

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-163**

**A RESOLUTION APPROVING AN AMENDMENT TO THE PARTICIPATION AND
CONTRIBUTION AGREEMENT BETWEEN THE BOROUGH OF RED BANK AND
SAINT JAMES ROMAN CATHOLIC CHURCH (RED BANK CATHOLIC HIGH SCHOOL)
RELATED TO THE COUNT BASIE PARK ATHLETIC FIELDS**

WHEREAS, on July 16, 1985 the Borough of Red Bank and St. James Roman Catholic Church ("R.B.C.") entered into a Participation and Contribution Agreement, which in pertinent part, granted R.B.C. status as a participating user of the Count Basie Park athletic fields for a period of ten years in exchange for certain capital contributions related to the football field and public restroom facilities, as well as annual payments by R.B.C. to the Borough, and which specifically incorporated the terms and conditions of the prior January 1, 1978 Lease between the Borough and Board of Education; and

WHEREAS, on May 27, 1997, the Borough of Red Bank and R.B.C. amended the aforementioned Participation and Contribution Agreement, which in pertinent part, extended the term of the July 16, 1985 Agreement until December 31, 2012, in exchange for additional capital contributions related to the running track as well as continued annual payments by R.B.C. to the Borough; and

WHEREAS, on August 10, 2004, the Borough and R.B.C. amended the Participation and Contribution Agreement, which in pertinent part, extended the term of the agreement until December 31, 2020, in exchange for additional capital contributions to the running track as well as increased annual payments by R.B.C. to the Borough; and

WHEREAS, on December 8, 2010, the Borough and R.B.C. agreed to cooperate in additional capital improvements to the Count Basie Park athletic fields, including the replacement of the existing football field with a synthetic turf multi-purpose playing field, new track and field facilities and new fencing, all installed in 2010, and again amended the Participation and Contribution Agreement, which in pertinent part, extended the term of the agreement until December 31, 2020 to December 31, 2025 and increased the monetary contribution by R.B.C. to offset the cost of said improvements; and

WHEREAS, on August 8, 2012, the Borough and R.B.C. amended the Participation and Contribution Agreement to provide for increased monetary contribution by R.B.C. to offset the cost of the aforementioned improvements; and

WHEREAS, the Borough and R.B.C. have now agreed to cooperate in certain maintenance and repairs to the facilities at Count Basie Park athletic fields, in exchange for increased monetary contributions by R.B.C. in 2022, 2023, 2024, and 2025 to offset the cost of said maintenance and repairs;

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 authorizes and approves the Amendment to Participation and Contribution Agreement attached hereto as Exhibit A; and
2. That the Governing Body does hereby authorize the Mayor to execute and the Clerk to attest to the Mayor's execution of the Amendment to Participation and Contribution Agreement attached hereto as Exhibit; and
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Borough Administrator, Borough Attorney, Borough Clerk, and St. James Roman Catholic Church.

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

Dated: June 19, 2019

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 June 19, 2019.

Pamela Borghi

Pamela Borghi, Municipal Clerk