

**BOROUGH OF RED BANK
MONMOUTH COUNTY**

ORDINANCE NUMBER 2025-23

BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS TO FIRE DEPARTMENT FACILITIES, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$265,000 AND AUTHORIZING THE ISSUANCE OF \$251,750 BONDS OR NOTES OF THE BOROUGH 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 or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$265,000, said sum being inclusive of \$13,250 as the amount of down payment now available in the Capital Improvement Fund of the Borough for said improvements or purposes as authorized by the Local Bond Law of the State of New Jersey, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law")

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$265,000 appropriation not provided for by said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$251,750 pursuant to, and within the limitations

prescribed by, 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 an aggregate principal amount not exceeding \$251,750 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 debt obligations are to be issued are for various capital improvements to Fire Department Facilities within the Borough, including, but not limited to, improvements and repairs to the HVAC system, and the purchase and installation of two (2) generators. Such improvements shall also include, but are not limited to, as applicable, all engineering and design work related thereto, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$251,750.

The aggregate estimated cost of said improvements or purposes is \$265,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$13,250 available for such improvements and purposes.

SECTION 4. 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 for the improvements and purposes 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. 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 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 40A:2-8.1 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, 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 improvements or 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 fifteen (15) 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 \$251,750 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) There are no items of expense listed in and permitted under the section 20 of the Local Bond Law included in the estimated cost indicated herein for the improvements or purposes herein before 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 obligations authorized by this bond ordinance. The 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 principal of the 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 §1.150-2. 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 three years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance on a tax-exempt basis.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

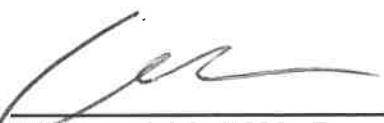
SECTION 12. The Mayor, the Chief Financial Officer, the Borough Administrator, and any other official/officer of the Borough are each hereby authorized and directed to execute, deliver and perform any agreements necessary to undertake the

improvements or purposes set forth herein and to effectuate any transactions contemplated hereby.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: July 24, 2025



MARY MOSS, RMC- Borough Clerk

ADOPTED ON SECOND READING

DATED: August 14, 2025



MARY MOSS, RMC- Borough Clerk

**BOROUGH OF RED BANK
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Red Bank, in the County of Monmouth, State of New Jersey, on July 24, 2025. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on August 14, 2025 at 6:30 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Borough Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS TO FIRE DEPARTMENT FACILITIES, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$265,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$251,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF
Purpose(s):	The Bond Ordinance provides for various capital improvements to Fire Department Facilities within the Borough, including, but not limited to, improvements and repairs to the HVAC system, and the purchase and installation of two (2) generators.
Appropriation:	\$265,000
Bonds/Notes Authorized:	\$251,750
Down Payment:	\$13,250
Useful Life:	15 years


MARY MOSS, RMC
Borough Clerk

BOROUGH OF RED BANK
COUNTY OF MONMOUTH

ORDINANCE 2025-23

PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

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Appropriation: \$265,000
Bonds/Notes
Authorized: \$251,750
Down Payment: \$13,250
Useful Life: 15 years

MARY MOSS, RMC
Borough Clerk

(\$44.00)

AFFIDAVIT OF PUBLICATION

STATE OF NEW JERSEY)
) SS
COUNTY OF MONMOUTH)

I, Mary Moss, RMC, Municipal Clerk of the Borough of Red Bank, County of Monmouth, State of New Jersey, certify that the attached legal notice is a true copy of such notice which was published in the Asbury Park Press, a newspaper of general circulation in the County of Monmouth, State of New Jersey and an official newspaper of the Borough of Red Bank on

July 30, 2025

Certified this 30 day of July, 2025.


Mary Moss, RMC- Municipal Clerk
Borough of Red Bank

**BOROUGH OF RED BANK
PUBLIC NOTICE
BOND ORDINANCE STATEMENT AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of Red Bank, in the County of Monmouth, State of New Jersey on August 14, 2025, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS TO FIRE DEPARTMENT FACILITIES, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$265,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$251,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purpose(s): The Bond Ordinance provides for various capital improvements to Fire Department Facilities within the Borough, including, but not limited to, improvements and repairs to the HVAC system, and the purchase and installation of two (2) generators.

Appropriation: \$265,000

Bonds/Notes Authorized: \$251,750

Down Payment: \$13,250

Useful Life: 15 years



MARY MOSS, RMC
Borough Clerk

BOROUGH OF RED BANK
PUBLIC NOTICE
BOND ORDINANCE STATEMENT
AND SUMMARY

Ordinance No. 2025-23

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of Red Bank, in the County of Monmouth, State of New Jersey on August 14, 2025, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

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Appropriation: \$265,000

**Bonds/Notes Authorized
\$251,750**

Down Payment \$13,250

Useful Life: 15 years

MARY MOSS, RMC
Borough Clerk
(\$33.00)

AFFIDAVIT OF PUBLICATION

Order Number : 11583571

STATE OF WISCONSIN Brown County

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in said newspaper in the issue:

08/20/2025

Legal Clerk

Keystone Year
Denise Roberts

Notary Public State of Wisconsin County of Brown

4-627

My commission expires

DENISE ROBERTS
Notary Public
State of Wisconsin

CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Borough duly called and held on July 24, 2025 and that the following was the roll call:

Present: Bonatakis, Facey-Blackwood, Forest, Jannone, Triggiano, Portman

Absent: Cassidy

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough as of this 24th day of July, 2025.

(SEAL)



MARY MOSS, RMC
Borough Clerk



MUNICIPAL COUNCIL ♦ REGULAR MEETING MINUTES

JULY 24, 2025 ♦ 6:30PM

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

OPMA authorizes municipalities to conduct public meetings through the use of streaming services and other online meeting platforms. The Red Bank Council is meeting in person as well as providing an option for the public to participate in via ZOOM video meetings. Please note that the option to attend is being provided as a courtesy, therefore, if Zoom becomes unavailable during the meeting and it cannot quickly be fixed, Council will continue with the remainder of the meeting. For those joining us via Zoom, please raise your hand during designated times to be recognized for a comment. Whether you are appearing in person or via Zoom, you must provide your name to be recognized. Click [link](#) to follow (Zoom)

PLEDGE OF ALLEGIANCE

ROLL CALL:

I.

Present: Councilmember Bonatakis, Councilmember Facey-Blackwood, Councilmember Forest, Councilmember Jannone, Deputy Mayor Triggiano, and Mayor Portman

Others present: Gregory Cannon, Borough Attorney, James Gant, Borough Manager, and Mary Moss, Borough Clerk

Absent: Councilmember Cassidy

II.

PROCLAMATIONS, ANNOUNCEMENTS, APPOINTMENTS –

Mayor Portman read the following proclamations into the record:

- a) Proclamation: Honoring Dr. William H. Lieberman – (Dr. Lieberman)
- b) Proclamation: Douglas Lang (Retirement)- (Mr. Douglas Lang)
- c) Proclamation: Stewart Goldstein (Retirement)- (Mr. Stewart Goldstein)
- d) Proclamation: Disability Pride Month- (Mr. John Klein)

Mr. Klein (Founder/Partner – Thrive Red Bank) thanked Mayor and Council for acknowledging the Proclamation and allowing them to speak this evening. One out of six individuals have some form of disability, and it something that we as residents and as a community should be able to overcome. The mission of Thrive Red Bank is to improve the lives of people within the community with disabilities, to provide sustainable living environments. This will allow individuals to be independent and be an active part of the community, individuals will have access to jobs, volunteering, education and active activities within the community. Thanked Borough officials and leaders in helping kick off their mission with the groundbreaking on Shrewsbury Avenue this coming Wednesday.

