

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
DECEMBER 13, 2017  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Mayor Menna and Council Members Yngstrom, Zipprich, Horgan, Taylor and Whelan.  
ALSO PRESENT: Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney Cannon and Engineer Neumann.  
ABSENT: Councilwoman Schwabenbauer.

**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 1, 2017.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan  
NAYS: None

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

**Red Bank Regional Superintendent Louis Moore**

Superintendent Louis Moore from Red Bank Regional School District addressed the Council to update them on activities at the school. He reviewed various accolades and achieves of the school, staff and students. HE stressed that the district wanted to be a resource for the community. He outlined the district's goals and invited Council members to attend a program on January 11 where focus groups would review the district's strategic plan.

Mayor Menna thanked Supt. Moore and the members of the School Board that were in attendance.

Councilman Taylor thanked them for their great work.

Councilman Zipprich also commended the school and noted Administrator Sickels was in their Hall of Fame.

**RESUME REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan  
NAYS: None

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

**WORKSHOP**

**Amendment to Salary Ordinance Ranges**

Administrator Sickels reported that, due to the recent contract settlement with the Union employees as well as upcoming personnel changes, there was a need to amend the ranges of the salary ordinance. He said he would prepare a draft that could be considered after the first of the year.

**JCP&L Easement Request**

Administrator Sickels reported that there was a need for a pole to be relocated due to construction at the Count Basie Theatre. He reviewed the specifics and said he wasn't sure if the pole was within the existing easement.

Mayor Menna asked who would be responsible for the maintenance.

Mr. Sickels said it would be JCP&L.

Mayor Menna asked if an agreement had been provided.

Mr. Sickels said it had.

Mayor Menna asked who would cover the cost.

Mr. Sickels said it would be done at the expense of JCP&L.

Attorney Cannon said the approval could be done by resolution.

Mayor Menna said it must state that the cost and maintenance must be the responsibility of JCP&L or the Count Basie Theatre.

#### **APPROVAL OF MINUTES – November 29, 2017**

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

#### **ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS: None

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

#### **MAYORAL APPOINTMENTS**

Mayor Menna appointed Maria Santamaria to the Human Relations Committee as full member for an unexpired 3-year term ending 12/31/2018.

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

#### **ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS: None

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

#### **REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Yngstrom thanked everyone who attended the recent tree lighting at Johnny Jazz Park. He said it was a great night and thanked the Police, Fire and Public Works departments for their help. He said Parks and Recreation would be holding a winter clothing drive through December 18 and said that would also be the date for final judging of the home decorating contest. He said that the Department was also working on a ski trip for January. He reported that the committee had met with the responders to the RFQ for Marine Park and said he would have more information at the next meeting.

Councilman Zipprich said he had no report and wished everyone happy holidays.

Councilwoman Horgan had no report.

Councilman Whelan congratulated 2018 Fire Chief Stu Jensen on his recent election. He said Administrator Sickels had brought Chief Jensen into the Fire Department and thanked Mr. Sickels for all he had done on behalf of the Fire Department over the years. He also congratulated the Police Department on a recent large heroin bust.

Councilman Taylor reported that the Code Committee had recently met to review changes and the new roles of Acting Construction Official Drucker and Acting Fire Marshal Welsh. He said they were working on revisions to make the code more user friendly. He reported that the Environmental Commission had achieve recertification at Bronze status and would be pushing for the goal of Silver status in 2018.

#### **COMMUNICATIONS AND PETITIONS**

Special Events Requests Recommended for Approval:

Mayor Menna read a request from the Salvation Army to use loading zone spaces at Broad and Wallace Streets for “World’s Largest Kettle” event on Thursday, December 21, 2017 from 9am to 9pm to include one truck for large donation kettle and one truck to distribute hot chocolate.

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

#### **ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS: None

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

#### **PUBLIC COMMENT—Ordinances on Resolutions Only**

Stephen Hecht—135 Branch Avenue—asked about Resolution 17-279 and what property it was regarding.

Mayor Menna said it was regarding 55 West Front Street.

Cindy Burnham—71 Wallace Street—asked about Ordinance 2017-40 and said she wanted to know why there was no increase for existing rates.

Mayor Menna said the Borough’s rates were consistent with others in the area and said the amendment was to provide for larger meters.

Ms. Burnham asked for an example of a customer that would have a two- to three-inch meter.

Administrator Sickels said they would mostly be for commercial properties.

Ms. Burnham asked if that included the hospital.

Mr. Sickels said he believed they had a four-inch and two-inch. He added that the current ordinances sets rates for meters three-inches and above. He said they found they needed a graduated scale for larger meters similar to ones other utilities use. He said the majority were for commercial use.

### **ORDINANCES – First Reading**

2017-39 Mayor Menna read, “An Ordinance Amending and Supplementing the Ordinances of the Borough of Red Bank, Chapter 2015 Personnel Policies Section 105-3, “Authority.”

Councilman Taylor offered a motion to approve the ordinance on first reading, seconded by Councilwoman Horgan.

#### **ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS: None

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

2017-40 Mayor Menna read, “An Ordinance Amending and Supplementing the Ordinances of the Borough of Red Bank, Chapter 695 “Water and Sewer,” Article III “Water Department” Section 695-6 “Water Rates.”

Councilman Zipprich offered a motion to approve the ordinance on first reading, seconded by Councilman Yngstrom.

#### **ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS: None

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

2017-41 Mayor Menna read, “An Ordinance Amending and Supplementing the Ordinances of the Borough of Red Bank, Chapter 90, “Officers and Employees,” Article V “Fire Marshal.”

Councilman Taylor offered a motion to approve the ordinance on first reading, seconded by Councilwoman Horgan.

