

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 12-166**

**A RESOLUTION AUTHORIZING WAIVER OF THE TIME LIMITS FOR CONSTRUCTION
WORK UNDER SECTION 3-9.12 OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF RED BANK WITH RESPECT TO THE CONSTRUCTION OF CR-10-
IMPROVEMENTS TO EAST/WEST FRONT STREET**

Ms. Lewis offered the following resolution and moved its adoption:

WHEREAS, the County of Monmouth awarded a contract to Earle Asphalt Company for the Improvements to CR-10 East/West Front Street between Emanuel Court and Washington Street in the Borough of Red Bank; and

WHEREAS, the Section 3-9.12 of Revised General Ordinances of the Borough of Red Bank requires that, "No person shall engage in the erection, including excavation, or any building or structure other than between the hours 7:30 a.m. or after 6:00 p.m...of any pile driver, steam shovel, pneumatic drill or hammer...the use of which is attended by loud noise."; and

WHEREAS, Section 3-9.12 permits the time limits contained therein to be waived when reasonable to do so; and

WHEREAS, the time requirements of Section 3-9.12 would extend the schedule for construction within a busy vehicle and pedestrian corridor of the central business district and

WHEREAS, certain businesses on Front Street have no rear exit and must rely on access from the street for operation; and

WHEREAS, the work will take place on Front Street within a primarily commercial area and would cause minimal disruption to residential dwellings; and

WHEREAS, the contractor has secured a construction staging area at the former Worden Funeral Home vacant lot (Block 27, Lot 10), now currently owned by Riverview Medical Center/Meridian Health Care which is within the project limits; and

WHEREAS, closing Front Street for paving operations during business hours would substantially delay traffic; and

WHEREAS, the extension of hours for construction would reduce the overall timeframe for construction and allow work to be completed within approximately seven (7) weeks; and

WHEREAS, the Traffic Bureau of the Red Bank Police Department have recommended that the time limits in Section 3-11.4 be waived with respect to the work contracted for in this instance so as to reduce impact to vehicle and pedestrian traffic and local businesses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the time limits contained in Section 3-9.12 are hereby waived with respect to the above referenced contract and that construction in front of businesses without rear accesses be allowed to extend from the hours of 7AM and 7PM and paving work on Front Street be limited to the overnight hours between 8PM and 6AM;

BE IT FURTHER RESOLVED that the waiver of Section 3-9.12's time limits shall only be applicable to the work completed within the Monmouth County Project for CR-10 East/West Front Street between Emanuel Court and Washington Street as awarded to Earle Asphalt Company and shall be conducted in accordance with the project specifications.

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

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: August 8, 2012