

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 22, 2017
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor and Whelan.

ALSO PRESENT: Borough Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Engineer Neumann and Attorney Cannon.

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on January 11, 2017.

SUSPEND REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to suspend the regular order of business, seconded by Councilman Whelan.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Read Across America presentation

Mayor Menna welcomed students from the Red Bank Primary School and yielded the floor to Councilwoman Horgan.

Councilwoman Horgan said, because some members of the Council had been unable to go to the school to read to the children as part of Read Across America week, they had invited the children to come to a Council meeting. She invited the children to come forward and read their selections. Three students each read a poem.

Mayor Menna thanked the students and read a proclamation proclaiming March 2, 2017 as “Read Across America Day” in Red Bank.

Mayor Menna invited Superintendent of Schools Rumage to offer comments.

Dr. Rumage thanked the Council for their ongoing partnership and support.

RESUME REGULAR ORDER OF BUSINESS

Councilman Taylor offered a motion to resume the regular order of business, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

WORKSHOP

Preliminary Concept Plan for Sunset Avenue Park

Councilman Yngstrom reported that there had been a public meeting the night before to go over the project including what had been done and where they wanted to go. He said they had received good feedback from the public and said there would be plenty more opportunities for the public to engage and offer input. He said, at this time, the Council had a proposal from T&M Associates to begin the third phase of the project. He said the first phase was demolition and the second phase had been surveying for contaminants. He said they were now moving forward with a remedial action plan. He said the park would be inclusive and would be available for the enjoyment of everyone in town. He said the Council had a draft resolution before them that he would like to have added to the agenda.

Mayor Menna said the project predated most of the Council members’ tenure. He said it had been a multi phased project that the Borough had been quietly but aggressively involved in for many years. He said the Council had committed, some time ago, to reclaim the property that was formerly a municipal reclamation center. He said the site was approximately six acres that was impacted by fluid vegetation

and a lot of flora and fauna. He said the first step, as Councilman Yngstrom had noted, had been to go to the State which the Borough had done. He said they had secured 100 percent State funding to clean up the site. He confirmed that they had removed a lot of structures such as smoke stacks, etc. and performed a cleanup and capping. He said the Borough had been moving ahead on the project but added that it was a slow process and noted the very strict regulations imposed by the DEP. He said they were now reaching the end of that phase. He said the other great news was that those costs had been borne by the State. He said Councilman Yngstrom's committee would be seeking community input. He said the Borough was committed and the funding was there. He thanked Councilman Yngstrom and the committee for moving forward on the project.

Councilwoman Schwabenbauer said she wanted to stress something the Mayor had noted which was the fact that the Council was often questioned on whey they weren't moving forward on the project. She said they were faced with the choice of moving slowly or paying for it with Borough funds. She said they had chosen to save the money and move at a slower pace. She also thanked Councilman Yngstrom for working to move the project forward.

Mayor Menna said he shared her sentiments but said, even assuming the Borough had taken charge of the project and done the work themselves, he wasn't sure they would have been able to reach the decisions any faster because the time table was driven by the State.

Councilman Zipprich noted that when he had first come on Council, they had voted to take the incinerator down and said it had been a long and slow process. He also noted that it was funded by the State and said it had been a positive step for the Borough. He said the Borough had worked closely with the Engineers both locally and at the State level to make sure the project was environmentally sound.

Mayor Menna said there was a draft resolution that would authorize moving forward on the project that he said would be added to the end of the agenda. He said he wanted to let the public know that the phase they were moving forward on would be done by the Borough's former Engineer because they had been engaged in the project since day one. He said it would make sense to continue with that firm.

Property Maintenance Ordinance

Mayor Menna said the emphasis on the proposed ordinance would be to move forward stalled projects. He said there was concern about impacting single family homeowners and said he was happy to report that the revised ordinance did address that. He said the single family homeowners would still be required to register but the first year would carry no fee and the successive years would carry a nominal fee.

Councilman Taylor said the Code Committee had met the previous evening and said there was additional language that they wanted to address. He said they did not want to introduce it at this meeting.

Mayor Menna said it would be removed from the agenda.

APPROVAL OF MINUTES – February 8, 2017

Councilman Whelan offered a motion to approve the minutes, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Yngstrom, Zipprich, Schwabenbauer, Taylor Whelan

NAYS: None

ABSTAIN: Horgan

There being five ayes, no nays and one abstention, the motion was declared approved.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Schwabenbauer said she had no report other than that they were still working on the budget.

Councilman Taylor said he had no report other than what he had reviewed from the Code Committee meeting.

Councilman Whelan reported that there had been a retirement party the previous week to commemorate the retirement of Police Captain Thomas McDonough. He said the following weekend would be the Fire Department Awards Dinner where they would honor the Ex-Chief, the new Chief and present Department citations.