#### **ROLL CALL:**

AYES: Yngstrom, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

2017-42 Mayor Menna read, “An Ordinance Amending and Supplementing the Ordinances of the Borough of Red Bank, Chapter 361 “Fire Prevention and Protection.”

Councilman Taylor offered a motion to approve the ordinance on first reading, seconded by Councilman Whelan.

#### **ROLL CALL:**

AYES: Yngstrom, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

2017-43 Mayor Menna read, “An Ordinance Amending and Supplementing the Ordinances of the Borough of Red Bank, Chapter 505 “Property Maintenance, Article I “Adoption of Standards.”

Councilman Taylor offered a motion to approve the ordinance on first reading, seconded by Councilman Zipprich.

#### **ROLL CALL:**

AYES: Yngstrom, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

### **ORDINANCES – Public Hearing and Final Adoption**

#### **RESOLUTIONS**

17-259 Mayor Menna read, “A Resolution Authorizing the Award of Fair and Open Contracts for Professional Services (Architectural Services).”

Mayor Menna noted the fees would be paid through escrow accounts and the services would be used on major applications only.

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

#### **ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

By Consent Agenda:

17-274        A Resolution Authorizing Lease Agreements with Fire and First Aid Companies for Storage of Vehicles and Equipment.

17-275        A Resolution Regarding the 2018 Reorganization Meeting of the Governing Body.

17-276        A Resolution Authorizing Contracts with Certain Approved Vendors Under a Cooperative Pricing System Pursuant to 40A:11-11(5) (Fire Marshal Vehicle)

17-277        A Resolution Authorizing Tax Appeal Settlement Regarding W & K Realty, LLC, 14-24 N. Bridge Avenue, Block 2, Lot 4.01, Red Bank, New Jersey.

17-278        A Resolution Authorizing the Release of a Performance Guarantee Posted by John and Mary Werner for Block 13.02, Lots 43, 44, & 45 and Waiving the Posting of a Maintenance Guarantee.

17-279        A Resolution Accepting Performance Guarantee Posted by West Front Street Partners, LLC for Block 30, Lot 10.01.

17-280        A Resolution Authorizing a Refund of \$24,164.18 to Lien Holder of Tax Certificate # 17-00032 Regarding Block 88, Lot 5

17-281        A Resolution Authorizing Transfer of 2017 Current Fund

17-282        A Resolution Constituting an Agreement with Certain State Contract Vendor for the Purchase of Installation of Flooring.

17-283        A Resolution Authorizing Water/Sewer Refund due to Overpayment.

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

ROLL CALL:

AYES:        Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

17-284        Mayor Menna read, "A Resolution Authorizing an Easement Agreement with JCP&L."

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

ROLL CALL:

AYES:        Yngstrom, Horgan, Taylor, Whelan

NAYS:        None

ABSTAIN:    Zipprich

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

## **PROCLAMATIONS**

None.

## **PAYMENT OF VOUCHERS**

17-285        Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$1,648,515.11."

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

ROLL CALL:

AYES:        Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

17-273 Mayor Menna read, "A Resolution Commending Stanley J. Sickels."

Mayor Menna noted the Council was memorializing a resolution that had been presented to Mr. Sickels at a recent retirement dinner. He commended Mr. Sickels on his 38 years of service and reviewed his career with the Borough. He noted Mr. Sickels reputation throughout the State and said he was a consummate professional who had served faithfully, diligently and with integrity. He said, on behalf of the employees, volunteers and both past and present Council members, he expressed enormous debt and gratitude.

Councilwoman Horgan said she had had the pleasure to work with Mr. Sickels for 10 years and said she respected his knowledge and institutional memory. She said he was very helpful and thank both him and his wife.

Councilman Zipprich said Mr. Sickels had always been there to share knowledge and give guidance. He wish him and his family happiness.

Councilman Whelan said, as a newer member of Council, he had only spent two and a half years with Mr. Sickels but said they had become extremely close and said he had taught him so much. He spoke of Mr. Sickels passion for fire safety and family. He said he was grateful for his guidance and considered him a friend.

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

**ROLL CALL:**

AYES: Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS: None

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

**OLD BUSINESS**

**NEW BUSINESS**

**AUDIENCE**

Bill Brooks—77 Tower Hill Avenue—said he wanted to recognize the Department of Public Works employees and Director Keen for their efforts to get the leaves off of the street before the recent storm. He said they had done a great job.

Stuart Jensen—36 Vista Drive—noted that, while Councilman Whelan had congratulated him on his election as Fire Chief, he said he also wanted to thank Councilman Whelan for his support and guidance. He said he was excited about his new position and thanked all of those who had supported him. He said Mr. Sickels had been his next door neighbor and had introduced him to the Fire Department and to the Council. He said he considered Mr. Sickels a brother firefighter, mentor and inspiration.

Freddie Boynton—PO Box 2074, 365 Shrewsbury Avenue—reviewed his history with Mr. Sickels and said he would be missed. He commended the Police Chief on the department's efforts to ticket people using cell phones and suggested Borough employees should also be held accountable. He urged Council members to attend meetings he had invited them to.

**EXECUTIVE SESSION**

17-286        Mayor Menna read a resolution to adjourn to executive session to discuss personnel and contract negotiations; possible action to be taken.

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

**ROLL CALL:**

AYES:        Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

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

**ROLL CALL:**

AYES:        Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

**RESOLUTIONS**

17-287        Mayor Menna read, “A Resolution Authorizing Shared Services Agreement between the Borough of Red Bank and the Township of Shrewsbury for the Shared Use of Municipal Court.”

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

**ROLL CALL:**

AYES:        Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

**ADJOURNMENT**

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

**ROLL CALL:**

AYES:        Yngstrom, Zipprich, Horgan, Taylor, Whelan

NAYS:        None

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

Respectfully submitted,  
Pamela Borghi