Mayor Portman read the following announcement into the record:

- e) Removal of Library Trustee (Suzanne Viscomi)

Mayor Portman: Based on an independent investigation from the Library Board, the Borough investigated, he requested Jonathan F Cohen, Esq. (Borough Hearing Officer) to come forth to provide the background and finding of the Borough's investigations.

Mr. Cohen: Based on the investigation report received from the library and the hearing he has conducted, he has concluded that it is his recommendation to the mayor that Suzanne Visconti be removed from the Library Board of Trustees. There was an informal hearing where he had met with Visconti, a character witness on behalf of Visconti and a Zoom hearing from another witness. Based on the allegation from December 2023 – January 2024, Ms. Visconti made a comment to Eleni Glykis (former Borough employee) regarding Julie's story regarding her father being deported and how is it that Julie could still be here in the United States? Ms. Glykis stated that if an individual is born in the United States, she is a citizen of the United States and Ms. Visconti reaction was, that didn't make sense, she (Julie) should be departed too. Ms. Visconti has denied the report and has stated that she does not recall, however, there were certain details that she recalled, so it does not seem to be credible. There are a lot of Ms. Visconti supporters that would speak on her behalf, but they simply were not there during the time of the comment.

Mayor Portman accepted Mr. Cohen's recommendation of the removal of the Library Board Trustee (Suzanne Visconti) effective immediately, new appointment board will be announced at the next Council meeting.

III. PRESENTATIONS- NONE

IV. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Councilmember Forest motioned to open the floor for public comment on agenda items only; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

1. Suzanne Visconti- Cedar St.: the news is devastating; she is one of the biggest cheerleaders for all the residents of the Borough of Red Bank. These comments are ridiculous and absurd. The investigation does not have an exact date of incident. No one was sworn in on these investigations. Let's get true facts and not based on hearsay and be punished for it. She would never have made such a comment as if the situation could happen to her regarding deportation. She stands on integrity and the truth.
2. Katie Gilday, 85 Pinckney Rd., having children in the school system here in Red Bank, and having to hear what has transpired, if she is not fit to sit on the Board of Trustees in a volunteer capacity, how does that affect her in being allowed to sit on the Board of Education. Speaking in a manner, regardless of whether in a public, private, or open meeting setting, if one speaks like that, they are not fit to serve the public community.
3. Wayne Wooley- 196 Mechanics St.: he recognized the contributions of Ms. Visconti and asked the mayor to reconsider his decision. In his opinion, she has earned the receive the benefit of the doubt. Based on the investigation, it is insufficient regard a matter of this magnitude.
4. Jennifer Harold Garcia- 30 Drummond Place: there's a magnitude of achievements that she and Ms. Visconti have achieved within the school district over the years. Over that period, they have been able to transform their school's system into community schools, they work with partners and develop programs. She does things within the community that are not even mentioned, she simply does this without any credit. She would like to have the mayor reconsider his decision. She also read a statement into the record on behalf of Judy DeHaven.

Mr. Cohen commented on the hearsay comments made by the public regarding the removal of Ms. Visconti: hearsay in matters pertaining to this situation cannot be thrown out completely as there are various accounts from various individuals stating different allegations, etc... The purpose is to determine what is the most credible during such hearing/investigations of these different accounts. There may not be a recording, however, based on the various hearing/investigations done, the information provided the credibility of the accounts.

5. Gay Steinbrick; Locust Avenue: it appears that this governing body is going after an individual because of politics. There was not a proper investigation done. She is a smart and dedicated individual.

6. Itzel Hernandez, 27 Drummond Avenue: she is grateful that people did the right thing on this incident. There has been more than just hearsay in the account. It is deeply disturbing when an ignorant comment is made regarding our young people in town. This is about a young person in our community who was insulted and many of the adult leaders in the community failed her, but justice does not have a time frame. Everyone in town should feel safe.

7 Julie Fores-Castillo-234 Dr. James Parker Blvd.: just because you look like me, does not mean you represent me in any way, shape or form. Anyone here to defend her, ask why do you use your voice to excuse harm instead of calling for accountability. We should hold public figures accountable, it is not about opinions or politics, it's about responsibly for the impact of our words and actions.

8. Drew Logan, 26 Allen Place: based on what he has heard, Ms. Visconti has no business in serving in any capacity on behalf of the Borough. Board of Education appointment should be scrutinized as well.

Councilmember Forest motioned to close the floor for public comments on agenda items only; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

V. APPROVAL OF MINUTES AND REPORTS

a) 7/10/2025 – Councilmember Forest motioned to approve the minutes; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor. Absent 1- Cassidy

@7:34 pm short break

VI. ORDINANCES- 7:39 pm meeting commenced

a) Final Reading/Public Hearing- **Ordinance 2025-16** ENTITLED AN ORDINANCE AMENDING CHAPTER 490: “PLANNING AND DEVELOPMENT REGULATIONS” TO REVISE THE BOROUGH'S LAND USE REGULATIONS APPLICABLE TO BILLBOARDS WITHIN THE BOROUGH OF RED BANK

Ordinance was introduced on June 26, 2025

Councilmember Bonatakis motioned to open the floor for the public hearing on Ordinance 2025-16; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

No one came forward

Councilmember Bonatakis motioned to close the floor for the public hearing on Ordinance 2025-16; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

Councilmember Bonatakis motioned to approve the ordinance for adoption; Councilmember Facey-Blackwood seconded the motion. A roll call vote confirmed all in favor. Absent 1- Cassidy

b) Final Reading/Public Hearing- Final Reading/Public Hearing- **Ordinance 2025-18**, ENTITLED AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE BOROUGH OF RED BANK, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

Ordinance was introduced on July 10, 2025

Councilmember Forest motioned to open the floor for the public hearing on Ordinance 2025-18; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

No one came forward

Councilmember Jannone motioned to close the floor for the public hearing on the final reading on Ordinance 2025-18; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

Councilmember Jannone motioned to approve the ordinance for adoption; Councilmember Forest seconded the motion. A roll call vote confirmed all in favor. Absent 1- Cassidy

- c) Final Reading/Public Hearing- **Ordinance 2025-19**, ENTITLED AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF AN AMENDMENT TO A FINANCIAL AGREEMENT DATED FEBRUARY 9, 1999, BETWEEN THE BOROUGH AND LOCUST LANDING URBAN RENEWAL ASSOCIATES, L.P., PURSUANT TO N.J.S.A. 40A:20-1, ET SEQ., FOR AN AFFORDABLE HOUSING DEVELOPMENT AT 105 LOCUST AVENUE AND DESIGNATED AS BLOCK 71, LOT 1.01 IN THE BOROUGH

Ordinance was introduced on July 10, 2025

Councilmember Forest motioned to open the floor for the public hearing on Ordinance 2025-19; Councilmember Bonatakis seconded the motion. A voice vote confirmed all in favor.

