-12.18 for the aforesaid license term; and

**WHEREAS**, the Borough received a copy of the approval/relief granted by the Division of Alcoholic Beverage Control permitting the license be reviewed by the Borough for renewal; and

**WHEREAS**, the Retail Liquor License Renewal Clearance Application has been approved by the State of New Jersey Division of Taxation for License No. 1340-33-036-004;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor & Council of the Borough of Red Bank that Plenary Retail Consumption License held by Frederick J. Voccola under License No. 1340-33-036-004 is hereby renewed from July 1, 2023 to June 30, 2024; and

**BE IT FURTHER RESOLVED** that the Borough Clerk issue the necessary licenses pursuant to this resolution and that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey, provided that payment of all filing and licensing fees have been made to the Borough and to the Division of Alcoholic Beverage Control.

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk



**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-74**

**RESOLUTION RATIFYING PRIOR RESOLUTION NO. 24-156 AND APPROVING THE  
RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-036-004  
FROM JULY 1, 2024 TO JUNE 30, 2025**

**WHEREAS**, application was made to the Red Bank Borough Council (the “Borough”) for a Plenary Retail Consumption License by Frederick J. Voccola – License No. 1340-33-036-004, for the year beginning July 1, 2024 and ending June 30, 2025 and accompanied by the applicable statutory and municipal fees; and

**WHEREAS**, the license application was investigated by the Red Bank Police Department, and the application is in due form and that all legal formalities have been met; and

**WHEREAS**, the License has been inactive and the license holder filed for relief for Failure to Renew pursuant to N.J.S.A. 33:1-12.18 for the aforesaid license term; and

**WHEREAS**, the Borough received a copy of the approval/relief granted by the Division of Alcoholic Beverage Control permitting the license be reviewed by the Borough for renewal; and

**WHEREAS**, the Retail Liquor License Renewal Clearance Application has been approved by the State of New Jersey Division of Taxation for License No. 1340-33-036-004;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor & Council of the Borough of Red Bank that Plenary Retail Consumption License held by Frederick J. Voccola under License No. 1340-33-036-004 is hereby renewed from July 1, 2024 to June 30, 2025; and

**BE IT FURTHER RESOLVED** that the Borough Clerk issue the necessary licenses pursuant to this resolution and that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey, provided that payment of all filing and licensing fees have been made to the Borough and to the Division of Alcoholic Beverage Control.

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>				
			No	<input type="checkbox"/>		

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the “Borough”) hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-75**

**RESOLUTION AUTHORIZE PAYMENT CERTIFICATE #5 FOR  
LEAD SERVICE LINE TEST PIT AND SERVICE REPLACEMENT – PHASE 2**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Red Bank of Monmouth County, New Jersey upon recommendation of the Borough Engineer that Pay Certificate #4 for the Contract listed below be and is hereby approved.

**BE IT RESOLVED** that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

**TITLE OF JOB:**           **Lead Service Line Test Pit & Service Replacement – Phase 2**

**CONTRACTOR:**       **Montana Construction**  
80 Contact Avenue, Lodi, NJ 07644

**ENGINEER:**           Engenuity Infrastructure  
2 Bridge Avenue, Suite 323, Red Bank, NJ 07701

**Pay Estimate #5**

Current to date total	\$2,307,053.69
Less 2% Retainage	\$46,141.07
Less Previous Payments	<u>\$1,830,987.81</u>
<b>Amount Due</b>	<b>\$429,924.81</b>

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

**W-06-23-006-698**

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.



Mary Moss, RMC  
Municipal Clerk

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-76**

**RESOLUTION APPROVING FOURTH AMENDMENT TO LEASE AGREEMENT WITH THE  
RED BANK BOROUGH BOARD OF EDUCATION FOR THE PORTION OF COUNT BASIE  
FIELDS/PARK IDENTIFIED ON THE BOROUGH'S TAX MAP AS BLOCK 97.01, LOT 41**

**WHEREAS**, the Red Bank Borough Board of Education (the "Board of Education") and the Borough of Red Bank (the "Borough") are parties to a Lease Agreement dated April 1, 1978, whereunder the Board of Education leased to the Borough certain property owned by the Board of Education and identified as Lot 41, Block 97.01 on the Borough's Tax Map, referred to in the Lease Agreement as the "Athletic Field" as a part of "Count Basie Field and Park"; and

