



Borough of Red Bank

90 Monmouth Street
Red Bank, NJ 07701

TEMPORARY OUTDOOR BUSINESS EXTENSION

Purpose

The Borough of Red Bank offers business owners the flexibility to temporarily extend their business operation outdoors to provide a focal point for the community and make it more attractive for residents, business, and tourists. Upon approval, business owners may be able to utilize public or private space for outdoor dining, retail, service or special events. Permits may only be issued incidentally with the operation of a properly licensed business as an ancillary use in a zoning district that permits the business.

Instructions

This form may only be completed by the business owner and the property owner as it appears on the deed. If the property is owned by a corporation, the individual signing this form must note the corporation's name as it appears on the deed. (Example: "John Smith Owner of ABC, LLC.") It is recommended that applicants located within the Special Improvement District consult with the Special Improvement District of Red Bank, Inc. (RiverCenter) prior to submitting any application. If private property to be used belongs to another party, the application must be accompanied by an executed Consent Agreement. If public property is to be used, the application must be accompanied by an Indemnification and Hold Harmless Agreement and Certificate of Insurance. Submit the completed form by e-mail to pborgi@redbanknj.org.

Business Name 416, LLC d.b.a. PAZZO		Business Address 141 W. Front St. Ste 145					
Business Owner Name Richard Dell'Anno		Property Owner Red Bank Corporate Plaza					
Telephone Number 732-747-4551		E-Mail Address pazzo416@gmail.com					
Business Type ☒ Food/Beverage ☐ Retail ☐ Service ☐ Other		NJ Division of Alcoholic Beverage Control License? ☒ Yes ☐ No					
Extension Location Type ☒ Public Sidewalk ☐ Public Street ☐ Public Park ☐ Private Sidewalk ☐ Private Property ☐ Private Parking Lot		Extension Location Description (Attach Sketch) sidewalk seating around enclosed patio					
Existing Establishment Size (Square Foot) 5000 Capacity (# People) 181		Proposed Outdoor Extension Size (Square Foot) 600 Capacity (# People) 40					
Temporary Structures/Equipment/Apparatus Description							
TYPE	Tables	Chairs	Benches	Tent	Umbrella	Fence/Barrier	Planters
QUANTITY	13	40			11		6
SIZE	2'x4' and 4'x4'						

Application Requirements Checklist (To be Completed by Applicant)

- ☐ Completed & Signed Application (Including Extension Plan & Litter Control Plan)
- ☐ Signed Acknowledgement and Acceptance of Outdoor Business Extension Regulations
- ☐ Local Health Department Food Handlers License Number: 104 ☐ Not Applicable
- ☐ NJ Division of Alcoholic Beverage Control License Number: 134-33-025-007 ☐ Not Applicable
- ☐ Property Owner Consent Agreement (For Private Property or Adjacent Public Property) ☐ Not Applicable
- ☐ Public Property Indemnification and Hold Harmless Agreement ☐ Not Applicable
- ☐ Certificate of Insurance ☐ Not Applicable
- ☐ Fees

Annual Application Fee				\$ 100.00
Sidewalk (1 st Year) License (2021 RATE)	Extension Sq. Ft. <u>650</u>	x \$2.00 per sq. ft. =		\$ 1300.00
Sidewalk (2 nd Year & Subsequent Years) License	Extension Sq. Ft. _____	x \$4.00 per sq. ft. =		\$ _____
+ "Broadwalk" Zone (with ABC License)	# Parking Stalls _____	x # Months _____ x \$200 =		\$ _____
+ "Broadwalk" Zone (no ABC License)	# Parking Stalls _____	x # Months _____ x \$160 =		\$ _____
+ Street Parking Zone (dining, with ABC License)	# Parking Stalls _____	x # Months _____ x \$100 =		\$ _____
+ Street Parking Zone (dining, no ABC License)	# Parking Stalls _____	x # Months _____ x \$ 80 =		\$ _____
+ Street Parking Zone (non-dining/retail)	# Parking Stalls _____	x # Months _____ x \$ 50 =		\$ _____

TOTAL:

\$ 1400.00

Authorization & Attestation

With my signature below, I attest that each of the above items is true. I accept the permit subject to all conditions set forth in any Ordinance or Resolution heretofore adopted by the Mayor and Council of the Borough of Red Bank. I understand that violations will be enforced by the Borough of Red Bank and my permit may be revoked.