No one came forward

Councilmember Bonatakis motioned to close the floor for the public hearing on the final reading on Ordinance 2025-19; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

Councilmember Facey-Blackwood motioned to approve the ordinance for adoption; Councilmember Bonatakis seconded the motion. A roll call vote confirmed all in favor.

- d) Final Reading/Public Hearing- **Ordinance 2025-20**, ENTITLED AN ORDINANCE AUTHORIZING EXECUTION OF AGREEMENT FOR PAYMENTS IN LIEU OF TAXES FOR AN AFFORDABLE HOUSING DEVELOPMENT AS AUTHORIZED BY N.J.S.A. 52:27D-301 ET SEQ. AND N.J.S.A. 52:27D-329.2 (BLOCK 71, LOT 1.01)

Ordinance was introduced on July 10, 2025

Councilmember Facey-Blackwood motioned to open the floor for the public hearing on Ordinance 2025-20; Councilmember Bonatakis seconded the motion. A voice vote confirmed all in favor.

No one came forward

Councilmember Facey-Blackwood motioned to close the floor for the public hearing on the final reading on Ordinance 2025-20; Councilmember Bonatakis seconded the motion. A voice vote confirmed all in favor.

Councilmember Facey-Blackwood motioned to approve the ordinance for adoption; Councilmember Bonatakis seconded the motion. A roll call vote confirmed all in favor. Absent 1- Cassidy

- e) Final Reading/Public Hearing- **Ordinance 2025-21**, ENTITLED AN ORDINANCE AMENDING CHAPTER 300: "CONSTRUCTION CODES, UNIFORM" TO UPDATE CONSTRUCTION FEES

Ordinance was introduced on July 10, 2025

Councilmember Bonatakis motioned to open the floor for the public hearing on Ordinance 2025-21; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

No one came forward

Councilmember Facey-Blackwood motioned to close the floor for the public hearing on the final reading on Ordinance 2025-21; Councilmember Bonatakis seconded the motion. A voice vote confirmed all in favor.

Councilmember Bonatakis motioned to approve the ordinance for adoption; Councilmember Facey-Blackwood seconded the motion. A roll call vote confirmed all in favor.

- f) Final Reading/Public Hearing- **Ordinance 2025-22**, ENTITLED AN ORDINANCE AMENDING CHAPTER 603: "STREET BANNERS" TO UPDATE PROCEDURES AND REGULATIONS PERTAINING TO STREET BANNERS

Ordinance was introduced on July 10, 2025

Deputy Mayor Triggiano motioned to open the floor for the public hearing on Ordinance 2025-22; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

No one came forward

Councilmember Bonatakis motioned to close the floor for the public hearing on the final reading on Ordinance 2025-22; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

Deputy Mayor Triggiano motioned to approve the ordinance for adoption; Councilmember Facey-Blackwood seconded the motion. A roll call vote confirmed all in favor. Absent 1- Cassidy

g) Introduction- **Ordinance 2025-23** ENTITLED A BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS TO THE FIRE DEPARTMENT FACILITIES, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING \$265,000 AND AUTHORIZING THE ISSUANCE OF \$251,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Borough Manager Gant: this is for the repair of the HVAC system and installation of (2) generators for the Fire House.

Councilmember Bonatakis motioned to approve Ordinance 2025-23 on first reading and to authorize the notice of approval and public hearing to be held on August 14, 2025, Councilmember Facey-Blackwood seconded. A roll call vote confirmed all in favor. Absent 1- Cassidy

h) Introduction- **Ordinance 2025-24** ENTITLED A BOND ORDINANCE PROVIDING FOR PHASE I OF THE CONSTRUCTION OF A NEW DEPARTMENT OF UTILITY FACILITY, IN AND FOR THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$4,875,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,640,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

Borough Manager Gant: This is Phase 1 of the project. Professionals will be set in place and cost for possible demolition and relocation of DPU offices.

Councilmember Bonatakis motioned to approve Ordinance 2025-24 on first reading and to authorize the notice of approval and public hearing to be held on August 14, 2025, Councilmember Facey-Blackwood seconded. A roll call vote confirmed all in favor. Absent 1- Cassidy

i) Introduction- **Ordinance 2025-25**, ENTITLED AN ORDINANCE AMENDING CHAPTER 680" "VEHICLES AND TRAFFIC" TO CREATE NEW NO PARKING ZONES ON HUDSON AVENUE, TILTON STREET, AND CATHERINE STREET TO ENHANCE PUBLIC SAFETY

Councilmember Jannone motioned to approve Ordinance 2025-25 on first reading and to authorize the notice of approval and public hearing to be held on August 14, 2025, Councilmember Bonatakis seconded. A roll call vote confirmed all in favor.

VII. RESOLUTIONS

Councilmember Jannone motioned to approve resolutions 25-146 through 25-158 and 25-160 under the Consent Agenda; Councilmember Facey-Blackwood seconded the motion. A roll call vote confirmed all in favor. Absent 1- Cassidy

a. **25-146** RESOLUTION FOR PAYMENT OF BILLS

b. **25-147** INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET CHAPTER 159, P.L. 1948 (COUNTY OF MONMOUTH DEPARTMENT OF HEALTH & HUMAN SERVICES- RED BANK SENIOR CENTER-TITLE III B FUNDS- \$10,000)

c. **25-148** RESOLUTION AUTHORIZING TAX COLLECTOR TO COMPLETE APPLICATION TO PARTICIPATE IN ELECTRONIC TAX SALE PROCESS

d. **25-149** RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

e. **25-150** GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT (2024)

- f. **25-151** RESOLUTION AUTHORIZING CORRECTIVE ACTION PLAN FOR 2024 AUDIT
- g. **25-152** RESOLUTION AUTHORIZING REFUND OF DEVELOPERS' ESCROW ACCOUNT BALANCE TOTALING \$856.00 (PAUL BARTOLI)
- h. **25-153** RESOLUTION AUTHORIZE PAYMENT CERTIFICATE #9 FOR LEAD SERVICE LINE TEST PIT AND SERVICE REPLACEMENT – PHASE 2 (MONTANA CONSTRUCTION)
- i. **25-154** RESOLUTION TO REFUND PARKS & RECREATION REGISTRATION FEE (HADIR OSMAN)
- j. **25-155** RESOLUTION TO AUTHORIZE FIRE DEPARTMENT FACILITIES ANNUAL RENT AND JANITORIAL ALLOWANCE
- k. **25-156** RESOLUTION AUTHORIZING ANNUAL AWARD STIPENDS FOR RED BANK VOLUNTEER FIRE DEPARTMENT OFFICERS
- l. **25-157** RESOLUTION AUTHORIZING TAX REFUND OF 1ST AND 2ND QUARTER 2025 TAXES TOTALING \$3,355.81 DUE TO DISABLED VETERAN STATUS (JUDITH KONNATH)
- m. **25-158** RESOLUTION AWARDING CONTRACT FOR REHABILITATION HOUSING SERVICES FOR 10 CEDAR CROSSING TO NJR HOME SERVICES IN ORDER TO ADVANCE THE BOROUGH'S AFFORDABLE HOUSING REHABILITATION PROGRAM
- n. **25-159** RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING AGREEMENT WITH WCP LOCUST LANDING MM, LLC WITH RESPECT TO THE REHABILITATION OF THE AFFORDABLE HOUSING PROJECT EXISTING UPON THE REAL PROPERTY LOCATED AT 105 LOCUST LANDING AVENUE, AND ALSO KNOWN AS BLOCK 71, LOT 1.01, WITHIN THE BOROUGH OF RED BANK

Mr. Joseph Baumann, Jr., Esq.: Locust Landing needs improvements, the agreement is crucial for the affordable housing for the next 30 years, this is a unique circumstance. These affordable credits will now go to Red Bank instead of Middletown as well. This is a viable project going forward.