Councilwoman Horgan said she had no report.

Councilman Zipprich said the DPW committee had met earlier in the day and reviewed the topics of discussion.

Councilman Yngstrom said Parks and Recreation would be hosting their second annual Cinco de Mayo celebration on Friday, May 5 at the Primary School. He also reported that sign ups were underway for the Community Garden. He said the season would begin March 4 and the cost was \$25 per season. He said

boats slips currently available and reported that the Committee would be holding a town hall style meeting at St. Anthony's of Padua church on March 9th from 7 to 8:30 pm.

Mayor Menna said he was asking the CFO to provide a report to the Council regarding depositories for the Borough. He said there was a trend developing to keep the majority of municipal funds in local banks. He said he would like to see Red Bank do the same.

COMMUNICATIONS AND PETITIONS

Mayor Menna read the following requests:

Approved by Special Events Committee:

- Request to hold Paddle the Navesink Day on Sunday, September 17, 2017 at Maple Cove from 10am to 3pm.
- Request from Red Bank RiverCenter to hold the following events:
 1. Red Bank Wedding Walk – March 26, 2017
 2. Red Bank Farmer's Market at Galleria – Sundays May 21, 2017 through November 19, 2017
 3. Street Life performances – Saturday Evenings June, July and August from 6pm to 9pm and Thursday Evenings June 15, July 20, August 3, 10, 17, 24, 31 from 6pm to 8pm.
 4. 6th Annual International Beer, Wine and Food Fest – April 30, 2017 with a rain date of May 7, 2017 in the White Street Parking lot and closure of White Street from 3am on the day of the event.
 5. Sidewalk Sale – July 28, 2017 through July 30, 2017 with outdoor tables and displays during the dates of the event and the installation of removable sidewalk stickers prior to the event to be removed following the event.
 6. 8th Annual Red Bank Guinness Oyster Festival – September 24, 2017 with a rain date of October 1, 2017 in the White Street Parking lot and closure of White Street from 3am on the day of the event.
 7. Girls Night Out—October 19, 2017
 8. 24th Holiday Express Concert/Town Lighting/Santa Express—November 24, 2017 with parade down Monmouth Street, Holiday Concert on Broad Street, Peter's Place to be closed from 1pm to end of concert, Broad Street to be closed from 4pm to end of concert and Monmouth Street closed during parade.
 9. Holiday Horse and Carriage Rides—Saturdays, November 25 through December 23 from 1pm to 5pm with locations at 26 Broad Street and 11 Bridge Avenue.
 10. Holiday Harmonies—Saturdays, November 25 through December 23 from noon to 3pm at various locations in district.

Mayor Menna said he had no objection to the horse and buggy rides other than concern about the route down Front Street. He asked Executive Director Scavone to meet with the Traffic Safety Office to find an alternate route to avoid congestion on Front Street.

Councilman Zipprich offered a motion to approve the requests, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Mayor Menna read a request from Felipe Hernandez for membership to the Fire Police Unit of the Red Bank Volunteer Fire Department.

Councilman Whelan offered a motion to approve the request, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

ORDINANCES – First Reading

2017-06 Mayor Menna read, "An Ordinance Amending and Supplementing Chapter 508, "Property, Vacant and Abandoned."

Mayor Menna said the ordinance was to be tabled and called for a motion.

Councilman Taylor made a motion to table the ordinance, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None.

There being six ayes and no nays, the motion was declared approved.

PUBLIC COMMENT—Ordinances on Resolutions Only

Mayor Menna opened public comment on Ordinances on First Reading and Resolutions only.

No one appearing, Councilman Zipprich made a motion to close, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

ORDINANCES – Public Hearing and Final Adoption

None.

RESOLUTIONS

17-44 Mayor Menna read “A Resolution Authorizing the Appointment of Regular Crossing Guard(s) for the 2016-2017 School Year.”

Councilman Whelan offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

17-45 Mayor Menna read, “A Resolution Authorizing Change Order No. 2 Related to the Contract with Precise Construction, Inc. for Marine Park Site & Bodman Place Pump Station Improvements.”

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

17-46 Mayor Menna read “A Resolution Authorizing T&M Associates to Provide Preliminary Concept Plan for Sunset Avenue Park.”

Councilman Yngstrom offered a motion to approve the resolution, seconded by Councilwoman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming February 28, 2017 as World Spay Day in the Borough of Red Bank.

PAYMENT OF VOUCHERS

17-47 Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$5,501,231.84.”

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

OLD BUSINESS

NEW BUSINESS

Councilman Zipprich reported that the Red Bank Borough Education Foundation would be holding a 50/50 raffle with the drawing to be held on April 28th at International Day at the Primary School.

