

ORDINANCE NO. 2008-11

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER II, "ADMINISTRATION",
ARTICLE VI, "BOARDS, COMMISSIONS, BUREAUS AND AUTHORITIES"
SUBSECTION 2-55, "AFFORDABLE HOUSING DESIGN REVIEW COMMITTEE"**

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter II of the Revised General Ordinances of the Borough of Red Bank, "Boards, Commissions, Bureaus and Authorities" is hereby amended and supplemented as follows:

SECTION ONE: new Subsection 2-55, "Affordable Housing Design Review Committee", is hereby established as follows:

2-55 AFFORDABLE HOUSING DESIGN REVIEW COMMITTEE.

2-55.1 Establishment and Composition.

- c. *Establishment.* There shall be a Affordable Housing Design Review Committee of the Borough of Red Bank which Committee shall consist of:
1. the Mayor;
 2. the Borough Administrator;
 3. the Chairperson of the Planning Board;
 4. the Borough Engineer, and
 5. the following individuals all of whom shall be appointed by the Mayor:
 - (a) one Councilmember;
 - (b) one licensed architect who is a resident of the Borough; and
 - (c) one resident at large.
- d. *Term.* The Mayor, Borough Administrator, Chairperson of the Planning Board, the Borough Engineer and the Councilmember shall serve on the Committee for a term coextensive with their term of office, or appointment, as applicable. All other members shall serve for a one year term, which shall expire on December 31st of each year. Appointments to fill vacancies shall be made in the same manner as original appointments, and all such appointments shall be for the unexpired term only. The members shall serve until their respective successors are appointed and shall qualify.
- e. *Removal or Vacancy.* The Borough Council may remove any member for cause, on written charges served upon the member, and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel. Any member with three (3) or more unexcused absences from Committee meetings in any one (1) year, shall be presumed to have given cause for removal. A vacancy

on the Committee occurring for whatever cause, shall be promptly filled for the unexpired term in the same manner as an original appointment.

2-55.2 Organization and Officers.

- a. The Affordable Housing Design Review Committee shall, after the initial organization, reorganize annually in the month of February. It shall elect a Chairman and Vice-chairman from among its members.
- b. The Committee shall meet as frequently as reasonably required by the developer of any Affordable Housing Project within the Borough, to review the conceptual plans for the project;

2-61.3 Powers and Duties. Unless waived by the Mayor and Council, the Affordable Housing Design Review Committee shall study and make recommendations regarding conceptual plans for all Borough funded, or Borough sponsored, affordable housing projects within the Borough, as well as such other projects within the Borough as requested by the governing body, prior to the submission of development applications to any Borough land use board. The scope of the Committee's review shall include, but not be limited to:

- a. Project design and layout;
- b. Aesthetically pleasing architectural design;
- c. Review and approval of all finish materials,
- d. Proposed traffic flow and parking;
- e. Sound control measures;
- f. Public space and active recreation;
- g. Consultation with any appropriate local, county, state or federal agencies as may be necessary; and
- h. Any other matters deemed reasonable and necessary by the Committee.

241.4 Expenses and Finances. The Affordable Housing Design Review Committee shall not have the power to expend public funds. The governing body will, in its discretion, authorize expenditures it determines appropriate for the Committee. All financial records and financial matters, such as payroll and purchasing, shall be maintained by and conducted through the usual Borough departments.

2-55.5 Records and Annual Reports. The Affordable Housing Design Review Committee shall keep records of its meetings and activities and shall report to the Mayor and Council as often as directed by the Mayor and Council.

[All other provisions remain unchanged]

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.