Councilmember Facey-Blackwood: where does the site plan go, who reviews. What are examples of standards that are determined to be unnecessary

Mr. Baumann: agreement permits the Borough not to go for a full site plan application. A project can't be unnecessarily burdened to a project, for example, requesting additional lights or stops, etc..

Councilmember Forest: he is very proud of the resolution. This is for the people that live there. This should be a community for everyone. Proud of the Borough for doing what needs to be done for the families and children in that area.

Councilmember Bonatakis- she is grateful for our town that we prioritize issues like this.

Councilmember Forest motioned to approve resolutions 25-159; Councilmember Jannone seconded the motion. A roll call vote confirmed all in favor. Absent 1- Cassidy

- o. **25-160** RESOLUTION AUTHORIZING THE EXTENSION OF THE GRACE PERIOD ON TAXES

VIII.

DISCUSSION AND ACTION

Mayor Portman read the item(s) below from the Special Events Committee meeting (held on July 14, 2025) that were date approved and now need final approval from the Mayor and Council.

1. Let's Beat Breast Cancer Rally (Riverside Gardens Park): Saturday, September 20, 2025; Rain date: Sunday, September 21, 2025
2. Coffee Corral Fall Festival (177 Drs. James Parker Blvd.): Saturday, October 18, 2025, from 10 am to 3 pm; Rain Date: Sunday October 19, 2025

There were no objections from Mayor and Council

IX. PUBLIC QUESTIONS & COMMENTS

Prior to Public Question & Comments, Councilmember Facey-Blackwood commented that on behalf of the Environmental Commission, they would like to introduce and 'construction dust' ordinance for Borough Mayor and Council to consider. In addition, the commission would like a ban on glyphosates, however, the town does not use pesticides on Borough property, she just wanted to note that to Council.

Mayor Portman would like some additional details/information regarding this matter.

Deputy Mayor Triggiano: no objections, please provide a sample ordinance, additional information so all of Council can review. She is also in favor of any ordinance that can be enforced at the municipal level and that would benefit anyone in the community.

Borough Attorney Cannon: he can look at some sample and bring those forth to Council for consideration.

Councilmember Forest motioned to open the floor for public questions & comments; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

1. Boris, 28 Riverside Avenue: Thanked Councilmember Facey-Blackwood for mentioning the construction dust ordinance.

Deputy Mayor Triggiano motioned to close the floor to public comment; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

X MAYOR & COUNCIL COMMENTS

- Councilmember Bonatakis- Historic Preservation update: the decision guideline in the review phases. The work done by the Boys and Girls Club on River and Leighton was amazing, it was great. Thanked everyone that was involved.
- Councilmember Facey-Blackwood – Environmental Commission will have a table set up during National Night out on 8/5/25. Shade Tree has started a pilot program regarding street canopies, they identify streets that need canopies and guide the residents in planning and maintaining the tree, it will be exciting to see the outcome. EZ Ride, Learn to Ride program, is looking to hold an event in August, so please reach out for additional information. The Senior Center is providing helpful information regarding scams. There is also a service to help and assist the elders, for more information regarding the program, go to HomeSharing.org.
- Councilmember Forest: The 1st Garden Event and would like to make honorable mention of the following gardens within town: 15 Brown Place, 16 Locust Avenue, 190 River Road. There is a rowing event this Saturday. For additional events, please go to Parks and Recreation. Thanked the Mayor and Police and all that is involved with regards to slowing the traffic down by River and Leighton.
- Councilmember Jannone – the work done by the Boys and Girls Club did a wonder job. Happy to see that the program giving away free pizza to cyclists on Broad is working, nice to see people following the rules. The Mayor Wellness committee meets every Wednesday, and it nice to see involvement from various business and the County. There was a great conversation this week between immigration and mental health. The library has a host of things happening, so please check out their list of activities, etc. on their website. Finally, Animal Welfare will be collecting Dog and Cat food for Lunch Break at Fins and Feathers this Saturday.
- Deputy Mayor Triggiano – this will be the last night of Holiday in July on Broadwalk. It's been a great success and has generated a lot of interest. Follow the RiverCenter website for a list of events. There are free programs, such as kids story time, kids' karate, etc. Tactical urbanism project is off to a great, thanked Councilmember Facey-Blackwood and Borough Manager Gant for their leadership and work put forth. Honored to gain the relationship the Borough has developed with the Mexican Consulate. This was the 4th time they had come to the borough to assist people in town. She is extremely proud of the work that is being done.

- Mayor Portman- excited about the THRIVE groundbreaking on July 30, it's a great thing to be a part of Red Bank to participate.

XI. MANAGERS REPORT – Manager Gant reported on the following:

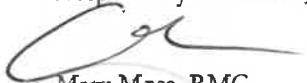
- Hydrant flushing was completed last Friday. It is done twice a year. This improves water quality along with various checks regarding safety and quality. NJDEP inspection went well.
- Marine Park is ready to be awarded by next Council meeting.
- Pleased about the bond ordinance passed this evening for DPU, nice to see the project moving along.
- On behalf of Chief Frazee, he read into record a portion of Chief Frazee's report to Mayor and Council to benefit the community.

XII. EXECUTIVE SESSION – NONE

XIII. ADJOURNMENT: 8:33 p.m.

There being no further business, Deputy Mayor Triggiano offered a motion to adjourn, seconded by Councilmember Facey-Blackwood. A voice vote confirmed all in favor.

Respectfully submitted,



Mary Moss, RMC

Borough Clerk



CERTIFICATE OF FINAL ADOPTION

I, the undersigned Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Borough duly called and held on August 14, 2025, and that the following was the roll call:

Present: Bonatakis, Cassidy, Facey-Blackwood, Forest, Jannone, Triggiano, Portman

Absent: 0

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough as of this 14th day of August, 2025.

(SEAL)



MARY MOSS, RMC
Borough Clerk



MUNICIPAL COUNCIL ♦ REGULAR MEETING MINUTES

AUGUST 14, 2025 ♦ 6:30PM

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

OPMA authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms. The Red Bank Council is meeting in person as well as providing an option for the public to participate in via ZOOM video meetings. Please note that the option to attend is being provided as a courtesy, therefore, if Zoom becomes unavailable during the meeting and it cannot quickly be fixed, Council will continue with the remainder of the meeting. For those joining us via Zoom, please raise your hand during designated times to be recognized for a comment. Whether you are appearing in person or via Zoom, you must provide your name to be recognized. [Click here](#) for ZOOM link

PLEDGE OF ALLEGIANCE

ROLL CALL:

I.