AUDIENCE

Ben Forrest – 16 Locust Avenue – said he had been unable to make the meeting regarding the park. He said he was glad to hear about the project and that the Borough was seeking input. He said it did seem to be very slow and said anything that could be done to speed it up would be appreciated. He stressed the need for a park in the area and criticized a preliminary plan for a park on Locust Avenue.

Barbara Boas – 135 Branch Avenue – said she was pleased to announce that the Red Bank Mayor's Ball would be May 5th at the Oyster Point. She reviewed the honorees and beneficiaries.

Councilman Zipprich encouraged everyone to get their tickets early because it had sold out quickly in previous years.

Bill Kastning – Executive Director, Monmouth Conservation Foundation, PO Box 4150, Middletown – said his organization was willing to support the Sunset Park project in many ways including securing funding for it. He said they had done similar work in Asbury Park and reviewed that project. He said they had also facilitated the acquisition of Chris's Marina which was now known as Swimming River Park. He said that space was also encumbered with environmental issues and reviewed funding that was available. He said they would also like to offer to facilitate the community involvement particularly at the town hall meeting on March 9th.

Mayor Menna thanked him for attending and said the offer was warmly accepted. He said one of the reasons he was so enthusiastic about the Sunset Park project was because it was right across the river from the Swimming River project. He said he felt it was a natural symbiotic relationship. He again thanked Mr. Kastning for his offer.

Rev. Terrence Porter – Pastor at Pilgrim Baptist Church and President of Red Bank Affordable Housing Corporation – said he was appearing on behalf of the Red Bank Affordable Housing Corporation in support of Sunset Park. He said they understood there was a lot of phases to go but said they were excited to be involved with the project because it affected the community. He said their organization had agreed at a Board meeting to support the initiative and to work with their resources through the State of New Jersey to help finance portions of this particular initiative. He said it was important to them because they had broadened their mission statement to include Community Wellness projects. He said Sunset Park would fall under that umbrella. He agreed that the project would affect the west side but said it would affect the quality of life in all of Red Bank. He spoke of the positive aspects of the proposed park and reaffirmed the Red Bank Affordable Housing Corporation's support.

Mayor Menna noted that, growing up in Red Bank, that all waterfront access of any type was only available on the east side and he said this would provide that access for residents of the west side. He said he thought it was a wonderful fit and said he couldn't wait to move forward.

Cindy Burnham – 71 Wallace Street – asked Mayor Menna where the access to the river was on the east side.

Mayor Menna reviewed access points at Marine Park, Riverside Gardens Park and Maple Cove.

Ms. Burnham said the river could not be accessed from Riverside Gardens Park. She said people could only look at it from there.

Mayor Menna said that was what he was referring to.

Ms. Burnham said she thought he meant to actually get onto the river.

Mayor Menna said he was referring to visual access.

Ms. Burnham said the Borough had sold the boat ramp to Riverview Medical Center and said that had been an access to the river.

Mayor Menna said he was referring to the ability to enjoy a bucolic view of the river.

Ms. Burnham said at the last Council meeting they had voted to spend \$68,000 for Sunset Park.

Administrator Sickels said no such action had been taken.

Ms. Burnham asked what it had been for.

Mr. Sickels was unable to identify what she was referring to.

Councilman Yngstrom said they had not voted on anything regarding Sunset Park prior to this meeting.

Ms. Burnham asked if the money being authorized at this meet would come from the State.

Mayor Menna said it would.

Ms. Burnham asked it was a matching grant.

Mr. Sickels said it was not.

Mayor Menna said they have been paying for all of the costs of the cleanup and remediation.

Ms. Burnham asked if they would also pay for the engineering costs.

Mayor Menna said the Borough would advance the funds but the State would reimburse.

Freddie Boynton—365 Shrewsbury Avenue – asked about a park next to the daycare center. He said the area had been contaminated and asked if children could currently play there.

Mayor Menna asked Administrator Sickels to provide a status report on the property.

Mr. Sickels said the property was not open and reviewed the work that had been done so far. He said the property had been capped and grass was currently being grown. He added that it could not be used until it was sealed. He said the property was owned by the Board of Education.

Mr. Boynton said he grew up in the area of the Sunset property and said he was concerns that all contaminations be removed.

Mayor Menna said it would have to be and noted that that was why the project had taken so long.

Mr. Boynton continued to express concerns about the property.

EXECUTIVE SESSION

17-48 Mayor Menna read a resolution to adjourn to executive session to discuss potential litigation and contract negotiation; no action to be taken.

Councilman Zipprich offered a motion to adjourn to executive session, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Councilman Whelan offered a motion to adjourn from executive session, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

ADJOURNMENT

Councilwoman Horgan offered a motion to adjourn the meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the motion was declared approved.

Respectfully submitted,

Pamela Borghi