

RESOLUTION NO. 17-260

**A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, ACCEPTING THE FAIR MARKET VALUE DETERMINATION OF THE
N.J. DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE EXECUTION OF
AGREEMENTS RELATING TO SIDEWALK IMPROVEMENTS BEING MADE BY THE
N.J. DEPARTMENT OF TRANSPORTATION ON BOROUGH PROPERTY ALONG ROUTE 35**

Councilman Taylor offered the following resolution and moved its approval:

WHEREAS, the N.J. Department of Transportation (the "DOT") intends to install certain ADA-compliant sidewalk improvements along Route 35 within the limits of the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough"); and

WHEREAS, certain portions of the DOT's sidewalk project will require encroachments onto the Borough's property and temporary access to certain portions of the Borough's property to perform the planned work; and

WHEREAS, the DOT has presented to the Borough a fair market value determination of the Borough's property interests to be affected and/or acquired as part of the DOT's sidewalk improvement project; and

WHEREAS, the DOT has presented to the Borough access, payment, and right of entry agreements in connection with the Borough's property interests to be affected and/or acquired as part of the DOT's sidewalk improvement project; and

WHEREAS, the Borough Administrator, Borough Engineer, and Borough Attorney have reviewed the fair market value determination and agreements presented to the Borough by the DOT and have recommended that said agreements be approved by the Governing Body; and

WHEREAS, the Governing Body finds that the planned improvements to the sidewalks along Route 35 is in the best interests of the public safety and welfare of the Borough; and

WHEREAS, the Governing Body finds that fair market value determination of the Borough's property interests to be affected is reasonable and acceptable;

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

1. The Mayor is hereby authorized to execute all necessary agreements and documents provided by the DOT for its planned sidewalk improvement project, which agreements and documents were reviewed by the Borough Attorney and are attached hereto as Exhibit A.
2. This resolution shall become effective immediately.
3. A certified copy of this resolution, together with all of the executed agreements and documents, shall be provided to the Borough Administrator and/or Borough Engineer for appropriate forwarding to the DOT in accordance with its instructions contained in Exhibit A hereto.

Seconded by Councilman Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()
Councilwoman Schwabenbauer	(x)	()	()	()
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()

Dated: November 29, 2017

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on January 1, 2014.