Present: Councilmember Bonatakis, Councilmember Cassidy, Councilmember Facey-Blackwood, Councilmember Forest, Councilmember Jannone, Deputy Mayor Triggiano, and Mayor Portman

Others present: Gregory Cannon, Borough Attorney (arrived at 6:32 pm), James Gant, Borough Manager, and Mary Moss, Borough Clerk

Absent:

PROCLAMATIONS, ANNOUNCEMENTS, APPOINTMENTS -

II.

Mayor Portman read the following Proclamations into the record:

1. Proclamation- Honoring Ritesh Shah, RPh- MOVED to August 28, 2025
2. Proclamation- Honoring Philip Vincenzo Dostie (Eagle Scout)- Mr. Philip Dostie
3. Proclamation- World Humanitarian Day (August 19, 2025)
4. Proclamation- National Black Business Month (August 2025)- Mr. Augusta Carter
5. Proclamation- Honoring Augusta (Gus) Carter

Mayor Portman read the following appointment into the record:

1. Library Board Trustee appointment- Mayoral appointment to the Library Board of Trustee (Nubia Hvidding)

III.

PRESENTATIONS- NONE

IV.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Deputy Mayor Triggiano motioned to open the floor for public comment on agenda items only; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

1. Nubia Hvidding, Red Bank resident- introduced herself to mayor, council, and members of the public. When the vacancy occurred on the Library Board, she knew this would be a great way to give back and serve the community. She enjoys visiting the library with her family on a weekly basis and being around town and volunteering her time when possible.

2. Charles Janjigian, 165 Spring Street- will review the agenda and speak at a later time
3. William Poku, 90 Bank St.- thanked Mayor and Council for recognizing National Black Business month. Though in his option, he feels Red Bank is not friendly to black business owners and for other potential business owners, he believes they are met with a lot of hurdles. Regarding matters of his role/membership as President of the NAACP...

Mayor Portman: addressed Mr., Poku and advised him that he can address that matter during the public portion of the meeting for any/all topics, currently comments are for agenda items only.

4. Dolan Craig, Red Bank resident- made comments on the following:
 1. Bill List: National Night Out, the face painter was paid out of the water account, was that an error?
 2. Bill List: \$9,6000 on fuel cost, is there a policy on how the Borough monitors the usage. Are the charges for business for the town or personal use
 3. Marine Park – he would like to see strength in the contracts that are being written, in the event work is not satisfied, it will be corrected in a timely manner, and the taxpayers are able to have use of the park(s)

5. Charles Janjigian- Marine Park, what about its foundation and other infrastructure surrounding the project?

Borough Manager Gant: addressed Mr. Janjigina and clarified that the resolution is to award the contract to the professional for the Marine Park Improvement project, so if there is a specific question regarding the award then it can be addressed, otherwise, he can comment during the public portion of the meeting on any/all topics.

6. William Poku, 90 Bank Street- regarding the final reading of redevelopment ordinance (Ordinance 2025-17). From his prospective, there are items missing in the plans, it appears the ordinance will be reducing the African American population due to the lack of affordable/low-income housing. The Borough should consider a form of agreement with the NAACP for affordable housing for the African American population or have a PILOT program like the one passed for Locust Landing.

Councilmember Forest motioned to close the floor for public comments on agenda items only; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

V. APPROVAL OF MINUTES AND REPORTS

- a) 7/24/2025 - Councilmember Bonatakis motioned to approve the minutes; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

VI. ORDINANCES-

- a) Final Reading/Public Hearing- **Ordinance 2025-17**, ENTITLED AN ORDINANCE AMENDING CHAPTER 490: "PLANNING AND DEVELOPMENT REGULATIONS" TO REPEAL SECTION 490-154: "TS TRAIN STATION DISTRICT" AND REPLACE SAME WITH THE BOROUGH'S NEWLY ADOPTED "TRAIN STATION REDEVELOPMENT PLAN"

Ordinance was introduced on July 10, 2025

Councilmember Cassidy motioned to open the floor for the public hearing on Ordinance 2025-17; Councilmember Bonatakis seconded the motion. A voice vote confirmed all in favor.

1. Karen Mastriano, 75 Oakland St.: would like to know what was introduced and what is changing with regards to the ordinance.

Councilmember Bonatakis: It's not a change, it's simply repealing an existing train station overlay district. This is a focus on this particular area of the train station development plan.

Mr. Cannon: in addition, the standards from the old district of the redevelopment plan were not necessarily the same and arguments could have been made for a greater higher density that were not specifically written out.

Councilmember Jannone motioned to close the floor for the public hearing on Ordinance 2025-17; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

Deputy Mayor Triggiano motioned to approve the ordinance for adoption; Councilmember Forest seconded the motion. A roll call vote confirmed all in favor.

- b) Final Reading/Public Hearing- **Ordinance 2025-23**, ENTITLED A BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS TO THE FIRE DEPARTMENT FACILITIES, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING \$265,000 AND AUTHORIZING THE ISSUANCE OF \$251,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Ordinance was introduced on July 24, 2025

Councilmember Forest motioned to open the floor for the public hearing on Ordinance 2025-23; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

Borough Manager Gant: to clarify, this is for improvement to HVAC and purchase of (2) generators, to enhance emergency operations and needs

Councilmember Jannone motioned to close the floor for the public hearing on Ordinance 2025-23; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

COUNCILMEMBER FACEY-BLACKWOOD MOTIONED TO APPROVE THE ORDINANCE FOR ADOPTION; COUNCILMEMBER BONATAKIS SECONDED THE MOTION. A ROLL CALL VOTE CONFIRMED: AYES 5 (BONATAKIS, FACEY-BLACKWOOD, FOREST, JANNONE, PORTMAN), ABSTAIN 2 (CASSIDY, TRIGGIANO)

Councilmember Cassidy is in full support of the ordinance but will abstain due to his membership of Westside Hose.

Deputy Mayor Triggiano abstained as well because of her membership to the fire company and is also in full support of ordinance.

- c) Final Reading/Public Hearing- **Ordinance 2025-24**, ENTITLED A BOND ORDINANCE PROVIDING FOR PHASE I OF THE CONSTRUCTION OF A NEW DEPARTMENT OF UTILITY FACILITY, IN AND FOR THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$4,875,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,640,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

Ordinance was introduced on July 24, 2025

Councilmember Forest motioned to open the floor for the public hearing on Ordinance 2025-24; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

1. Steve Hecht, 135 Branch Ave.: is there a total amount for the cost of the project, does the 4,875,000 encapsulate the 4,640,000

Borough Manager Gant: Due to scale of the project, it is hard to provide a total amount, hence the project being done in phases. Currently the cost is for the professionals to access the project and total scope. Confirmed that the cost is 4,875,000 encapsulated by 4,640,000

2. Ed O'Neal, 40 Oakland St.: are the utilities renovations on the same site and Phase 1 are for the soft cost of the project and is there a scope of what is to be done?

Mayor Portman: unsure of the environmental impact for now until proper assessment is completed.

Borough Manager Gant: the objective is to create bays for vehicles, mechanical workshops, areas to keep materials, administrative offices, locker rooms, demolition and relocations. There is no set plan until the professionals' asses.