Richard Dell'Anno

Business Owner Printed Name



Business Owner Signature

Date

5/14/21

Application Review (To be Completed by Borough of Red Bank)

Received By: _____ Date: ____/____/____

Red Bank RiverCenter: ☐ Recommend ☐ Deny By: _____ Date: ____/____/____

Fire Marshal: ☐ Recommend ☐ Deny By: _____ Date: ____/____/____

Code Enforcement: ☐ Recommend ☐ Deny By: _____ Date: ____/____/____

Police Department: ☐ Recommend ☐ Deny By: _____ Date: ____/____/____

Administration: ☐ Recommend ☐ Deny By: _____ Date: ____/____/____

Mayor & Council: ☐ Approved ☐ Denied Date: ____/____/____

Resolution #: _____ License #: _____

License Valid From: ____/____/____ Through: ____/____/____

OE 201-40
Pazzio

8. Smoking. Patrons shall not be allowed to smoke within the outdoor premises.
9. Sound. Music, live or recorded, or other amplified sound shall be allowed within the outdoor premises, provided it does not violate the Borough's ordinances related to noise.

Acknowledgement & Acceptance

With my signature below, I acknowledge and attest that I received a copy of the Borough of Red Bank Temporary Outdoor Business Extension Regulations. I understand and I agree that I will comply with all of these provisions. I accept the permit subject to all conditions set forth in any Ordinance or Resolution heretofore adopted by the Mayor and Council of the Borough of Red Bank. I understand that violations will be enforced by the Borough of Red Bank and my permit may be revoked.

Richard Dell'Anno

Business Owner Printed Name

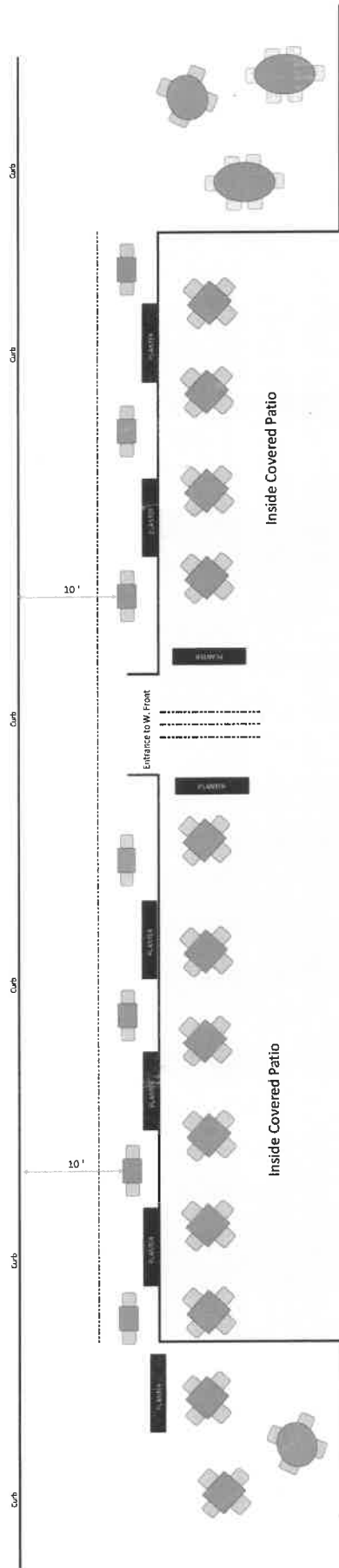


Business Owner Signature

5/16/21

Date

PAZZO outdoor seating
(not drawn to scale)