**WHEREAS**, the Lease Agreement was amended by the Board of Education and the Borough on June 10, 2004 (the "First Lease Amendment") and February 27, 2008 (the "Second Lease Amendment"), extending the Lease Agreement through December 31, 2030; and

**WHEREAS**, the Lease Agreement was again amended on December 8, 2012 (the "Third Lease Amendment") extending the Lease Agreement through December 31, 2034; and


**WHEREAS**, the Board of Education and the Borough seek to enter into a Fourth Amendment to the Lease Agreement for an additional sixteen (16) year period through December 31, 2050 to permit the Borough to obtain a Monmouth County Municipal Open Space Grant and grant funding through the State of New Jersey's Green Acres Program to be used for further improvements to Count Basie Field and Park;

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor & Council of the Borough of Red Bank hereby approve the Fourth Amendment to the Lease Agreement, which is attached hereto as Exhibit A, with the Red Bank Borough Board of Education for the portion of Count Basie Field and Park identified as Lot 41, Block 97.01 on the Borough's Tax Map; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Borough Manager, Borough CFO, Borough DPU Director, Borough Engineer, and the Red Bank Borough Board of Education.

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk

# EXHIBIT A

FOURTH AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE BOARD OF  
EDUCATION OF THE BOROUGH OF RED BANK AND THE BOROUGH OF RED BANK  
FOR COUNT BASIE PARK

This Fourth Amendment ("Amendment") to the Lease Agreement is entered into between the Board of Education of the Borough of Red Bank, County of Monmouth ("Landlord") a public school district in the State of New Jersey and the Borough of Red Bank, County of Monmouth ("Tenant") a municipality of the State of New Jersey (collectively the "Parties").

RECITALS

WHEREAS, Landlord and Tenant are parties to a Lease Agreement dated April 1, 1978, (the "Lease") through December 31, 2012, pursuant to which the Landlord leased to Tenant certain premises identified therein as Lot 41, Block 97A, currently Lot 41, Block 97.01 as shown on the Official Tax Map of the Borough of Red Bank which is referred to in the Lease as the "Athletic Field" and which is commonly known as "Count Basie Field and Park"; and

WHEREAS, the Lease was amended by the Parties amended the Lease on June 10, 2004 ("First Lease Amendment") and February 27, 2008 ("Second Lease Amendment") extending the Lease through December 31, 2030; and

WHEREAS, the Lease was again amended by the Parties as of December 8, 2012 ("Third Lease Amendment") extending the lease term through December 31, 2034; and

WHEREAS, the Parties seek to enter into this Fourth Lease Agreement for an additional sixteen (16) year period through December 31, 2050 to permit the Tenant to obtain a Monmouth County Municipal Open Space Grant and grant funding through the State of New Jersey's Green Acres Program ("Green Acres") to be used for further improvements to Count Basie Field and Park ;

NOW, THEREFORE, for good and valuable consideration, including the Recitals set forth above, incorporated herein by reference, the Parties agree to further amend the Lease Agreement, the First Lease Amendment, the Second Lease Amendment and Third Lease Amendment as follows:

1. LEASE EXTENTION

The term of the Lease is hereby extended for an additional sixteen (16) years up through and ending December 31, 2050.

2. RENT

Tenant shall pay the Landlord Twenty-five Thousand Dollars (\$25,000.00) per year. Payments shall be made on or before August 1 annually.

3. IMPROVEMENT TO PROPERTY

All improvements shall continue be constructed at Count Basie Field and Park in accordance with plans and specifications as approved in writing by the Parties, subject to the statutes, rules and regulations applicable to the Green Acres Program, and the terms of the Lease Agreement. In addition, improvements shall be made in accordance with the Deed Notice dated July 14, 2022, as recorded in the Office of the Monmouth County Clerk, Book/Page OR-9610/6802, incorporated herein by reference as if fully set forth herein.

4. MAINTENANCE.

The Parties agree that all facilities on the Count Basie Field and Park shall continue to be properly maintained solely by the Tenant as agreed to in the Lease, including all maintenance shall include, but not be limited to identification of any cracks, fissures,



holes or other damage to any site feature, including asphalt, concrete, track/play surfaces or fields must be reported to the Landlord immediately upon identification. The Tenant shall not make any repairs to any cracks, fissures, holes or other damage without first receiving approval from the Landlord.