Councilmember Jannone motioned to close the floor for the public hearing on Ordinance 2025-24; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

Councilmember Cassidy motioned to approve the ordinance for adoption; Councilmember Forest seconded the motion. A roll call vote confirmed all in favor.

Councilmember Forest stated that he is very proud that this process is starting, over the years, he is concerned about the safety for the staff and the conditions. This is overdue but it is a necessary need

Councilmember Jannone stated that her, Councilmembers Facey-Blackwood and Councilmember Cassidy were on the ad hoc committee to discuss these necessary changes, our people work extremely hard and deserve to work in a safe place, this must be done.

- d) Final Reading/Public Hearing- **Ordinance 2025-25**, ENTITLED AN ORDINANCE AMENDING CHAPTER 680 “VEHICLES AND TRAFFIC” TO CREATE NEW NO PARKING ZONES ON HUDSON AVENUE, TILTON STREET, AND CATHERINE STREET TO ENHANCE PUBLIC SAFETY

Ordinance was introduced on July 24, 2025

Deputy Mayor Triggiano motioned to open the floor for the public hearing on Ordinance 2025-25; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

Deputy Mayor Triggiano stated that this was an ordinance that was requested by the Chief of Police for traffic safety.

Deputy Mayor Triggiano motioned to close the floor for the public hearing on Ordinance 2025-25; Councilmember Facey-Blackwood seconded the motion. A voice vote confirmed all in favor.

Councilmember Facey-Blackwood motioned to approve the ordinance for adoption; Councilmember Jannone seconded the motion. A roll call vote confirmed all in favor.

- e) Ordinance Introduction- **Ordinance 2025-26**, ENTITLED AN ORDINANCE AMENDING CHAPTER 680: “VEHICLES AND TRAFFIC” TO REVISE TIME-LIMITED PARKING AND DROP-OFF ZONE REGULATIONS IN PROXIMITY TO 273 SHREWSBURY AVENUE

Mayor Portman stated that this is for the Thrive project, the parking area is being modified for the new building

Borough Attorney Cannon, stated that this is consistent with the land use approval and also a request from the Monmouth County Planning Board

Councilmember Jannone motioned to approve Ordinance 2025-26 on first reading and to authorize the notice of approval and public hearing to be held on August 28, 2025, Councilmember Facey-Blackwood seconded. A roll call vote confirmed all in favor.

Mayor Portman stated that the public hearing on the ordinance would be held on August 28, 2025.

- f) Ordinance Introduction- **Ordinance 2025-27**, ENTITLED AN ORDINANCE CREATING NEW CHAPTER 303: “CONSTRUCTION DUST CONTROL” TO REQUIRE CONTAINMENT OF CONSTRUCTION DUST AND MICROPLASTICS

Councilmember Facey-Blackwood motioned to approve Ordinance 2025-27 on first reading and to authorize the notice of approval and public hearing to be held on August 28, 2025, Deputy Mayor Triggiano seconded. A roll call vote confirmed all in favor.

Councilmember Facey-Blackwood commented that this is at the request of the Environmental Commission, a definite yes for the ordinance. There is a website that explains what construction dust is and how to go about containing it.

Mayor Portman commented that the language and the requirement in the ordinance is something that is simple to accomplish by the builders, trying to streamline the process and make it less of a hassle for builders and everyone.

Deputy Mayor Triggiano commented that the bulk of the language was mimicked from the town of Maplewood ordinance, the only item struck was the prison time, the language in the ordinance is extremely simple to follow. Mayor Portman stated that the public hearing on the ordinance would be held on August 28, 2025.

VII. RESOLUTIONS

Councilmember Cassidy along with Deputy Mayor Triggiano requested resolution 25-162 to be pulled from the Consent Agenda and to be voted on separately.

25-162 RESOLUTION TO AWARD PAYMENT OF 2024 LOSAP BENEFITS TO ELIGIBLE MEMBERS OF THE RED BANK VOLUNTEER FIRE DEPARTMENT AND FIRST AID SQUAD

Councilmember Forest motioned to approve resolutions 25-162; Councilmember Bonatakis seconded the motion. A roll call vote confirmed: Ayes 5 (Bonatakis, Facey-Blackwood, Forest, Jannone, Portman), Abstain 2 (Cassidy, Triggiano)

Councilmember Forest motioned to approve resolutions 25-161 through 25-179 (excluding resolution number 25-162) under Consent Agenda; Councilmember Jannone seconded the motion. A roll call vote confirmed all in favor.

- a) **25-161 RESOLUTION FOR PAYMENT OF BILLS**
- b) **25-163 RESOLUTION AUTHORIZING WATER/SEWER REFUND TOTALING \$267.15**
- c) **25-164 RESOLUTION AUTHORIZING WATER/SEWER REFUND TOTALING \$1,202.77**
- d) **25-165 RESOLUTION AUTHORIZE PAYMENT CERTIFICATE #1 FOR LEAD SERVICE LINE TEST PIT & SERVICE REPLACEMENT – PHASE 3 (UNDERGROUND UTILITIES CORP)**
- e) **25-166 RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND**
- f) **25-167 RESOLUTION TO REFUND PARKS & RECREATION REGISTRATION FEE**
- g) **25-168 RESOLUTION ACCEPTING THE PERFORMANCE GUARANTEE POSTED BY THRIVE RB LLC FOR THE DEVELOPMENT PROJECT LOCATED AT BLOCK 77, LOTS 1, 2, 2.01, 3 & 25.02**
- h) **25-169 RESOLUTION AWARDING A CONTRACT TO MONARCH EXCAVATION LLC FOR MARINE PARK IMPROVEMENTS**
- i) **25-170 RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO MILLENNIUM STRATEGIES FOR GRANT CONSULTING SERVICES**
- j) **25-171 RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS DUE TO JUDGEMENTS OF THE TAX COURT OF NEW JERSEY (BLOCK 29, LOT 28)**
- k) **25-172 RESOLUTION AUTHORIZING TAX CREDITS/REFUNDS DUE TO JUDGEMENTS OF THE TAX COURT OF NEW JERSEY (BLOCK 13.02, LOT 32.03)**
- l) **25-173 RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENT BETWEEN SHREWSBURY TOWNSHIP AND THE BOROUGH OF RED BANK FOR MUNICIPAL CLERK SERVICES**
- m) **25-174 RESOLUTION APPROVING PROFESSIONAL SERVICES CONTRACT WITH BFJ PLANNING TO PREPARE A ZONING ORDINANCE UPDATE CONSISTENT WITH THE BOROUGH'S MASTER PLAN**
- n) **25-175 RESOLUTION APPROVING PROFESSIONAL SERVICES CONTRACT WITH BLUESKY POWER TO PREPARE A COMMUNITY ENERGY PLAN IN CONNECTION WITH THE N.J. BOARD OF PUBLIC UTILITIES' ENERGY PLANNING GRANT PROGRAM**
- o) **25- 176 RESOLUTION APPROVING RIGHT-OF-WAY AGREEMENT AND EASEMENT WITH JERSEY CENTRAL POWER & LIGHT COMPANY AND VERIZON OF NEW JERSEY, INC. FOR THE RELOCATION OF OVERHEAD SERVICE WIRES ON BRIDGE AVENUE**