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/22/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Holmes & McDowell PO Box 348 Holmdel NJ 07733		CONTACT NAME: Erin Burkhardt, CISR PHONE (A/C, No, Ext): (732) 946-4800 FAX (A/C, No): (732) 946-4940 E-MAIL ADDRESS: e.burkhardt@holmesmcdowell.com	
INSURED 416 LLC, DBA: Pazzo Restaurant 141 West Front Street Red Bank NJ 07701		INSURER(S) AFFORDING COVERAGE INSURER A: AmGUARD Insurance Company INSURER B: Capitol Indemnity Corp. INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 42390 10472	

COVERAGES

CERTIFICATE NUMBER: 21-22

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			FOBP279156	05/03/2021	05/03/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☒ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			FOBP279156	05/03/2021	05/03/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0			XS20025106-01	05/03/2021	05/03/2022	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
	☐ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N ☐ N/A						PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)							

CERTIFICATE HOLDER

CANCELLATION

Borough of Red Bank 90 Monmouth St. Red Bank NJ 07701	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Janine Bucher</i>
---	---

© 1988-2015 ACORD CORPORATION. All rights reserved.



Borough of Red Bank

90 Monmouth Street
Red Bank, NJ 07701

INDEMNITY AND HOLD HARMLESS AGREEMENT

THIS AGREEMENT made this 16th day of May, 2021, by and between the Borough of Red Bank, County of Monmouth located at 90 Monmouth Street, Red Bank, New Jersey and:

416, LLC dba PAZZO, whose address is 141 W. Front St, Ste 145;

WHEREAS, 416, LLC dba PAZZO seeks permission from the Borough of Red Bank to:

have sidewalk seating

WHEREAS, the Borough of Red Bank has reviewed the request as set forth above and approves same, subject to the following conditions:

- A. 416, LLC dba PAZZO hereby agrees to defend, indemnify and hold the Borough of Red Bank harmless from any and all damage resulting from the granting of this request, including, but not limited to, property damage and/or personal injury, to themselves and/or third parties, and hereby releases, waives and forever discharges the said Borough, its servants, agents and employees from all such claims. Nothing herein shall be interpreted as obligating 416, LLC dba PAZZO to indemnify the Borough against its sole negligence or willful misconduct.
- B. Should 416, LLC dba PAZZO fail to defend and/or indemnify and save harmless, then, in such case, the Borough of Red Bank shall have full rights to defend, pay or settle the claim on its own behalf without notice to 416, LLC dba PAZZO for all fees, costs, and payments made or agreed to be paid to discharge the claim. The Borough of Red Bank shall then have the right to commence a lawsuit against 416, LLC dba PAZZO to recover all fees, costs and payments paid by the Borough of Red Bank to discharge the claim. 416, LLC dba PAZZO agrees to pay all reasonable attorneys' fees necessary to enforce the indemnification.

- C. 416, LLC dba PAZZO agrees to provide the Borough of Red Bank with a Certificate of Insurance which Certificate shall contain the following language:

“The Borough of Red Bank, its Governing Body, officers, employees, agents and servants are included as additional insured under the general liability policy of 416, LLC dba PAZZO”

Said Certificate shall be in a coverage amount of not less than one million (\$1,000,000.00) dollars including bodily injury and property damage.

- D. IT IS UNDERSTOOD AND AGREED THAT NO ENTRY ONTO BOROUGH PROPERTY FOR THE PURPOSE(S) OUTLINED HEREIN SHALL BE UNDERTAKEN UNTIL THIS AGREEMENT IS SIGNED, AND THE CERTIFICATE OF INSURANCE IS PROVIDED AND APPROVED BY THE BOROUGH.

- E. This Agreement will be unlimited as to amount or duration, and it will be binding on and insure to the benefit of the parties, their successors, assigns and personal agents and representatives.

ATTEST:

_____:

Richard Dell'Anno

Print Name



Signature

5/16/21

Date

Cathleen Dell'Anno

Print Name



Signature

5/16/21

Date