The Tenant is also hereby notified that absolutely no changes/modifications to existing site features may be made with notification and approval by the Landlord. This includes, but is not limited to replacing turf fields, replacing track/play surface, altering parking areas. Written approval is required for all changes and modifications before they are made. In the event any approved alteration or change will require the review and inspection of a Licensed Engineer or other licensed professional, the Tenant will be required to provide a copy of the appropriately approved documents to the Landlord.

#### 5. REVENUE SHARING

Tenant shall obtain approval of the Landlord for any use agreements entered into with third parties. In lieu thereof, the Parties may enter into a written cost sharing agreement for revenues received for the use of the facility. This shall not include the current agreement with Red Bank Catholic. Any use agreement must provide for insurance coverage including the Board of Education as an additional insured at least for the following limits: One Million Dollars and is required to provide that the user will indemnify and hold the Board of Education harmless for any and all liability for personal injury and property damage.

The Tenant shall provide Notice to the Landlord along with a copy of any and all agreements with Red Bank Catholic concerning the Premises.

The Borough and Board of Education will annually meet, preferably in March of each year, and discuss revenue sharing.

6. ANNUAL REPORTS

The Borough shall submit an annual report and accounting of any and all activities and revenue received by the Borough.

7. DEED OF EASEMENT

In the event Green Acres or the County of Monmouth required a Deed of Easement be granted by the Tenant as a condition of funding, the Deed of Easement must be submitted to and approved by the Landlord, which approval shall not be unreasonably withheld. Any and all Deeds of Easement shall be limited to the term of the then existing Lease Agreement, as amended between the Parties. In no event, shall the Tenant provide a Deed of Easement for the Count Basie Field and Park without the express written approval of the Landlord. In the event any Deed of Easement shall provide an easement beyond the term of any existing Lease Agreement, as amended, the Tenant shall take any and all steps to conform any and all Deeds of Easement to the Lease Agreements between the Parties.

8. ENTIRE AGREEMENT

The Lease Agreement and amendments as modified herein constitute the entire agreement between the Parties and cannot be modified except by virtue of a further written agreement duly approved and executed by and between the Parties.

IN WITNESS WHEREOF, the parties have caused this Fourth Amendment to be signed by their duly authorized officers or representatives as of the dated set forth above.

Board of Education of the Borough of Red Bank	Borough of Red Bank
By:	By:
Suzanne Viscomi, Board President	
Date:	
Witness:	
Anthony Sciarillo, Business Administrator	
Date:	

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-77**

**RESOLUTION APPROVING EXTENSION OF GRANT AGREEMENT WITH THE RED BANK HOUSING  
AUTHORITY FOR ITS PRE-DEVELOPMENT NEEDS ASSESSMENT IN FURTHERANCE OF THE  
BOROUGH'S AFFORDABLE HOUSING OBJECTIVES**

**WHEREAS**, on or about May 8, 2023, the Borough of Red Bank (the "Borough") and the Red Bank Housing Authority (the "Authority") entered into a Grant Agreement, whereunder the Borough provided assistance to the Authority in the form of a municipal grant in the amount of \$350,000.00 and

**WHEREAS**, the Grant Agreement stated that the Grant Period thereunder would be for a term of two years, expiring May 8, 2025; and

**WHEREAS**, during the Grant Period, the Authority has made progress in its pre-development needs assessments (the "Pre-Development Project") and its goals of rehabilitating Evergreen Terrace and Montgomery Terrace, and exploring their conversion to Housing Choice Voucher ("HCV") program(s) or other appropriate rent subsidy program(s); and

**WHEREAS**, the Authority has requested that the Borough extend the Grant Period in the parties' Grant Agreement in order for the Authority to continue to pursue its aforesaid goals utilizing the Borough's municipal grant; and


**WHEREAS**, the Borough commends the Authority for its work on the Pre-Development Project to date, and finds it is in the best interest of the Borough and the Authority to extend the parties' Grant Agreement;

**NOW THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Red Bank hereby approves and authorizes the extension of the Grant Agreement with the Red Bank Housing Authority for an additional period of one (1) year from May 8, 2025 until May 8, 2026;

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Borough Manager, Borough CFO, Borough Attorney, Affordable Housing Attorney, and the Red Bank Housing Authority.

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy						X
Councilmember Facey-Blackwood		X	X			
Councilmember Forest			X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>				
			No	<input type="checkbox"/>		

I, the undersigned Borough Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council of said Borough at its meeting held on March 27, 2025.

  
Mary Moss, RMC  
Municipal Clerk