- p) **25-177 RESOLUTION APPOINTING MEMBERS TO THE RED BANK VISUAL ARTS COMMITTEE**
- q) **25-178 RESOLUTION AUTHORIZE PAYMENT ESTIMATE #4 FOR PEDESTRIAN STATION IMPROVEMENTS (MONMOUTH STREET) (S. BATATA CONSTRUCTION INC.)**
- r) **25-179 RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROVING THE PERSON-TO-PERSON TRANSFER OF APPLICATION ON FILE OF STATE LIQUOR LICENSE #1340-44-028-006**

VIII DISCUSSION AND ACTION-

Mayor Portman read the following date of special events into the record. no objections from the governing body:

1. Health Fair to the Wesleyan Community (9 Wall Street), August 28; 11 am – 2 pm - tentative – subject to internal review/approvals
2. End of Summer Youth Rock Concert (Riverside Gardens Park), August 29; 7 pm – 9 pm
3. Elm Place Block Party: Saturday, September 6th; 9 am-10 pm; RD September 13th
4. Red Bank Townwide Yard Sale: Saturday, September 13th; RD September 14th
5. Hispanic Heritage Committee (Riverside Gardens Park), request time change for celebration on, September 14th: new time will be 2 pm – 8pm
6. Count Basie Sidewalk event (1st Hall of Fame Inductee Ceremony): Thursday, September 25th; 10 am-1 pm
7. South Street Block Party: Saturday, September 27th; 4 pm-10 pm; RD September 28th
8. Leonardo Jewelers Grand Opening: Thursday, October 16th; (all activities inside their business)
9. 180 Turning Lives Around (Paint the Town Purple for the month of October)
10. Westside Tree Lighting (Johnny Jazz Park): December 5th
11. Record Riot Street Fair (Mechanic Street): Sunday, September 14th

IX. PUBLIC QUESTIONS & COMMENTS

Councilmember Forest motioned to open the floor for public questions & comments; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor.

1. Charles Janjigian, 165 Spring Street: addressed the following: Marine Park maintenance will be a nightmare for the DPU department. Infrastructure must be kept up with the aesthetics of the project, and the restroom facilities keep up with the foot traffic. Safety of the crosswalks on Maple Avenue needs to be laid back down. Asking the Borough to be prepared of the traffic coming into town.
2. Linda Clark, Cedar Crossing homeowner: address the governing body of the continued issues of Cedar Crossing. There are many frustrations from the homeowners, there has been neglect within the property, various safety issues, fees that the many homeowners are being charged for, and many other issues without resolve. The board members do not understand what is fully going on and there is a lack of communication and assistance. The homeowners would like assistance from the Borough to intervene and help. There are certain fees that a CPA company has notified the homeowners that they must pay, the ledgers are not accurate. There are discussions made on behalf of the homeowners for them to be accountable for and it is simply unfair.

Borough Manager Gant: The Borough is in the process of determining what the role is from a government standpoint. The Borough is in support and is funding the professional audit, and the reserve study. He, along with the current governing body will continue to put in work on getting a resolution, this is a long process

Mayor Portman addressed Ms. Clark and stated that he would be happy to speak to them in further detail and set aside a time to meet.

3. Ed O'Neill, 40 Herbert St.: addressed the following: Maple Avenue crossing is an accident waiting to happen (near Peters Place and Catherine St.), whatever the State needs to do to slow down the traffic and what can be done. In addition, who can one speak to regarding invasion species of plant life (bamboo)

Deputy Mayor Triggiano directed Mr. O'Neill to see code enforcement regarding the bamboo issue.

4. Mandy Hanigan, 66 Oakland St.: commented on the train station redevelopment area (parking), specifically the enforcement of parking on Oakland St., can the 2 hr. parking sign be placed on the other side (north side) of Oakland, currently the signs are posted on one side only (south side), it will be helpful to the residents. In addition, moving forward, can the parking stickers be updated, her current one is from 2017 even though our parking authority has advised them not to worry.

5. William Poku, 90 Banks St.: addressed Mr. Cannon, regarding a settlement regarding property assessment. Requesting Mayor and Council to opt out of ADP. In addition to Cedar Crossing, the NAACP is also assisting the Cedar Crossing homeowners to obtain some resolution in the courts.

6. Louis Andrianos (Neapoli Italian Kitchen)- 10 Wallace St.: against Broadwalk- there is a decrease in business, for the business not in the Broadwalk area. It is hard for those businesses to fill up their venues. Businesses are here to thrive...not just to survive. With inadequate parking and no liquor license, it makes it extremely difficult for business as well.

7. William Meyer, 12 Monmouth St.: addressed the following: 1. Borough needs to get a hold of the ebike enforcement, they are operating these vehicles at a very high speed. Can there be more police on the streets. 2. Why are police not able to report the illegal criminals that are in town.

Deputy Mayor Triggiano clarified that if Mr. Meyer would like to know if there is a sanctuary law (**Sanctuary law refers to policies enacted by local or state governments that limit cooperation with federal immigration enforcement, aiming to protect undocumented immigrants from deportation.**) in place, she would like to confirm that there is no such law that does or has prevented that. Under the immigrant trust directive, the Red Bank police department does not communicate with ICE. This builds trust between law enforcement and immigrant communities, ensuring that victims and witnesses can report crimes without fear of deportation. She is happy to speak to anyone regarding this matter in detail.

8. Ken (last name inaudible), Red Bank resident since 2014: Broadwalk a great concept but it has an unfair economic disadvantage for those businesses outside of the area

9. Drew Logan, Allen Pl, Red Bank: in favor of Broadwalk, it was a defining factor for the move for himself and his girlfriend.

Deputy Mayor Triggiano stated that there is data that shows that there is an increase for all businesses in the Borough

10. (First, Last name inaudible), Wallace St.: due to closure of Broadwalk, there has been additional traffic down his street that causes additional noise/nuisance.

11. John Yarusi (Johnny Pork Roll)- 8A Monmouth St.: against Broadwalk, there are many residents and business owners that say as such. He loves this town and the Broadwalk is not good. This town is safe to walk around

but the governing body is making this too big too quick, this is not good for businesses anymore, Rivercenter made Red Bank relevant. Shutting down the entire street is hurting the downtown businesses.

12. Katerin Giambalvo (Monticello Restaurant), Red Bank: against Broadwalk, there was no reason for now to speak out. Along with the parking enforcement, it is driving her business down, the concept is unethical. Her restaurant is directly in front of a loading zone, she had a ticket and it's not her 1st time receiving a ticket, she's seen customers in the loading zone and parking enforcement shooing them to move along. This hurts her delivery service because no one can park and pick up the food. During the Broadwalk, no one is coming up to check out the other restaurants in the remaining part of town. Can the governing body take into consideration the negative effect that it is having on the other businesses and help those businesses.
13. Mairin Bennett, Executive Director River Center: business overall is down throughout the entire State. Statistics are tracked regarding Broadwalk, there are data that shows that people do walk around through the Borough beyond Broadwalk.
14. Russo Harrigan (Red Bank Diner): against Broadwalk, business is down during the Broadwalk season, River Center's focus is for the business in Broadwalk area, there are no other local businesses on their site. Broadwalk should be shut down, streets should be opened, so everyone is able to work. It was good during Covid, but the streets should be opened up

Councilmember Jannone motioned to close the floor to public comment; Councilmember Forest seconded the motion. A voice vote confirmed all in favor.

X. **MAYOR & COUNCIL COMMENTS**

- Councilmember Bonatakis: no reports this evening. Hoping all can enjoy the remaining activities in our town.
- Councilmember Cassidy: complements our Specials in town, this is the best bunch the town has ever had. They do a great job of enforcing the law and keeping everyone safe. Ask for a moment of silence for Charles 'Chuckie' King. He was a member of the Union Hose Company for 50 years of service. He was a great servant to the community and a remarkable and kind human being. He will always be fondly thought of. It's a big hole for the whole community.
- Councilmember Facey-Blackwood: complete streets advisory committee will be meeting tomorrow as there are several comments regarding e-bikes and parking noted by the public this evening. It will be brought up and spoken about. Please do get out with the remaining activities in town.
- Councilmember Forest: hearing of all the comments this evening regarding Broadwalk, there's certainly a lot of factors for everyone, he's moved by everyone's passion, and it is hard to here.

Deputy Mayor Triggiano made a motion to re-open the floor for public comment; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor. (approximately 8:29 pm)

1. John Yarusi (Johnny Pork Roll)- he adores his town, Broadwalk is hurting the businesses, people are creatures of habit, by redirecting traffic due to Broadwalk doesn't make sense. Would the town consider closing the streets down at 5 pm on a Friday up until 5 pm on Sundays during the summer months? It may cause an issue with EMS to get down these street in an event of an emergency.
2. Tim McLoone (Robinson Ale House)- though people may feel there is an advantage being inside the Broadwalk area, his business was also down this year. It is primarily due to the weather which no one has control over. Can adjustments be made to Broadwalk? Maybe but that is all up for discussion. Theoretically the Broadwalk was to get everyone to come into Red Bank and that is what it has happened and he is very appreciative of that.

3. (first, last name inaudible): Simply, all the other businesses simply want a level playing field outside the Broadwalk area. The perimeter of the restaurant are failing.

Deputy Mayor Triggiano motioned to close the floor to public comment; Councilmember Jannone seconded the motion. A voice vote confirmed all in favor. (approximately 8:37 pm)

- Councilmember Forest continued with his comments regarding Broadwalk, he thanked all the business for making Red Bank great. Reminded all that the Rock and Roll concert is tomorrow night, and don't forget to sign up for the sport activities through Parks and Recreation.
- Councilmember Jannone: The next library meeting will be on Sept. 18. Animal Welfare will be held in September, Happie Hour also coming up. Living Healthy block party was held today and it was a nice turn out. She wanted to thank the DPU and Police department for all their assistance. Mayor's Wellness committee met this afternoon and this Saturday, Lunch Break will be having a picnic. Turkey giveaway at St. Anthony's along with nonperishables. A lot of various events are coming up in the future.
- Deputy Mayor Triggiano: commented that there are discussions with River Center to bring in ideas to bring in equity for other businesses outside the Broadwalk area, she hopes to continue to have this conversation, encourages all to be part of the discussion. More people coming here or moving here just helps the community. Made remarks regarding upcoming River Center events, please go to the site for additional information: events such as: Indi film festival, grand openings, line dancing, free karate classes for the kids, etc.
- Mayor Portman- looking forward to the upcoming events. As for the Boardwalk, in favor of treating it as a living and evolving thing. He is open to having discussions with any of the businesses and is open to any idea. A balanced Boardwalk is a positive thing, he certainly appreciate all the comments this evening.

XI. **MANAGERS REPORT** – Manager Gant reported on the following:

- 2025 Road Program underway.
- Lead Service Line improvements are continuing
- Pleased with Marine Park project being awarded this evening. Contract to be executed next week
- Please with the bond ordinance for DPU, this is a good move forward to start a much needed project.
- He provided a report from the Quick Built mini grant (River St. and Leighton Ave): provided stats on vehicle volume, vehicle speed, this project held it's weight of the goals for the Borough.

XII. **EXECUTIVE SESSION – NONE**

XIII. **ADJOURNMENT: 8:53 p.m.**

There being no further business, Deputy Mayor Triggiano offered a motion to adjourn, seconded by Councilmember Forest. A voice vote confirmed all in favor.

Respectfully submitted,

Mary Moss, RMC

Borough Clerk

CLERK'S CERTIFICATE

I, MARY MOSS, DO HEREBY CERTIFY that I am the Clerk of the Borough of Red Bank, in the County of Monmouth (the "Borough"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Borough. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Borough and the records relative to all resolutions and ordinances of the Borough. The representations made herein are based upon the records of the Borough. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on July 24, 2025 and finally adopted on August 14, 2025.
2. After introduction, the bond ordinance was published as required by law on July 30, 2025 in Asbury Park Press.
3. Following the passage of the ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Borough at the place where public notices are customarily posted, a copy of said ordinance or a summary thereof and a notice that copies of the ordinance would be made available to the members of the general public of the Borough who requested copies, up to and including the time of further consideration of the ordinance by the governing body. Copies of the ordinance were made available to all who requested same.
4. After final passage, the ordinance was duly published as required by law on August 20, 2025 in Asbury Park Press. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition

requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

5. The bond ordinance has not been amended, added to, altered or repealed and said ordinance is now in full force and effect.

6. A certified copy of this bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, as applicable.

7. The official seal of the Borough is the seal, an impression of which is affixed, imprinted or reproduced opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed, imprinted or reproduced the corporate seal of the Borough as of this 10th day of September, 2025.

(SEAL)



MARY MOSS, RMC
Borough Clerk

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT

I, the undersigned, Clerk of the Borough of Red Bank, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Thomas Seaman, the Chief Financial Officer, that such Supplemental Debt Statement was filed in my office on July 25, 2025, and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on July 25, 2025.



MARY MOSS, RMC
Borough Clerk



DOWN PAYMENT CERTIFICATE

I, the undersigned Chief Financial Officer of the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough"), DO HEREBY CERTIFY that prior to final adoption of the ordinance entitled,

"BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS TO FIRE DEPARTMENT FACILITIES, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$265,000 AND AUTHORIZING THE ISSUANCE OF \$251,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF"

there was available \$13,250 as the amount of down payment now available in the Capital Improvement Fund of the Borough for said improvements or purposes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 25th day of July, 2025.



THOMAS SEAMAN,
Chief Financial Officer

Mary Moss

From: Thomas Seaman
Sent: Friday, July 25, 2025 11:30 AM
To: Mary Moss
Subject: FW: Your Supplemental Debt Statement Submission has been received

From: DCA DoNotReply [DCA] <DoNotReply@dca.nj.gov>
Sent: Friday, July 25, 2025 11:29 AM
To: Thomas Seaman <tseaman@redbanknj.org>
Subject: Your Supplemental Debt Statement Submission has been received

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

SDS for Red Bank Borough was submitted on/at 7/25/2025 11:28 AM CONFIDENTIALITY NOTICE: "The information contained in this communication is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. Further, the information may be considered advisory, consultative or deliberative material, subject to the requirements established under N.J.S.A. 47:1A-1.1. If you are not the intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please notify the sender immediately and destroy the email and any attachments."